

State of Colorado



Jared Polis
Governor

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Board Director

State Personnel Board
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MEETING MINUTES

December 13, 2022

The State Personnel Board met on December 13, 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 9:00 a.m. Board Members Kimberley Dempster, Robert Lee, David Ruchman, Euell Thomas, and Sarah Wager were present for the roll call. Jenna Anderson, Esq. (Board Counsel) and Rick Dindinger (Board Director) 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 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. Adelia Tripp v. Department Human Services, SPB 2023G011.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Dempster moved to adopt the recommendation and grant a hearing on the claim of sex and race discrimination in violation of the Colorado Anti-Discrimination Act. Lee seconded the motion. The motion carried on the affirmative vote of the following Board members: Dempster, Lee, Ruchman, Thomas, and Wager.

B. Barbi Wade v. Department of Human Services, SPB 2023G015.

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

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 Decisions or other final orders for review under C.R.S. § 24-4-105(14)(a)(II).

V. REVIEW OF MINUTES FROM THE NOVEMBER 15, 2022, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Ruchman moved to approve the minutes as submitted. Thomas 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.

- Dindinger reported that Tony Gherardini, Executive Director of the Department of Personnel and Administration, thanked the Board for the opportunity to present an update at the November meeting. On behalf of the Governor, Gherardini also thanked each Board member for their service.
- The Board decided to hold its November and December meetings next year on the second Tuesday of those months. As a result, the November 2023 meeting will be held on November 14 and the December 2023 meeting will be held on December 12.

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.

None.

The Board meeting adjourned by consensus at 9:37 a.m.

SIGNED THIS 17th DAY OF JANUARY, 2023.

Sarah Wager, Chair

David Ruchman, Vice Chair

Kimberley Dempster, Board Member

F. Robert Lee, Board Member

Euell Thomas, Board Member