

State of Colorado



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AGENDA PUBLIC BOARD MEETING January 17, 2023

A public meeting of the Colorado State Personnel Board will be held via webinar on Tuesday, January 17, 2023 at 9:00 a.m.

A Zoom link to the Board meeting is posted on the Board's website at: <https://spb.colorado.gov/board-meetings>.

Reasonable accommodation will be provided upon request for persons with disabilities. If you are a person with a disability who requires an accommodation to participate in this meeting, please notify Board staff at 303-866-5002 by January 12, 2023.

CALL TO ORDER

- Attendance.
- Disclosure of any potential conflicts of interest with regard to present Board business and notice of recusal, if applicable.

I. REPORT OF THE DEPARTMENT OF PERSONNEL & ADMINISTRATION (DPA) AND REPORT OF THE DIVISION OF HUMAN RESOURCES (DHR)

No report scheduled at this time.

II. REVIEW OF INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES ON APPEAL TO THE STATE PERSONNEL BOARD

There are no Initial Decisions or other final orders for review on appeal by the parties.

III. REVIEW OF PRELIMINARY RECOMMENDATIONS OF THE ADMINISTRATIVE LAW JUDGES TO GRANT OR DENY PETITIONS FOR HEARING

- A. Jeffrey Witt v. Department of Human Services, Colorado Mental Health Institute at Pueblo, SPB 2023G021.

On January 3, 2023, the Administrative Law Judge issued a Preliminary Recommendation to deny Complainant's petition for hearing.

- B. Julia Montoya v. University of Colorado Boulder, University Police Department, SPB 2023G009.

On January 4, 2023, the Administrative Law Judge issued a Preliminary Recommendation to deny Complainant's petition for hearing.

- C. Tina Ramos v. Department of Transportation, SPB 2022G008(c).

On January 4, 2023, the Administrative Law Judge issued a Preliminary Recommendation to grant Complainant's petition for hearing.

IV. INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES FOR POTENTIAL REVIEW UNDER C.R.S. § 24-4-105(14)(a)(II)

The Board does not need to take any action under C.R.S. § 24-4-105(14)(a)(II). The Initial Decisions or other final orders issued by the ALJs notify the parties of their right to appeal to the Board.

- A. Charles Nocera v. Department of Regulatory Agencies, SPB 2022S021.

On December 28, 2022, the Administrative Law Judge issued an Initial Decision affirming Respondent's decision not to select Complainant for the position.

V. REVIEW OF THE MINUTES FROM THE DECEMBER 13, 2022 PUBLIC MEETING OF THE STATE PERSONNEL BOARD

VI. ADMINISTRATIVE MATTERS & COMMENTS

- A. ADMINISTRATIVE MATTERS

- Order Reversed and Case Remanded with Directions Manning v. Department of Corrections, State Personnel Board Case No. 2021B004, Court of Appeals No. 21CA1157.

- B. OTHER BOARD BUSINESS

- C. GENERAL COMMENTS FROM ATTORNEYS, EMPLOYEE ORGANIZATIONS, PERSONNEL ADMINISTRATORS, AND THE PUBLIC

VII. PROPOSED LEGISLATION AND/OR RULEMAKING

The Board will consider whether to initiate rulemaking related to Board Rule 1-2.

VIII. EXECUTIVE SESSION

For the purpose of receiving legal advice pursuant to C.R.S. § 24-6-402(3) regarding C.R.S. § 24-50-1110. In particular, C.R.S. § 24-50-1110's applicability to the Partnership Agreement (a/k/a Collective Bargaining Agreement) between the State of Colorado and Colorado Workers for Innovative and New Solutions (a/k/a Colorado WINS).

The Board may vote to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. § 24-6-402(3) regarding any of the matters on the agenda.

ADJOURN

REGULARLY SCHEDULED BOARD MEETINGS - 9:00 a.m.

Colorado State Personnel Board

February 21, 2023

March 21, 2023

April 18, 2023

May 16, 2023

June 20, 2023

July 18, 2023

August 15, 2023

September 19, 2023

October 17, 2023

November 14, 2023

December 12, 2023

January 16, 2024