

AGENDA

PERSONNEL BOARD MEETING

**September 11, 2009
9:30 a.m.**

- 1. Call to Order
- 2. Reading of the Minutes of Regular Meeting held August 14, 2009
Minutes Signed
- 3. Executive Director and Secretary’s Report
 - A. Review and acceptance of Annual Report
- 4. Report of the Personnel Cabinet
- 5. **Petitioned Position(s) – None**
- 6. **Oral Arguments**
 - A. Randall Arvin v. Transportation Cabinet (Request by Appellee)
 - B. Terry Farmer v. Transportation Cabinet (Request by Appellee)
 - C. Cecil Colliver v. Education and Workforce Development Cabinet
(Request by Appellee) **Moved from August meeting**
 - D. William Madden v. Transportation (Request by Appellant)
- 7. **Motions**
 - ~~*** A. Freddie Tooley v. Transportation Cabinet — Response filed Timely
Appellant’s Motion for Extension of Time to file Response to Exceptions~~
- 8. **Investigations**
- 9. **Closed Session**
- 10. **Cases to be Decided**
 - A. Randall Arvin v. Transportation Cabinet (10-day suspension – appeal sustained to the extent of reduction to a 1-day suspension)
--Appellee’s Exceptions and Request for Oral Argument

- B. Terry Farmer v. Transportation Cabinet (10-day suspension – appeal sustained)
 - Appellee’s Exceptions and Request for Oral Argument
 - Appellant’s Response to Exceptions

- C. Cecil Colliver v. Education and Workforce Development Cabinet (demotion and involuntary transfer – appeal sustained to the extent of rescinding the demotion and transfer and imposing a 5-day suspension) **Moved from August meeting**
 - Appellee’s exceptions
 - Appellant’s Response to Exceptions (probationary dismissal – appeal dismissed)

- D. William Madden v. Transportation (Reclassification; promotion – appeal dismissed)
 - Appellant’s Exceptions and Request for Oral Argument

- E. Christopher Newton v. Transportation Cabinet (Directed sick leave, 30-day suspension – appeal sustained to the extent of changing to 1-day suspension) **Deferred from August meeting**
 - Appellant’s Exceptions
 - Appellee’s Exceptions
 - Appellant’s Response to Appellee’s Exceptions

- F. David Draggs v. Justice and Public Safety Cabinet (3-day suspension – appeal sustained to the extent – reduced to a written reprimand) **Deferred from August meeting**
 - Appellant’s Exceptions and Request for Oral Argument
 - Appellee’s Exceptions

- G. Delvin Hickerson v. Cabinet for Health and Family Services (Failure of Cabinet to pay vacation pay upon resignation – appeal dismissed)
 - Appellant’s Exceptions

- H. Frankie Eden v. Finance and Administration Cabinet (evaluation – appeal dismissed)

- I. Faye Harris v. Cabinet for Health and Family Services (1-day suspension – appeal dismissed)

- J. Isaiah James IV v. Cabinet for Health and Family Services (Evaluation – appeal dismissed, no jurisdiction)

- K. Terry Popplewell v. Tourism, Arts and Tourism Cabinet (30-day suspension – appeal dismissed)

- L. Chad Shake v. Justice and Public Safety Cabinet (Evaluation – appeal dismissed)
- M. Harold Shines v. Public Protection Cabinet (10-day suspension for poor work performance – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed

- N. Russell Cox v. Justice and Public Safety Cabinet
- O. Alvin Semones v. Transportation Cabinet
- P. Barry West v. Justice and Public Safety Cabinet

Show Cause Orders –Response Filed

- Q. Bobbie Peters v. Justice and Public Safety Cabinet and Personnel Cabinet
(2 appeals)
--Response untimely filed
- R. Hondo West v. Tourism, Arts and Heritage Cabinet
--Appellant’s response

11. Withdrawals

- A. Kimberly Bickers v. Personnel Cabinet
- B. Michelle Fitzpatrick v. Finance and Administration Cabinet (4 appeals)
- C. Karen Francis v. Public Protection Cabinet
- D. Michael Hale v. Finance and Administration Cabinet
- E. Nicole McGee v. Personnel Cabinet
- F. Betty Sue Martin v. Finance and Administration Cabinet
- G. Orbin Samples v. Justice and Public Safety Cabinet
- *** H. Charles Allen v. Transportation Cabinet
- *** I. Mary Maeser v. Cabinet for Health and Family Services

12. Settlements

- A. Barbara Smith v. Justice and Public Safety Cabinet
- B. Sarah Wendell v. Public Protection Cabinet
- *** C. Jeffrey Shaw v. Justice and Public Safety Cabinet (2 appeals)
- *** D. James Douglas Thomas v. Tourism, Arts and Heritage Cabinet

13. Other