

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

June 20, 2023

The State Personnel Board met on June 20, 2023. The Board held its meeting via webinar using Zoom. Members of the public attended the meeting. 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, F. Robert Lee, and David Ruchman were present for the roll call. Jenna Anderson, Esq. (Board Counsel) and Rick Dindinger (Board Director) were also present. Euell Thomas joined the meeting at 9:22 a.m. Sarah Wager was excused.

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 BY THE PARTIES 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. Dennis Mattoon v. Department of Human Services, SPB 2022G028.

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

B. William Lohrman v. Department of Human Services, SPB 2023G039.

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 for review. Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Dempster, Lee, and Ruchman.

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).

A. Joy Fernandez v. Department of Public Safety, SPB 2022B060.

The Board did not take any action.

B. Jhamele Robinson v. Department of Human Services, SPB 2023B043.

The Board did not take any action.

V. REVIEW OF MINUTES FROM THE MAY 16, 2023, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

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

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Anderson reported that the Court of Appeals affirmed the Board in Maes v. Department of Transportation, SPB 2021G043 (COA 22CA0934).
- Dindinger reported that the July meeting will be lengthy due to more than one complex item anticipated on the agenda.
- Dindinger reported that the September meeting will be lengthy as Board Counsel will be conducting annual training to the Board, including ethics training.
- Dindinger reported the Governor reappointed Kimberley Dempster and F. Robert Lee to the State Personnel Board for second terms. Their second terms begin on July 1, 2023.

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. By consensus, the Board did not enter an executive session

The Board meeting adjourned by consensus at 9:30 a.m.

SIGNED THIS 18th DAY OF JULY, 2023.

David Ruchman, Vice Chair

Kimberley Dempster, Board Member

F. Robert Lee, Board Member

Euell Thomas, Board Member