

State of Colorado



Jared Polis
Governor

Sarah Wager
Board Chair

Rick Dindinger
Board Director

State Personnel Board
1525 Sherman Street 4th Floor
Denver, Colorado 80203
Phone (303) 866-3300
Fax (303) 866-5038

MEETING MINUTES September 20, 2022

The State Personnel Board met on September 20, 2022. The Board held its meeting via webinar using Zoom. Members of the public attended the meeting via webinar. In advance of the meeting, the Board posted information about the agenda and the webinar on its website.

The meeting was called to order at 9:01 a.m. Board Members Kimberley Dempster, Robert Lee, David Ruchman, Euell Thomas, and Sarah Wager were present for the roll call. Rick Dindinger (Board Director) and Jenna Anderson, Esq. (Board Counsel) were also present via webinar.

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

There was no report scheduled this month.

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

There were no Initial Orders or other final orders of the ALJs for review.

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

A. Janette Hudson v. Department of Human Services, SPB 2022G011.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Ruchman moved to adopt the recommendation and deny a hearing. Lee seconded the motion. The motion carried on the affirmative vote of the following Board members: Dempster, Lee, Ruchman, Thomas, and Wager.

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).

There were no Initial Orders for review under C.R.S. § 24-4-105(14)(a)(II).

V. REVIEW OF MINUTES FROM THE AUGUST 16, 2022, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Ruchman moved to approve the minutes as submitted. Dempster seconded the motion. The motion carried on the affirmative vote of the following Board members: Dempster, Lee, Ruchman, Thomas, and Wager.

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Anderson updated the Board on Greene v. University of Colorado Boulder (SPB 2021B040) and Starzyk v. CDPHE (SPB 2021S012).
- Dindinger announced that the Civil Practice Clinic operated by the University of Colorado Law School is now accepting clients. The Civil Practice Clinic is a nonprofit, educational clinic. The Clinic does not charge attorneys' fees for the services provided by law students under the direction of a law professor.

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

- In advance of the meeting, the Board did not receive any requests to make a general comment publicly.

VII. RULEMAKING HEARING.

There was no proposed legislation or rulemaking at the meeting.

VIII. EXECUTIVE SESSION.

At 9:15 a.m., Wager moved to enter an executive session for the following purposes:

- For the purpose of receiving legal advice and legal training pursuant to C.R.S. § 24-6-402(3), specifically as to Board Member Ethics, Board Member Conflicts of Interest, and the matters set forth in C.R.S. § 24-3.7-102.

Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Dempster, Lee, Ruchman, Thomas, and Wager. The Board entered into executive session at 9:17 a.m. The executive session ended at 10:12 a.m.

Wager reported that the Board did not take any action during the executive session.

The Board meeting adjourned by consensus at 10:15 a.m.

SIGNED THIS 18th DAY OF OCTOBER, 2022.

Sarah Wager, Chair

David Ruchman, Vice Chair

Kimberley Dempster, Board Member

F. Robert Lee, Board Member

Euell Thomas, Board Member