*** Added after Proposed Agenda

AGENDA

PERSONNEL BOARD MEETING

November 14, 2014
9:30 a.m.

1. Call to Order

2. Reading of the Minutes of Regular Meeting held October 10, 2014
   Minutes Signed

3. Executive Director and Secretary's Report

4. Report of the Personnel Cabinet

5. **Oral Arguments**

   A. **Francisco Barroso v. Cabinet for Health and Family Services (2014-024 and 2013-268)** (Request by Appellant)

   B. **Melissa Hill v. Cabinet for Health and Family Services (2014-048)** (Request by Appellant)

   C. **Elizabeth Littlejohn v. Justice and Public Safety Cabinet (Corrections) (2014-050)** (Request by Appellant)

   D. **Shanion Thurman v. Department of Public Advocacy (2010-255)** (Request by Appellant)

6. **Motions**

*** A. **Bethany Cook v. Justice and Public Safety Cabinet (Corrections) (2013-098)**
   -- Motion to Accept Appellant's Exceptions as Timely Filed

   B. **Nicole Hunt v. Cabinet for Health and Family Services Cabinet (2013-161)**
   --Appellant's Motion to Exclude Appellee's Exceptions

7. **Investigations**

8. **Closed Session**

9. **Open Session**

*** Added after Proposed Agenda

10. **Cases to be Decided**

A. **Francisco Barroso v. Cabinet for Health and Family Services (2014-024 and 2013-268)** (Special leave and dismissal – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions

B. **Melissa Hill v. Cabinet for Health and Family Services (2014-048)** (Dismissal, time and attendance – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions

C. **Elizabeth Littlejohn v. Justice and Public Safety Cabinet (Corrections) (2014-050)** (Demotion, fraternization – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions

D. **Shanion Thurman v. Department of Public Advocacy (2010-255)** (Dismissal, misconduct – appeal dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions

E. **Kimstance Johnson v. Justice and Public Safety Cabinet (Corrections)** (2013-216) (Directed sick leave, discrimination – appeal dismissed)
DEFERRED FROM OCTOBER MEETING
--Recommended Order after Remand (dismissing appeal)
--Appellant's Exceptions
--Appellee's Response to Exceptions

F. **Ronald Nunemaker v. Justice and Public Safety Cabinet (Corrections) (2013-262)** (3-day suspension, poor work performance – appeal dismissed)
DEFERRED FROM OCTOBER MEETING
--Appellant's Exceptions and Request for Oral Argument

G. **Nicole Hunt v. Cabinet for Health and Family Services (2013-161)** (Promotion – appeal dismissed)
--Appellant's Exceptions
--Appellee's Response to Exceptions
--Appellant's Motion to Exclude Appellee's Exceptions

H. **Bethany Cook v. Justice and Public Safety Cabinet (Corrections) (2013-098)** AFTER REMAND (Dismissal, poor work performance, disability discrimination – appeal dismissed)
--Appellant's Exceptions (returned as untimely filed)

I. **Eric Brinegar v. Cabinet for Health and Family Services (2014-047)** (5-day suspension, unsatisfactory performance of duties – appeal dismissed)

*** Added after Proposed Agenda

J. **Matthew Cook v. Finance and Administration Cabinet (2014-162)** (Probationary dismissal – appeal dismissed, no jurisdiction)

K. **Teresa Hall v. Finance and Administration Cabinet (2013-286)** (Retaliation, sexual harassment, hostile work environment – appeal dismissed)

L. **Wade Hester v. Finance and Administration Cabinet (2013-042)** (Special investigative leave – appeal sustained to extent of purging personnel record)

M. **William Nathan Jones v. Public Protection Cabinet (2013-253)** (constructive discharge, political discrimination and not allowed to rescind resignation – appeal dismissed)

N. **Lee A. Karsner v. Justice and Public Safety Cabinet (Corrections) (2014-121)** (Untimely answer to grievance and restoration of sick time – sustained to the extent that answer to grievance was untimely, claim for restoration of sick time dismissed as not timely filed)

O. **David Stephanski v. Cabinet for Health and Family Services (2014-031)** (5-day suspension, damage to state property – appeal sustained to the extent of reducing to a 3-day suspension)

P. **Dean Tomlinson v. Energy and Environment Cabinet (2014-014)** (3-day suspension, time and attendance – appeal dismissed)

Q. **Cecilia Turley v. Justice and Public Safety Cabinet (Corrections) (2013-230)** (3-day suspension, breach of security – appeal dismissed)

<u>Show Cause Orders – No Response Filed – Appeals Dismissed</u>

R. James Byrd v. Justice and Public Safety Cabinet (Juvenile Justice)

11. **Withdrawals**

A. David R. Brock v. Cabinet for Health and Family Services
B. William Maurice Brown v. Cabinet for Health & Family Services and Bob James
C. Joshua Bynum v. Finance and Administration Cabinet
D. Angela Coots v. Cabinet for Health and Family Services
E. Tammy Graham (Skinner) v. Justice and Public Safety Cabinet (Corrections)
F. Eric Irvin, Sr. v. Justice and Public Safety Cabinet (Corrections)
G. Rebecca Perry v. Cabinet for Health and Family Services and Personnel Cabinet
H. Daniel Ray v. Justice and Public Safety Cabinet (Corrections)
I. Hamid Rezvanian v. Transportation Cabinet and Personnel Cabinet
J. David Riggins v. Transportation Cabinet
K. Jacqueline Storey v. Cabinet for Health and Family Services
L. Gregory Ulrich v. Transportation Cabinet and Personnel Cabinet
*** M. Thomas M. Smith v. Cabinet for Health and Family Services (2 appeals)

*** Added after Proposed Agenda

12. **Settlements**

A. Carolyn Benedict v. Public Protection Cabinet
B. Jacqueline Gadd v. Justice and Public Safety Cabinet (Juvenile Justice)
C. Larry Graves v. Cabinet for Health and Family Services
D. Jeanne Hinkebein v. Justice and Public Safety Cabinet (Corrections) (3 appeals)
E. Heather Losser v. Justice and Public Safety Cabinet (Corrections) (2 appeals)
F. Patricia Oaks v. Justice and Public Safety Cabinet (Juvenile Justice)
*** G. Danielle Trim v. Cabinet for Health and Family Services

13. Other