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The parties shall take notice that is Order may be appealed to the Franklin Circuit Court in accordance with KRS 13B.140 and KRS 18A.100.

SO ORDERED this 16<sup>th</sup> day of July, 2014.

KENTUCKY PERSONNEL BOARD

  
\_\_\_\_\_  
MARK A. SIPEK  
SECRETARY

A copy hereof this day mailed to:

Hon. Cannon Armstrong  
Christopher Thomas  
Lynn Keeling Gillis  
Sherry Butler

**COMMONWEALTH OF KENTUCKY  
PERSONNEL BOARD  
APPEAL NO. 2013-291**

**CHRISTOPHER THOMAS**

**APPELLANT**

**V. FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND RECOMMENDED ORDER**

**ENERGY AND ENVIRONMENT CABINET  
DIVISION OF FORESTRY  
DR. LEN PETERS, APPOINTING AUTHORITY**

**APPELLEE**

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This matter came for an evidentiary hearing on March 27, 2014, at 9:30 a.m., at the offices of the Kentucky Personnel Board, 28 Fountain Place, Frankfort, Kentucky, before Hearing Officer E. Patrick Moores. The proceedings were recorded by audio-video equipment pursuant to the authority found at KRS Chapter 18A.

The Appellant, Christopher Thomas, was present and was not represented by legal counsel. The Appellee, Energy and Environment Cabinet, Division of Forestry, was present and represented by the Hon. Cannon G. Armstrong, of the Office of Legal Services, Public Protection Cabinet, Frankfort, Kentucky.

**I. STATEMENT OF THE CASE**

1. Christopher Thomas appeals his employer's decision of December 5, 2013, to terminate his services as an interim employee assigned to the position of a Forest Ranger Technician II with the Division of Forestry. Inasmuch as Mr. Thomas was an interim employee, his termination was without cause. The letter of termination informed Thomas that as an "interim employee" he did not have a right of appeal, except that under KRS18A.095 he may file a claim of discrimination with the Kentucky Personnel Board if he believed that the action was based on unlawful discrimination.

2. Thomas timely filed an appeal with the Kentucky Personnel Board on December 16, 2013, in which he alleged that he was discriminated against due to preferential treatment given to females, and he also alleged that there were "many issues that needed to be addressed."

3. A Pre-Hearing Conference was held before the Kentucky Personnel Board on January 21, 2014, and the matter was scheduled for an evidentiary hearing to be held before the Board on March 27, 2014. The issue presented was whether the decision to terminate Thomas was taken against him by the Cabinet as a result of illegal discrimination based on his sex (male)

and females he worked with received preferential treatment. The Appellant had the burden of proof, which is by a preponderance of the evidence.

4. The Evidentiary Hearing was conducted on March 27, 2014. On April 9, 2014, the Appellant, *pro se*, submitted a "Motion to Amend/Reopen Record & Admit Necessary Evidence," with attachments relating to the handling of insecticides and e-mail exchanges with a personal friend, Matt Wooten.

5. Appellant Thomas' "Motion to Amend/Reopen Hearing & Admit Necessary Evidence," consisted of a six-page, single spaced analysis and argument concerning the evidence produced during the hearing, a three-page description of recommended handling, storage and disposal of the insecticide used on the job, and copies of e-mails between the Appellant Thomas and his supervisor, Alice Mandt, and with a personal friend Matt Wooten concerning his work. Said evidence sought to be introduced post-hearing by Appellant Thomas involved more of the same matters he attempted to introduce during the Hearing, or covered the same issues that were determined by the Hearing Officer to be non-relevant and inadmissible. For the reasons set forth in the Conclusions of Law below, Appellant Thomas' Motion to Reopen the Hearing and admit the additional evidence is **DENIED** by the Hearing Officer.

## **II. STATEMENT OF FACTUAL EVIDENCE PRESENTED**

1. **Christopher Dalton Thomas** was hired by the Division of Forestry as an interim employee, assigned to the position of a Forest Ranger Technician, to serve with a "Hemlock" crew working out of Barbourville. He was hired by Alice Mandt. His job was to work with a crew treating trees in the Natural Bridge Park area with insecticide to prevent destruction of the trees by an insect pest known as "hemlock woolly adelgid."

2. The crew to which Thomas was assigned included three females: Alice Mandt (his supervisor), Brittany Shroll and Sarah Shewmaker. Thomas stated that the work crew difficulties began with problems finding an office and housing for the crew. He further complained that the crew was not given enough training on safety procedures in avoiding exposure to the chemicals from their constant use during application to the trees.

3. Thomas stated that when they started looking at treatment sites, that the supervisor, Alice Mandt, directed him to sit in the back seat of the crew's vehicle as they went to the work site, and that Ms. Shewmaker was instructed to sit up front. He said he started immediately having problems with Ms. Shewmaker, as he was made to carry all the "heavy stuff" and "big jugs" of water and chemicals up steep slopes, which caused him to slide and fall and spill chemicals. He claimed that Shewmaker told him "if you can't handle it, you should get another job."

4. Thomas also stated that Brittany Shroll was more interested in obtaining time off to go get a beer, than she was in doing her job. He also alleged that the women in the crew were routinely late reporting to their job, adding that when they finally arrived to the site in the woods where they were to work, the women would want to sit in the truck as it was "too dark."

5. On one occasion, when Thomas was working with Sarah Shewmaker, she said she had to go to the bathroom. Thomas said while she was gone he sat at the truck trying to figure out where they could go to find a better working place with access to water to mix with the chemicals. The next day he learned he was being accused by the women that he was watching them going to the bathroom. He described the accusations as petty, ridiculous and disgusting, and complained that he was being treated like he was a pervert. He testified that the last thing he would want to do was watch a female go to the bathroom, and that the accusations against him were false, without proof and offensive.

6. Thomas said that he was called to Frankfort that next day to answer to the accusations against him, and that he responded that there was no way that he wanted to watch the women go to the bathroom. He said that when he looked around for access to water he never left the main trail. He claimed that he believed that Brittany Shroll was setting him up to get him fired, saying that there was no evidence that he did anything wrong, and that where they were located in the rough terrain of the forest area, that a person could not see another person even a few feet away. He accused the personnel office of not adequately looking into the matter, and that he always allowed the women to do what they wanted and that there was never a point in time when he wasn't considerate to their feelings.

7. Thomas testified that he had only been on the job less than a month, and that he became aware of a lot of issues that concerned him. He complained that the crew was supposed to take turns with the assignments, but that the women were given preferential treatment and that he was always given the tougher assignment and required to carry heavy loads. He stated that other methods of preferential treatment given the women was Alice Mandt, the supervisor, always requiring him to sit in the back seat of the vehicle, and that on one occasion she told him that he should seek another job. He also expressed concern that the crew was not given sufficient training on handling and working with the chemical pesticides, and that he was very concerned about the issue of chemical contact with the skin.

8. Thomas testified that Steve Kull, the Assistant Director of the Division of Forestry, told him that he was being dismissed from his position. He stated that the Forestry Division took the women's lies without giving him a chance. On his Appeal Form submitted to the Personnel Board, Mr. Thomas alleged that "I was treated unfairly and falsely accused. Females were given preferential treatment to the point I lost my job." He also made other allegations of "problems" and "issues" unrelated to the claim of discrimination.

9. **Sarah Shewmaker** is employed as an interim employee with the Appellee as a Forest Ranger Technician I, with the job duty to apply hemlock treatment to the trees. She described the job only lasting for a term of nine months, following which they have to reapply with the Department. She testified that she submits her applications on-line.

10. Shewmaker testified that a typical work day involves packing the powdered chemical insecticide and jugs of water to a site with trees to be treated, mixing the chemical in the jugs and spray-treating the trees. She described the insecticide chemical as being contained in a small package, which is opened at the site and mixed with water they pull from a stream into a jug. She stated that each of the employees involved in treating the trees is required to have a license that certifies they are trained in handling pesticides.

11. Shewmaker said she met Appellant Thomas on the first day of the interim work period, and that she assumed he had been hired by Alice Mandt. She stated that he had the same duties as the rest of the crew, but that he seemed very unsure of himself in a wilderness setting and reluctant to do the job.

12. Shewmaker testified that Thomas complained about carrying chemicals up sloping terrain, and that he seemed unsure of working with chemicals. She denied having heard him complain about being treated differently because he was a male, or that she ever was aware of any preferential treatment to women. She said the job was predominantly a male job.

13. She described the incident of being instructed to sit in the front of the truck by Alice Mandt was because she (Shewmaker) was familiar with the area. Mandt wanted her there to navigate, and that she drove most of the time at her request. She stated that she never heard any objections or argument from Thomas.

14. Shewmaker stated that she had no prior issues with Thomas, except for his work ethic and unease in the wilderness work environment. She denied that she was involved in any attempt to have another person be given his position with the crew, and stated that there are presently two males on their Hemlock Treatment team.

15. Shewmaker testified that the only issue she had with Thomas was his being unwilling to work in rough terrain and having no initiative to do the job. She testified that on their second day at Natural Bridge, they were working the steepest area of the terrain and that Thomas expressed disbelief that they had to treat all the trees, and that he felt unsafe working with the chemicals. She said that the rest of the week that he seemed reluctant to do his job and that they had to instruct him to treat the next tree. She said that because of his continued complaints about safety concerns, they moved to another area.

16. Shewmaker testified that because they worked ten-hour days, they would have to relieve themselves in the woods. She stated that on the date in issue she and Brittany both needed to relieve themselves and that they told Thomas that they were going back upstream to an area they had already treated. She said she could not see where Brittany was located as there were two large rocks blocking her visibility. She went on with her work and later that day Brittany told her that Thomas had watched her relieve herself.

17. She was asked to give a written statement of the incident, which she discussed the next day with Mr. Kull. She commented that there was no reason for Thomas to be working in the area where they had gone, which had already been treated, but admitted that she did not see him, as she went a separate direction than Brittany.

18. **Brittany Amanda Shroll** is no longer employed with the Forestry Division, and is currently working part-time at a veterinarian clinic since January of 2014. She was previously an interim employee with the Forestry Division working on a nine-month term as a Forest Ranger Technician. She was assigned to a crew with Shewmaker, Thomas and Mandt, to do treatment on hemlock trees. She said they all had the same job assignment.

19. Shroll said she met Thomas on the first day of the crew's assignment. She described him as friendly and that she had no problem with his demeanor, working with him up to his dismissal. She said he asked a lot of questions about the work they did, and expressed concern about the chemicals and exposure to spills and contamination.

20. Shroll said that she never saw any preferential treatment with the women as they all had the same duties and they all were required to carry containers of the water and insecticide. She said the number of containers they had to carry depended on how far they had to go and how many trees they had to treat. She said that it was an easy job to learn.

21. She testified that the incident concerning their bathroom break in the woods occurred while they were setting up their work station at Natural Bridge State Park along a creek area. She said that she and Shewmaker had to relieve themselves and they set off to an area they had already worked. She said Shewmaker went to the area to their right and she went straight ahead. She said she saw Thomas looking towards her direction and became alarmed. She said he got on his phone and turned around and walked away. She said she did not know if Thomas had actually seen her, but said the thought crossed her mind that he may have taken a photo of her with his cellphone. Shroll testified that she did not immediately say anything to anybody, however, that evening she told Alice Mandt what happened.

22. **Alice Mandt** is employed with the Cabinet's Forestry Division as a Hemlock Treatment Coordinator, responsible for hiring crews for a nine-month work period of applying pesticide to treat trees for insects. She stated she obtained Thomas' name as a potential employee from a friend of his wife, and that she called Thomas and he expressed that he would be interested in a job. After she hired him, most of their communication was by e-mail.

23. Mandt testified that when she interviewed Thomas about the job, he was made aware that most of the work would be performed in treacherous terrain and that he would be working with chemicals. She said she covered with him all the equipment and its use, and the types of chemicals he would be working with and how it was to be applied.

24. Mandt testified that Sarah Shewmaker and Brittany Shroll were assigned to the Hemlock crew with Thomas. She said she was in the field almost every day with them, and that she personally trained Thomas, going with him tree by tree applying chemicals "in order to make him feel comfortable with the chemicals." Mandt said she spent a lot of time with Thomas, and felt his complaints were disconcerting to her. She testified that she had showed him a safe method of treating the trees, and that she felt they had adequately covered the process. Mandt testified that she was very concerned with Thomas' lack of comfort working with the chemicals, in spite of the time she spent with him. She said that on one occasion he threw a jug down the hill toward where they were located. Mandt testified that Thomas had enough training and time to learn the job he was hired to perform, but that she became very concerned about the decisions Thomas was making, especially when he knew she was there watching his performance.

25. Mandt testified that she was told that evening about the incident of the women's allegation of Thomas watching them relieve themselves. She said that evening she called her supervisor about Thomas to ask his advice about what should be done, and that the next day she didn't go into the field but met with her supervisor. Mandt said that she didn't know if Thomas actually observed anything, but that it was enough for her that he had been informed by the women that they were going to relieve themselves and that he ended up in the same area. Mandt testified that Thomas' position was filled with a male.

26. **Steven Kull** is Assistant Director of the Division of Forestry. He testified that on the evening of December 3, 2013, he was informed of the Thomas incident by a text message from Diana Olszowy, Branch Manager. He called her and was told of the incident involving the Hemlock crew, and he told her to get the crew into his office the next day. The next day, December 4, he talked to each of the crew members. He said that Brittany Shroll told him that she could clearly see Thomas in her direct line of sight where she was. Sarah Shewmaker told him that she didn't know about the incident until Brittany told her later that day. Kull testified that Thomas told him that he was looking for a source of water to mix the chemicals, and acknowledged that he looked back in the direction where they worked the day before.

27. Kull testified that he instructed Thomas to work in the office until he had an opportunity to discuss the situation with Human Resources. He said that after Thomas left, he contacted the Commissioner and explained the situation. Kull said he suggested that Thomas be terminated, stating that they had a previous discussion of the issue as to whether the Division wanted to keep Thomas as an employee before the incident with Brittany Scholl.



28. Kull testified that information was being compiled about Thomas' work performance, and it was his belief that with Thomas' education and scientific knowledge and the training he received should have been sufficient for him to meet the expectations of the job. Kull testified that he had previously decided that he did not want to keep Thomas, essentially because of his constant questions and complaints about how the division operated and the manner in which the trees were being treated. Kull said that he had previously decided to let Thomas work through the Christmas pay period.

29. Kull said he decided to bring Thomas in and explained to him that he was being dismissed, relying on the statutory authority pertaining to termination of interim employees without cause.

30. **Lynn Keeling Gillis** is Director of Human Resources for the agency which includes the Forestry Division. She stated that the termination of Mr. Thomas set forth in her letter dated December 5, 2013, giving him notice that, effective immediately, his services as a Forest Ranger Technician, are no longer needed, which was based on the authority under 101 KAR 3:050, Section 1(3).

31. Ms. Gillis said that actual hiring of individuals is done at the Division level, and that she made the decision about what they were going to do with the employment of Mr. Thomas. She testified that Mr. Thomas' termination was already being considered when she received the information about the incident with the female ranger technicians.

32. Ms. Gillis further testified that she never received any complaint from Mr. Thomas as to alleged sexual discrimination, nor did she receive any complaints about Ms. Scholl or Ms. Shewmaker receiving preferential treatment.

### **III. CONCLUSIONS OF LAW**

1. It is established by the evidence on the record that the Appellant, Christopher Thomas, was hired by the Kentucky Division of Forestry as an "Interim Employee" which is defined by KRS 18A.005(20) as an "unclassified employee without status who has been appointed to an interim position that shall be less than nine (9) months duration." The term "interim position" is defined by KRS 18A.005(21) as "a position designed to address a one time or recurring need of less than nine (9) months duration and exempt from the classified service of KRS 18A.115."

2. Inasmuch as Mr. Thomas was an unclassified "interim" employee hired for an "interim position," the law of this case is controlled by the administrative regulation set forth at 101 KAR 3:050, Section 1(3), which provides that "An employee appointed to a position subject to this administrative regulation shall serve at the will of the appointing authority and shall be subject to termination without prior notice or cause." 101 KAR 3:050, Section 7(2) reiterates that "An employee subject to this administrative regulation may be terminated with or without cause."

3. The letter giving Thomas notice of his termination informed him that the action was being taken without cause, and that he did not have the right of appeal. However, pursuant to KRS 18A.095(14)(a), he was advised that he had the right to appeal if he believed the action was based on unlawful discrimination. Mr. Thomas filed an appeal of his dismissal on the basis of discrimination, alleging "sexual discrimination," due to the females being given preferential treatment.

4. In as much as Thomas is an "unclassified" and "interim" employee, he does not have the statutory protections of a "classified" employee, and according to the state regulation at 101 KAR 3:050, Section 1(3), he may be terminated without notice and without cause. Essentially, Thomas' employment with the Division of Forestry is akin to that of an "at will" employee. Generally, in the absence of a specific statutory or contractual provision to the contrary, employment in Kentucky is terminable at-will, meaning that an employer may ordinarily discharge an employee "for good cause, for no cause, or for a cause that some might view as morally indefensible." *Firestone Textile Co. Div., Firestone Tire and Rubber Co. v. Meadows*, 666 S.W.2d 730, 731 (Ky. 1983); *Benningfield v. Pettit Environmental, Inc.*, 183 S.W.3d 567 (Ky. App. 2005). The question then becomes if the action taken without cause violates a state policy or is arbitrary under the circumstances.

5. There are exceptions to the at-will doctrine in Kentucky, including situations where the discharge is contrary to a fundamental and well-defined public policy as evidenced by existing law, as set forth in *Firestone Textile Co. v. Meadows*, 666 S.W.2d 730 (Ky. 1983) [(quoting *Brockmeyer v. Dun & Bradstreet*, 335 N.W.2d 834, 840 (Wis. 1983)]. The state of the law concerning at-will employment in the Commonwealth is well-established. At-will employment permits an employer to fire employees for good cause, for no cause, or for a cause that some might view as morally indefensible. See *Grzyb v. Evans*, 700 S.W.2d 399, 400 (Ky. 1985). Kentucky recognizes only two exceptions in which discharging an employee is so contrary to public policy that it becomes actionable. First, an employee's termination can be actionable where it is based upon the employee's refusal to perform an illegal act as a condition of employment. Second, a cause of action may be found for wrongful termination where an employee is fired for exercising a legal right conferred by a statute. *Grzyb*, 700 S.W.2d at 402. The evidence presented by the Appellant failed to establish any reasonable inference that the agency acted improperly in terminating him without cause.

6. The facts establish that Thomas was creating difficulty within the work crew with his continuous complaints about having to carry the water jugs and the chemical mixing agents on hilly terrain. His supervisor had noted that Thomas' constant complaining about the work conditions in a wilderness area and handling chemicals required to treat the trees, had become so disruptive that she had addressed the matter of terminating him with her manager, and it was determined that they would carry him through Christmas. In *Connick v. Myers*, 461 U.S. 138, 103 S.Ct. 1684, 75 L.Ed.2d 708 (1983), the United States Supreme Court said that "the Government, as an employer, must have wide discretion and control over the management of its personnel and internal affairs. This includes the prerogative to remove employees whose conduct hinders efficient operation and to do so with dispatch. Prolonged retention of a disruptive or otherwise unsatisfactory employee can adversely affect discipline and morale in the work place, foster disharmony, and ultimately impair the efficiency of an office or agency." *Id.* at 151, 103 S.Ct. at 1692 (quoting *Arnett v. Kennedy*, 416 U.S. 134, 168, 94 S.Ct. 1633, 1651, 40 L.Ed.2d 15 (1974)). As pointed out in *Commonwealth of Kentucky-Transportation Cabinet v. Whitley*, 977 S.W.2d 920, 922 (Ky. 1998), the Court did not "grant blanket protection to all employee criticism." If the particular speech addresses a matter of public concern, a balancing test must be applied weighing "the interest of the [employee], as a citizen, in commenting upon matters of public concern and the interest of the State, as an employer, in promoting the efficiency of the public service it performs through its employees."

7. Appellant Thomas failed to produce any evidence of discrimination or unlawful preferential treatment based upon his being a male. In proving a *prima facie* case of discrimination, the claimant must prove that he or she 1) is a member of a protected class, 2) was subjected to adverse employment action, 3) was qualified for his or her position, and 4) was replaced by, or treated less favorably than, a person outside the protected class. *Mitchell v. Toledo Hospital*, 964 F.2d 577 (6th Cir. 1992). A *prima facie* case of 'reverse discrimination' is established upon a showing "that background circumstances support the suspicion that the defendant is that unusual employer who discriminates against the majority." *Jefferson County v. Zaring*, 91 S.W.3d 583, 591 (Ky. 2002) (citing *Murray v. Thistledown Racing Club, Inc.*, 770 F.2d 63, 67 (6th Cir. 1985)).

8. Thomas' allegations on preferential treatment was based principally on the allegation that one of the other women on the crew was always told to sit up front, and he had to ride in the back seat of the vehicle on their way to a work site, and the woman were always late for work. The vehicle arrangement was explained by Ms. Shewmaker's testimony that she was instructed to sit in the front by the supervisor of the work crew, Alice Mandt, because she was familiar with the area, and Mandt wanted her there to navigate, and that she drove most of the time at Mandt's request. She stated that she never heard any objections or argument from Thomas. Shroll testified that she never saw any preferential treatment with the women as they all had the same duties and they all were required to carry containers of the insecticide. None of the witnesses were able to provide any testimony of unwarranted preferential treatment, or favorable work assignments because they were female. Lastly, the record establishes that the employee that was hired to replace Thomas was a male. Thomas' claim of disparate treatment

based on gender was purely speculative and not supported by the record.

9. Finally, there is the matter of the Post-Hearing Motion of the Appellant to Amend and Reopen the Record and Admit Necessary Evidence. The Appellant Thomas' motion is based on his attempt to introduce and admit into the record the same information he attempted to introduce at the evidentiary hearing, which was objected to due to its hearsay nature of meaningless documentation pertaining to the chemicals having no bearing or relevance to the issue on appeal, and e-mail communications, including those with a friend outside the employment environment. Further, at the completion of the evidentiary hearing the Appellant made no motion to keep the record open to introduce additional new evidence. These matters had previously been ruled as irrelevant and inadmissible by the Hearing Officer, and Appellant's post-hearing motion provides no factual or legal basis to set aside said ruling and admit the evidence. The Appellant's Motion to Amend/Reopen and Admit Necessary Evidence is **OVERRULED**.

10. It is the conclusion of the Hearing Officer that Appellant Thomas failed to produce any probative evidence that the Division of Forestry's decision to terminate him, without cause, was arbitrary or that he was a victim of any disparate discriminatory conduct. Further, the Hearing Officer finds that there was insufficient evidence that Appellant Thomas was seeking to observe or actually did observe a female co-worker relieving herself. Said allegation was merely an incident that raised consideration of his termination taking effect earlier, as it had already been decided that, as an interim employee, he was to be discharged from his position. The evidence is that this alleged incident was not the basis of his termination, and he was discharged without cause pursuant to 101 KAR 3:050, Section 1(3).

#### **V. RECOMMENDED ORDER**

Having considered and weighed all the evidence and the laws of the Commonwealth of Kentucky, and based upon the foregoing findings of fact and conclusions of law, it is the recommendation of the Hearing Officer that the appeal of **CHRISTOPHER THOMAS VS. ENERGY AND ENVIRONMENT CABINET, DIVISION OF FORESTRY (APPEAL NO. 2013-291)** be **DISMISSED**.

#### **NOTICE OF EXCEPTION AND APPEAL RIGHTS**

Pursuant to KRS 13.B.110(4), each party shall have fifteen (15) days from the date this Recommended Order is mailed within which to file exceptions to the Recommended Order with the Personnel Board. In addition, the Kentucky Personnel Board allows each party to file a response to any exceptions that are filed by the other party within five (5) days of the date on which the exceptions are filed with the Kentucky Personnel Board. 101 KAR 1:365, Section 8(1). Failure to file exceptions will result in preclusion of judicial review of those issues not specifically excepted to. On appeal, a circuit court will consider only the issues a party raised in written exceptions. See *Rapier v. Philpot*, 130 S.W.3d 560 (Ky. 2004).

The Personnel Board also provides that each party shall have fifteen (15) days from the date this Recommended Order is mailed within which to file a Request for Oral Argument with the Personnel Board. 101 KAR 1:365, Section 8(2).

Each Party has thirty (30) days after the date the Personnel Board issues a Final Order in which to appeal to the Franklin Circuit Court pursuant to KRS 13B.140 and KRS 18A.100.

**ISSUED** at the direction of **Hearing Officer E. Patrick Moores** this 19<sup>th</sup> day of May, 2014.

**KENTUCKY PERSONNEL BOARD**

  
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**MARK A. SIPEK**  
**EXECUTIVE DIRECTOR**

A copy hereof this day mailed to:

Hon. Cannon Armstrong  
Christopher Thomas