

AGENDA

PERSONNEL BOARD MEETING

December 11, 2009

9:30 a.m.

1. Call to Order
 - Swearing in of new Board member Wayne D. “Doug” Sapp
2. Reading of the Minutes of Regular Meeting held November 13, 2009
 - Minutes Signed
3. Executive Director and Secretary’s Report
 - A. Changes to 101 KAR 1:325, Initial Probationary Periods
4. Report of the Personnel Cabinet
5. **Petitioned Position(s) – None**
6. **Oral Arguments**
 - A. Terry Farmer v. Transportation Cabinet (Request by Appellee)
 - B. Angela Griffin and Susan Gardner v. Public Protection Cabinet (Request by Appellee)
 - C. Robert Perkins v. Transportation Cabinet (Request by Appellee)
 - D. ~~Robert Burns v. Energy and Environment Cabinet (Request by Appellant)~~
Request Withdrawn by Appellant
7. **Motions**
 - A. Joby Gossett v. Tourism, Arts and Heritage
 - Appellant’s Motion for Extension of Time to File Response to Exceptions
 - Appellee’s Objection to Motion
 - *** --Appellant’s Reply to Response and Motion
8. **Investigations**
 - *** A. Discussion of pending investigations

9. **Closed Session**

10. **Cases to be Decided**

- A. Terry Farmer v. Transportation Cabinet (Demotion, discrimination – sustained to the extent of return him to previous position)
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Exceptions
--Appellant's Response to Appellee's Exceptions
- B. Angela Griffin and Susan Gardner v. Public Protection Cabinet and Teresa Sanders (Promotion; discrimination; hostile work environment – appeal sustained to the extent)
--Appellee's Exceptions and request for oral argument
--Appellants' Response to Exceptions
- C. Robert Perkins v. Transportation Cabinet (Promotion – appeal sustained to the extent of being detailed to special duty)
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Exceptions
- D. Robert Burns v. Energy and Environment Cabinet – 4 appeals – (Suspension and dismissal for poor work performance – appeals dismissed)
--Appellee's Exceptions
--Appellant's Exceptions and Request for Oral Argument (withdrawn)
--Appellee's Response to Exceptions
- E. Marion Estill v. Justice and Public Safety Cabinet (Dismissal, sexual harassment – appeal sustained to the extent of reinstatement with 3-day suspension)
(DEFERRED FROM NOVEMBER)
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Response to Exceptions
- F. Jami Hall v. Cabinet for Health and Family Services (Two-day suspension – appeal dismissed) **(DEFERRED FROM NOVEMBER)**
- G. Barbara Bonds v. Department of Veterans Affairs (Dismissal – appeal sustained, employee reinstated) **(DEFERRED FROM NOVEMBER)**
- H. Betty Runner v. Cabinet for Health and Family Services (6 appeals) – (suspension, evaluation, discrimination, retaliation, and dismissal – appeals dismissed)
--Appellant's Exceptions
--Appellee's Response to Exceptions and **Motion to Dismiss Remaining Appeals**

- I. Donna Adkins v. Justice and Public Safety Cabinet/Corrections (Dismissal – appeal sustained)
- J. ~~Edward Davis v. Tourism, Arts and Heritage Cabinet~~ **Moved to January**
- K. Jason Colburn v. Transportation Cabinet (One-day suspension – appeal dismissed)
- L. James Ethridge v. Transportation Cabinet and Travis Noel (Promotion – appeal dismissed)
- M. Harriett Polley v. Cabinet for Health and Family Services (dismissal – appeal dismissed for failure to appear)

Show Cause Orders – No Response Filed – Appeals Dismissed

- N. Ora Kirtley v. Cabinet for Health and Family Services
- O. Jeremy Mahoney v. Justice and Safety Cabinet

11. **Withdrawals**

- A. Morgan Jones v. Energy and Environment Cabinet
- B. William King, Jr. v. Public Protection Cabinet
- C. Ruth Nethery v. Education and Workforce Development Cabinet
- D. John Steffen v. Finance and Administration Cabinet and Personnel Cabinet
- E. Todd Woodward v. Justice and Public Safety Cabinet
- *** F. John Houlihan v Transportation Cabinet

12. **Settlements**

- A. Kathy Jo Blank v. Justice and Public Safety Cabinet (**Revised since November**)
- B. DeShanna Baker v. Department of Veterans' Affairs
- C. Drusella Mullins v. Department of Veterans' Affairs
- *** D. Bonnie Buchanan v. Department of Public Advocacy (mediated)
- *** E. David Waller v. Finance and Administration Cabinet and Personnel Board (Franklin Circuit Court)

13. **Other**

- *** A. Meeting dates for 2010