

AGENDA

PERSONNEL BOARD MEETING

June 12, 2009

9:30 a.m.

1. Call to Order
Swearing in of reappointed member, John T. Dunaway
2. Reading of the Minutes of Regular Meeting held May 11, 2009
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Petitioned Position(s)**
 - A. Personnel Cabinet – Office of Legal Services
Special Assistant
6. **Oral Arguments**
 - A. Fredericka Caldwell v. Cabinet for Health and Family Services (Request by Appellant)
 - B. Chetallen Gentry v. Public Protection Cabinet (Request by Appellant)
 - C. Calvin Shaak v. Cabinet for Health and Family Services (Request by Appellant)
7. **Motions**
8. **Investigations**
 - A. Rebecca Smith – Department of Veterans Affairs and Transportation Cabinet
--Executive Directors' Report and Recommendation
9. **Closed Session**

10. **Cases to be Decided**

- A. Fredericka Caldwell v. Cabinet for Health and Family Services – 4 appeals
(Dismissal for non-disclosure of disciplinary action – appeals dismissed)
--Appellant’s Exceptions and Request for Oral Argument
*** --Appellee’s Response to Exceptions
- B. Chetallen Gentry v. Public Protection Cabinet (Dismissal for misconduct – appeal dismissed)
--Appellant’s Exceptions and Request for Oral Argument
--Appellee’s Response to Exceptions
- C. Calvin Shaak v. Cabinet for Health and Family Services (Probationary dismissal – appeal dismissed)
--Appellant’s Exceptions and Request for Oral Argument
--Cabinet’s Response to Shaak’s Exceptions
--Appellant’s Motion to File Reply to Cabinet’s Response (available at meeting)
- D. 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)
--Appellee’s Exceptions
--Appellant’s Response to Exceptions
- E. Shirley Robbins v. Department of Veterans Affairs (Dismissal – appeal dismissed)
--Appellant’s Exceptions
--Appellee’s Response to Exceptions
- F. Douglas Bartley v. Energy and Environment Cabinet – 2 appeals – (10-day suspension – appeal sustained; evaluation – appeal dismissed as moot)
- G. Georgeana Dowell v. Finance and Administration Cabinet (10-day resignation – appeal dismissed)
- H. Monica Fryman v. Transportation Cabinet (Involuntary transfer, reorg – appeal dismissed)
- I. Paul Huffman v. Finance and Administration Cabinet (Dismissal for poor time and attendance – appeal dismissed)
- J. Phillip Wayne Long v. Energy and Environment Cabinet and Personnel Cabinet (Rescinded employment offer – appeal dismissed)
- K. Trena Slone v. Justice and Public Safety Cabinet (Forced resignation – appeal dismissed)

- L. Jerry Williams v. Justice and Public Safety Cabinet (One-day suspension – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed

- M. James Perkins v. Justice and Public Safety Cabinet

11. **Withdrawals**

- A. Marcia Brawner v. Cabinet for Health and Family Services
- B. Lisa M. Brown v. Personnel Cabinet
- C. Ronald Coffey v. Personnel Cabinet
- D. Robin Fletcher v. Cabinet for Health and Family Services
- E. Sandy Jackson v. Transportation Cabinet
- F. Cynthia Mason v. Justice and Public Safety Cabinet
- G. Terri Shaw v. Personnel Cabinet
- H. Juanita Stivers v. Personnel Cabinet
- *** I. Thomas Payne v. Cabinet for Health and Family Services

12. **Settlements**

- A. Jeffery Stahr v. Transportation Cabinet
- *** B. David Dryden v. Energy and Environment Cabinet
- *** C. Janice Jones v. Transportation Cabinet (3 appeals)

13. **Other**

- A. Annual increments for Executive Director and General Counsel