

COMMONWEALTH OF KENTUCKY  
PERSONNEL BOARD  
APPEAL NO. 2023-130

SYLENA WILSON

APPELLANT

V. **FINAL ORDER  
SUSTAINING HEARING OFFICER'S  
FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND RECOMMENDED ORDER**

CABINET FOR HEALTH AND FAMILY SERVICES

APPELLEE

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The Board, at its regular October 2025 meeting, having considered the record, including the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer dated August 28, 2025, and being duly advised,

**IT IS HEREBY ORDERED** that the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer are approved, adopted, and incorporated herein by reference as a part of this Order, and the Appellant's appeal is therefore **DISMISSED**.

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

**SO ORDERED** this 24<sup>th</sup> day of October, 2025.

KENTUCKY PERSONNEL BOARD



GORDON A. ROWE, JR., SECRETARY

Copies hereof this day emailed and mailed to:

Hon. Ramon McGee, counsel for Appellant  
Hon. Amy Robertson, counsel for Appellee  
Hon. Rosemary Holbrook (Personnel Cabinet)  
Jay Klein

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KENTUCKY PERSONNEL BOARD  
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**FINDINGS OF FACT, CONCLUSIONS OF LAW,  
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This matter came on for Evidentiary Hearing on July 25, 2024 and August 6, 2024, at 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky before the Hon. Gordon Rowe, Hearing Officer. The proceedings were conducted using audio/video equipment and were authorized by virtue of KRS Chapter 18A.

On or about May 30, 2025, this case was assigned to Hearing Officer Kim Hunt Price for decision. Said Hearing Officer listened to all of the recorded testimony and reviewed all of the Exhibits filed herein.

The Appellant, Sylene Wilson, was present at the hearing and was represented by Hon. Ramon McGee. The Appellee, Cabinet for Health and Family Services, was present, and represented by Hon. Amy Robertson. By Interim Order dated January 23, 2024, the issue to be heard during the Evidentiary Hearing was whether there was just cause for the dismissal of the Appellant and whether the penalty was excessive or erroneous. The burden of proof was on the Appellee by the preponderance of the evidence.

**BACKGROUND**

1. The Appellant filed this Appeal timely on September 20, 2023. By letter dated August 17, 2023, the Appellant was notified of the intent to dismiss her from her position as a Social Service Worker I at the Department of Community Based Services, Salt River Trail Service

Region. Thereafter, a pre-termination hearing was held on August 17, 2023, at which the Appellant appeared. On August 2, 2023, the Appellant was placed on administrative leave pending final action in this matter.

2. By letter dated August 22, 2023, (Exhibit A) the Appellee terminated the Appellant from her position effective August 22, 2023. The reasons cited in the dismissal letter were lack of good behavior based upon "...submitting the same falsified draft court report to her supervisor on three separate occasions and then to the Court." In addition, on May 10, 2023, it was alleged that she made inappropriate comments regarding the Hardin County Family Court Division IV Judge while on duty at the courthouse; and, further, that she lied about medical leave in a letter sent to the Hardin County Family Court Division I Judge on June 26, 2023.

3. It was alleged that this behavior was a violation of CHFS Personnel Procedure 2.1 Employee Conduct which states:

"CHFS expects its employees to maintain a high standard of conduct and professional behavior, including outside of work, to maintain the public's confidence in the integrity of its Government and Public Servants...Violations of this duty as a public servant may lead to corrective or disciplinary action, up to and including dismissal."

Said procedure also states that employees shall, "1. Not falsify, forge, or inappropriately alter any official documents, including, but not limited to, records, documents, ... papers, files, timesheets ... and similar material. 6. Not engage in any inappropriate, disrespectful, demeaning, and or abusive behavior such as, but not limited to: 1. Loud, abusive, profane, foul, obscene, vulgar, crude, insulting, or threatening language..."

4. Further, the Appellant's actions were also alleged to be violations of DCBS Standards of Practice 1.1 Ethical Practice that states that DCBS employees are:

"4. Honest, objective and diligent in their performance of their duties and responsibilities; 6. Are continually aware of the public trust they hold and their obligation to maintain a high standard of competence and dignity in the performance of their duties...3. Carry out their professional responsibilities with integrity, treating those with whom they have professional relationships with a dignified, respectful, honest and fair manner."

5. The Parties agreed to eleven (11) exhibits being introduced at the hearing, but same were not introduced individually and, therefore, the Hearing Officer reviewing this matter could

not determine what number the exhibits were. Accordingly, for purposes of this Order the following documents are considered the following exhibits:

**Exhibit A** - August 23, 2023, Termination Letter, consisting of 14 pages;

**Exhibit B** - August 2022 Hardin County staff meeting agenda, consisting of 7 pages;

**Exhibit C** - An email chain with the first page being from Courtney Hilbert dated April 10, 2023, consisting of 5 pages;

**Exhibit D** - An email chain from Korri Perry dated April 14, 2023, consisting of 4 pages;

**Exhibit E** - A court report dated April 19, 2023, consisting of 5 pages. (Said report had not been redacted for confidentiality purposes);

**Exhibit F** - An Exhibit with court orders from Judge Brent Hall in cases 22-J-51, 53 and 55, consisting of 2 pages; (Said Orders had not been redacted for confidentiality purposes)

**Exhibit G** - Show Cause orders and orders from said hearings issued by Judge Dawn Blair in cases 22-J-450, 20-J-292, 22-J-246, 248, 17-J-222, consisting of 9 pages; (Said Orders had not been redacted for confidentiality purposes)

**Exhibit marked Exhibit H** - an email chain from Courtney Hilbert dated May 15, 2023 consisting of 8 pages;

**Exhibit I** - An email chain from Teresa Soward dated May 11, 2023, consisting of 10 pages; and

**Exhibit J** - An email from Olivia Barnard dated July 3, 2023, consisting of 2 pages.

6. The specific allegations concerning the alleged false court report (Exhibit E) were laid out in the termination letter and testified to by Family Services Office Supervisor, Korri Perry. They are as follows: On April 13, 2023, the Appellant emailed Perry a falsified draft report about case (613873) for supervisory review. This was for a court hearing that was scheduled for April 19, 2023. Perry noted that changes were necessary and on April 14, 2023 (Exhibit D), emailed the Appellant asking her to obtain more details about the natural mother not having been seen since December 1, 2022. The email specifically asked, "Also; when was the last time you saw the kiddos? There is nothing in TWIST to indicate that you've ever seen them." Perry did not receive

any response and then came to the Appellant's office to discuss the matter. Perry testified that, during this conversation, the Appellant stated that she had seen the children earlier in the year but had not seen the natural mother. No such visits were documented in TWIST and Perry asked for specific dates and documentation of the home visits. During that conversation, Perry stated that the Appellant admitted that she had never visited or seen two (2) of the three (3) children. The Appellant also acknowledged not seeing two (2) of the three (3) children in her testimony. The report that the Appellant prepared stated,

“...the children, [child 1] and [child 2] have been integrated into the home and the community and reported that they are happy with [client 1]. [child 3] has continued to thrive in the home with the natural father [client 2]. [client 1] and [client 2] have remained protective and meeting the children’s needs.”

7. Perry then directed the Appellant to contact the children and fathers and submit an accurate report. On April 18, 2023, the Appellant emailed the same falsified draft report that had been provided on April 13, 2023. Perry asked the Appellant when she contacted the children, and she responded that she had not visited with the children or their fathers. Again, Perry directed the Appellant to rewrite the report and submit it with accurate information. On the same day (April 18), the Appellant informed Perry that she had been able to contact [client 1] and scheduled a home visit to meet with him and the children later the same day.

8. On April 21, 2023, Perry emailed the Appellant, reminding her that the updated case report was due to the Court. The Appellant responded, verbally, that she had already submitted the report to the court and the report that had been submitted was the same one that had originally been submitted to Perry for review on April 13, 2023. On April 24, 2023, the Appellant emailed Perry an updated report and stated that the natural father did not contact her until April 23, 2023. This email was in contradiction to the statement that the Appellant made on April 18, 2023, stating that she had contacted the natural father and had scheduled a visit for that evening.

9. The dismissal letter also stated that the Appellant also made inappropriate comments on May 10, 2023, regarding Hardin Family Court Judge Brent Hall while she was working at the courthouse. A show cause hearing was held on that day due to the Appellant failing to timely submit her court report and the Judge stated,

“Sylena ... did not meet minimally adequate Cabinet Standards and should look for a different line of work. Perhaps, her bad work performance wasn’t

intentionally negligent but would be more in line with a dependency situation in DNA court versus abuse/neglect, and that she is just incapable of doing CHFS case work. The comparison, being a parent is incapable of meeting the needs of their child versus a worker being incapable of doing her job duties. Families on her case load were not receiving any benefit from CHFS involvement.”

The Court gave the Appellee an option concerning the Appellant’s cases of “either A. for each of her cases, I should dismiss the case and return the kids to their parents or, B. she is never to appear in my courtroom again.”

10. After the Appellant left the show cause hearing, she went into the Social Service Worker’s conference room and expressed her discontent with the Judge’s statements. Other workers in the room reported that the Appellant stated that the Judge said that she could not work in this county, could not do this job, and that the Appellant asked her coworkers if the supervisor was not supposed to help and do things for her when she was out. Other workers reported that the Appellant stated that she wanted to let the Judge know that she had not received proper training and did not have management support to do the job properly. Worker Christie Scott reported that the Appellant stated that Judge Hall said that if she could not do her job, she needed to go, and that the Appellant made a comment about a pending grievance and transferring and that she should be able to leave now. When the Appellant entered the room, she stated that it was awful and that the Judge was mean and rude to her and that she needed to transfer to Hart County immediately. The Appellant stated that she was in trouble for not having court reports and that Perry had told her that she was going to do the reports for her. No one reported these statements were loud, contained profanity, or were threatening.

11. Lastly, the termination letter alleged falsified reports when the Appellant sent a letter to Judge Dawn Blair on June 29, 2023 stating that, from April 24, 2023 to May 5, 2023, she was on medical leave. Timesheets showed that on April 24, 2023, the Appellant had worked seven and one-half (7.5) regular hours; on April 25, 2023, she worked seven and one-half (7.5) regular hours and two (2) overtime hours from 4:30 p.m. to 6:00 p.m. to conduct a home visit; on April 26, 2023, she worked seven and one-half (7.5) regular hours; on April 27, 2023, she worked seven and one-half (7.5) regular hours; on April 28, 2023, she worked seven and one-half (7.5) regular hours; from May 1, 2023 to May 4, 2023, the Appellant claimed a total of thirty (30) hours’ of compensatory leave; and, on May 5, 2023, the Appellant worked four and one-half (4.5) regular

hours, one (1) hour overtime for a supervised visit from 4:30 p.m. to 5:30 p.m., and claimed three (3) hours of sick leave. Further, in the letter to Judge Blair, the Appellant stated that her supervisor had failed to complete the reports that led to the initial show cause order for her to appear in front of Judge Blair.

12. According to testimony of Perry, the Appellant texted her on April 1, 2023, stating that she could not submit court reports timely on two (2) cases because she was on vacation on April 3 through April 7, 2023. These reports were already past due as they were due to be submitted to the court on March 31, 2023. Perry agreed to complete the reports while the Appellant was on vacation if the Appellant updated her in-person visits in TWIST prior to going on vacation. The Appellant did not update her in-person visits in TWIST, and Perry was not able to complete the court reports. Further, the two (2) cases that Perry agreed to complete the reports on did not have Show Cause Orders. Perry denied having ever agreed to complete any other court reports while the Appellant was on medical leave.

13. The dismissal letter also alleged lack of good behavior and violation of ethical practices and DCBS SOP 1.1, Ethical Practices, and CHFS Personnel Procedure 2.1, Employee Conduct, in connection with alleged theft by another employee with knowledge of the Appellant, and the Appellant having the stolen items at her desk.

14. Next, there was an allegation of lack of good behavior and violation of CHFS Personnel Procedure 2.1, Employee Conduct, when it was alleged that the Appellant confronted Social Worker Scott about the firing of another employee for theft and caused Scott to cry and become upset.

15. Next, the letter of termination alleged a lack of good behavior in violation of CHFS Personnel Procedure 2.1, Employee Conduct, when it was alleged that the Appellant lied to investigators about all of the incidents above.

16. Lastly, the dismissal letter alleged that the Appellant unsatisfactorily performed her duties in violation of DCBS SOP 11.1, Preparation for Court, by not knowing all Court dates and not being present or arranging to have another worker there with the necessary information for the Court, and DCBS SOP 11.27, Court Reports, which states that “each of these types of Court hearings require a report that will assist the Court in making decisions regarding the best interest of the children.” In addition, per procedure, Court home evaluation reports require that “the SSW:

submits the report on AOC DNA 13 to the Court based on the given time frame set forth by the Judge.”

17. In the Appellant’s appeal, she alleged that she had not received adequate training, was overwhelmed by her caseload, and that her supervisor, Perry, did not offer her support or training. Specifically, she referred to an email dated May 1, 2023, that she had forwarded to Marcus Haycraft as a request for an early transfer, which she considered to be a grievance against her supervisor. Said email was attached to her Appeal Form. It stated, in pertinent part, that she had been with the Cabinet as an ongoing worker for five (5) months when she received twenty (20) to forty (40) cases with no training in the field. She stated that, when she asked to shadow a seasoned worker, her supervisor stated that she did not need to learn something that she did not need to know right now and no field training was provided. She confirmed that she asked for help from other workers because her supervisor did not provide her with the requested support. Further, during the time that she was on probation, the Appellant received two (2) certificates for job performance: helping others and going the extra mile. She alleged that she had medical conditions, and it was recommended by her physician that she not be in court and only have phone or video contact with clients or other working partners. The Appellant also testified that she had requested a transfer to Hart County that was to occur on July 1, 2023, and that, once her supervisor was aware of this, her supervisor began to say little to her and only spoke to her in a negative manner.

18. The Appellee called **Korri Perry**, the Appellant’s supervisor, as its first witness. At the time of the hearing, she had acted in that role for three (3) years and worked for the Cabinet for an additional eight (8) years. Perry testified that the role of an ongoing worker was to connect with a family after a child had been removed, to connect the family with resources to make the home safe, and to ensure that the children remained safe in the home in which they were placed. Part of this job consisted of filing court reports to update the Court on the progress of the family and the safety of the children so that the Judge can make informed decisions about continued removal and placement of children to ensure their safety. These reports have to be reviewed by a supervisor prior to the worker submitting them to the Judge.

19. Perry testified about the Hardin County Court imposed protocol for filing reports. Court is held on Wednesday and the reports are due on the Friday before. Then, depending upon the matter, some reviews are held in-person with workers appearing in court while others are just

conducted on paper. Perry testified that the Appellant was aware of this process and that the process was frequently discussed in office and staff meetings. **The Appellant** acknowledged in her testimony that reports were due the Friday before court.

20. With regard to the Court Report (“CR”) case in which it is alleged that the Appellant submitted false information about her contacts with the children in her report to the Court, Perry testified that the Appellant submitted the report to her. She then asked the Appellant to follow up because the Appellant said that she had not had contact with the mother and had not seen the children. Perry asked the Appellant to see the children and then submit an accurate report. This report was submitted again, and the Appellant had still not seen the children. The third time the report was submitted, it was late. Originally, the CR case was set for Court on April 19, meaning that the report to the Court was due on Friday, April 14. The Appellant failed to appear in court on that date. After reviewing the initial report that showed that there had been no contact with mother since December, 2022, Perry checked the TWIST system for notes about contacts with the mother and then noticed there was no reference to contact with the children. The report submitted by the Appellant stated that the children were doing well despite the fact that the Appellant had not documented that she had seen the children. Perry testified that the Appellant was aware that social workers must log all their case activity into the TWIST system.

21. The corrected report was not sent back to Perry by April 14 and, therefore, Court was passed on the CR case to April 26, making the report due on April 21. The Appellant had to be in Court for the review on April 26 and Judge Hall entered an order to this effect. (Exhibit F) On April 18, 2023, the Appellant submitted the same report again and, when Perry asked if she had had contact with the family, she said she had not. The report was due on April 21, and Perry had not received it, so she again requested to review the report. The Appellant stated that it had been submitted to the Court. The report submitted did not have any changes or updates to any contacts the Appellant had and still stated that the children were doing well. When asked about this previously, the Appellant had told her that she was setting up a visit on April 18, but this was not reflected in the report. Perry received the report on April 24 and, therefore, it was not timely filed with the Court and, at that time, the Appellant still had not made contact with the two children. When the Appellant failed to attend court on April 26, Judge Hall issued the Show Cause Order, included as Exhibit F, requiring that the Appellant appear on May 10, 2023, to show cause why

she should not be incarcerated for failure to comply with timely preparing Cabinet reports to the Court and failure to appear in court on April 19.

22. Perry testified that Judge Hall, at the April 26 hearing, was upset that the report had not been filed. CHFS legal counsel was present for the May 10 Show Cause Hearing and was seated with the Appellant. No other arguments were made, but the Judge stated that he would either dismiss all of the Appellant's cases and send all the kids home or she could never be in his courtroom again.

23. On cross examination, Perry testified that she was the Appellant's direct supervisor for approximately nine (9) months and that there had been training on how to do reports via staff meetings, on August 9, 2022; October 11, 2022; November 17, 2022; November 25, 2022; December 12, 2022; January 27, 2023; April 11, 2023; and May 9, 2023. None of these staff meeting agendas prior to the August 9, 2022 (Exhibit B) meeting were submitted into evidence.

24. Exhibit B reflected that it was noted at the August 9, 2022 staff meeting that Court Reports had to be submitted prior to Friday at 12 noon. "There is no exception to this. 1. Expectations include Court Reports and supervised visits being number one on your list of priorities each week." Further, the meeting discussed ongoing contact with the birth family and child requiring "private, face to face visit with the children at least once every calendar month."

25. Perry testified to numerous other late reports that the Appellant submitted. Specifically, a report that was due on January 6, 2023 and turned in on January 9, 2023; a report that was due on January 20, 2023, was not submitted until 9:57 p.m. that day; a report due on February 3, 2023 that was not submitted until 7:49 p.m. that day; a report due on February 10, 2023 was not filed until 6:31 p.m. that day; a report due on February 17, 2023 was not filed until 7:16 p.m. that day; and a report due on March 17, 2023 was not submitted until 4:49 p.m. that day. Perry testified that, regarding the reports filed in cases submitted after close of business, she would not see them until the next Monday and, therefore, there would not be time for changes before court. Late filings were in violation of the Court Order that the reports be filed on the Friday before.

26. Perry was aware that the Appellant had filed an email with Haycraft expressing concerns about her as a supervisor, but she did not file a formal grievance. Although she did not receive the email, Haycraft told her about the subject of the complaint.

27. Perry testified that the TWIST entries in the CR case were as follows: January 5, 2023, a phone call; January 16, 2023, a phone call to dad trying to schedule a home visit wherein he was working and could not do same (this entry was finalized on February 23, 2023); March 16, 2023, the Appellant tried to contact dad unsuccessfully (the entry was finalized on April 19, 2023); March 30, 2023 and April 10, 2023, the Appellant tried to contact mom (these entries were finalized on April 19, 2023); April 13, 2023, the Appellant had a phone call with dad and a video conference with one (1) of the three (3) children. This verified that she did have actual contact with one (1) of the children since video contact was acceptable during that timeframe. Those notes were finalized on April 19, 2023. When Perry had checked TWIST on April 14, 2023, none of these contacts were in TWIST. Perry acknowledged that workers do not always simultaneously enter their contacts with family into TWIST.

28. The Appellee next called **Howard J. Klein**, the designated appointing authority for the Appellee. He testified to the major disciplinary procedure. A local office reports problems and requests Major Disciplinary Action. When the case is sent to the disciplinary branch, he assigns it for his employees to review and request or gather any additional information needed to make a determination of what action, if any, is appropriate. Once that is completed, his employees draft the disciplinary letter, and he reviews the letter, along with the supporting documentation and approves it. In addition, any terminations are reviewed by Director Michelle Barnes and the legal services team.

29. Klein stated that the first allegation of falsifying the information in the CR reports and not being truthful with the judge concerning leave were sufficient to justify termination of the Appellant.

30. Regarding the email to Judge Dawn Blair, Klein stated that he verified through the KHRIS system that the Appellant worked during the time periods she stated she was on medical leave. During the cross examination, he acknowledged that employees who were on medical leave could, at times, work for partial days, depending on what their restrictions were.

31. Klein also testified that, before disciplinary actions are taken, similar situations are considered so that there is consistency in the disciplinary actions. He acknowledged that he did not independently verify anything other than the leave time reflected in KHRIS. He could not

verify which documents his office may have independently reviewed, but James, his employee, is very thorough and is the person that reviewed in this matter.

32. Klein acknowledged that Appellant's Exhibit 13 was not an actual grievance but noted that he had reviewed its contents in making a determination for termination in this matter.

33. The **Appellant, Sylene Wilson**, testified that she had worked for seventeen (17) years as a target Case Manager with Communicare prior to coming to DCBS. That work involved assisting mentally ill people with community resources to allow them to stay in their homes.

34. The Appellant began work with DCBS on May 1, 2022, and her original supervisor was Casey Turner. She was in that division for about four (4) months prior to transferring to the ongoing division. The Appellant stated that she requested training and supervisor Perry said that, since her prior job had done home visits, she knew how to do the job and did not need additional training. She neither admitted nor denied having done Academy online training since neither attorney asked her about that. During the time she was supervised by Perry, she was an ongoing worker, which meant that she was to follow up with families to ensure that the children were safe. She stated that she requested help with documentation and forms. The language and acronyms used by the Appellee were difficult to understand. She had to go to other workers for help because her supervisor would not help her. In addition, she also sought help from her prior supervisor, Courtney Hilbert. She was told by the workers that she would either have to sink or swim; that Perry would not give her any help.

35. The Appellant acknowledged that court reports are generated based upon the visits and documented findings of those visits and those documents have to be reviewed by the Supervisor before being filed with the Court. The purpose of family contact was to follow up on case plan achievements and to schedule visits in order to keep children safe. She acknowledged that if contact was made, it was documented by entering information into the TWIST system.

36. With regard to the CR report, the Appellant stated that she made a couple of attempts to reach the natural mother but could not locate her. There were three (3) children placed with two (2) different fathers/clients; she contacted one (1) dad who was working and said he could not schedule a visit with the two (2) children but reported that the two (2) children were doing well. She had a video conference with the other dad, and actually saw the child on a scooter with

his cousin; she saw for herself that he was doing well. She acknowledged that she did not see the other two (2) children to determine if what the father was saying was accurate.

37. The report that the Appellant filed in the CR matter stated that the children had been removed from their natural mother due to bruising on the youngest child, who would have been approximately two (2) years old at the time, after the child had come back from a visitation with its natural mother. At that time, the natural mother had been living with CK, her partner, and two (2) older children, but had left CK and moved back in with the father of the first child. When the natural mother left, the two (2) oldest children remained with CK.

38. A surprise home visit was conducted at the first child's residence and it was discovered that the mother had been residing there. The father reported that she had been doing drugs and staying at his residence for a couple weeks. The case was eventually disposed of as a dependency case against the natural mother. The report reflects that CK, who had the two (2) children in this case, was not their natural father, but the children had lived with him for a period of time. Therefore, they were placed with him. He reported to the Appellant that the boys were doing well and that he was working. The report further notes that CK has a lengthy criminal history and was currently on probation in Jefferson County, which included drug screening.

39. The report on page 4, under Assessments and Conclusions specifically stated, "the children, I&T have reported to SSW that they wish to not have contact with NM. I&T have reported that they have been integrated into the home and community and reported that they are happy with CK." On page 3 of the report under Children Identifying Information, it specifically stated, "SSW Wilson talked with I (child) and he reported that he enjoys staying home and playing video games. I (child) informed SSW Wilson that he has not seen or heard from NM for over a year and a half and he prefers that it remain that way." With regard to T (child), the report stated, "SSW Wilson met with T (child) via video. T stated that he spends most of his free time with his girlfriend and enjoys playing video games and enjoys spending time in a home with his brother and natural father." The Appellant testified that she was never told that her report was incorrect and that she documented the contacts on April 19 in the TWIST system. No evidence of what was entered by the Appellant into TWIST was provided by either party, other than what was testified to by Perry. TWIST does not reflect any of these above contacts with T & I by the Appellant, and she admitted in her testimony she had not talked to them.

40. The Appellant stated that it was not until she received the August 2 pre-termination letter that she was aware she had been accused of providing false information. She denied that Perry had ever admonished her about giving a false report on seeing the children and directing her to contact the dad. She further denied that any draft of the report came back with a request to correct it. She stated that she did not receive the April 21 email (part of Exhibit D) with regard to the CR report.

41. As to her medical leave, the Appellant stated that during that time she was allowed to do video work and, therefore, she had some time reported. Thus, she did not believe she had given false information to the court in the June 23 letter to Judge Blair. She stated that she had written the letter to Judge Blair when she learned that the Show Cause Hearing had been set because she did not appear in court and she wanted to respond to the Show Cause Order. She expressed problems with her supervisor and workload. She stated that, when the Judge asked her how many cases she had and she said, "Forty," you could have heard a pin drop in the courtroom, because office workers had always said that you do not discuss your caseload numbers.

42. The Appellant stated that she was put on desk duty on May 22, 2023, and then administrative leave and thought that was regarding the allegations of the stolen trash can placed on her desk.

43. The Appellant stated that Perry told her that she (Perry) had talked with Assistant County Attorney Allison to see if she needed to be in Court on April 19 and was told not to worry about it. She alleged there was a text to this effect, but same was not produced in evidence.

44. Regarding the May 10 Show Cause Hearing before Judge Hall, the Appellant stated that the DCBS attorney was there but told her not to say anything. The Judge stated that he did not care if she was on medical leave because he did not believe it.

45. The Appellant stated that she went into the social worker's conference room after court and was asked who the Judge was yelling at, since the workers had heard him yelling from the courtroom. She told them that it was her, that the Judge was rude and hateful to her, and that she had to leave. She denied making any other disparaging remarks about the Judge and specifically did not say anything in court.

46. With regard to the allegation of her having a stolen trash can on her desk, the Appellant stated that Perry and a worker had screamed at her about the trash can, so she called the

state about filing a grievance and asked to transfer to Hart County. This was after the Judge Hall incident. The state did not have the grievance form, but said an email would work, per Marcus Haycraft.

47. When the Appellant was out on leave, she was called to come into the office and she thought it was initially about the transfer. The Appellant was totally surprised about being interviewed about the things listed in her termination letter. She felt that this all occurred because she had filed a grievance against her supervisor.

48. The Appellant stated that the trash can was a \$1.25 trash can with candy in it that another employee, Walhood, had on her desk; the Appellant had admired it and, a few days later, Walhood placed it on her desk. She never saw Walhood steal anything. Further, the Appellant noted that later Haycraft brought the trash can back to her desk and said that it was not stolen.

49. The Appellant stated that Perry had reviewed her medical leave and her timesheets that showed how she had taken leave, and that she had never said they needed to be corrected.

50. Regarding the allegations that she had threatened another coworker, Scott, due to the dismissal of Walhood for allegedly stealing, the Appellant denied same. She stated that she was asked by Walhood to help take some things out of her office when she was fired. There was a big carpet that was rolled up and the Appellant stored it in her office. The Appellant asked another worker to help her carry it out a few days later when worker Scott walked in. Scott was talking about Walhood's firing and seemed upset that the Appellant thought she had caused it. The Appellant told Scott that she did not know what had happened and that she needed to talk directly to Walhood. Scott came into the office during this conversation; the Appellant never went into her office and never said it was her fault that Walhood was fired. Scott cried and left the office.

51. The Appellant also alleged that, when she was filling out a self-care document in March of 2023 as directed by her supervisor, it was being done in the courtroom conference room while waiting for Court and her supervisor (Perry) asked to see it. In the self-care report, she had indicated concerns with training and assistance. Perry said that she thought that the comments were geared to her and for the Appellant to change the self-care document, which the Appellant did. The Appellant stated that the other workers stated that she should not have done that.

52. Regarding her failure to actually see two (2) of the three (3) children, she stated that she thought that she only had to see children to the best of her ability.

53. **Amaya Jones**, a former DCBS employee, testified that she worked as a Social Worker I from June of 2021 to April of 2023 and met the Appellant in that capacity. The Appellant sometimes struggled with concepts, and no one would teach her per complaints expressed to Jones by the Appellant. They both had the same supervisor, Perry. Jones testified that new workers go through an online training that consists of about three hundred (300) hours and then also shadow seasoned workers during that time. The entire training process is about six (6) months and consists of online training every other week and the other being out in the field shadowing workers. It was her understanding that the Appellant had shadowed other workers, but she cannot say specifically that she ever saw her do that.

54. Jones testified that the weekly conferences did not consist of trainings, but went over specific case listings, where the supervisor would talk about the next steps and status reports on cases. This was done individually, not as a group.

55. Jones had never been made aware of any problems with the Appellant's reports unless the Appellant had talked directly to her stating she was struggling in preparing reports.

56. Jones was aware of the theft issue about a trash can and heard that two (2) other coworkers stole property and gave it to the Appellant. She did not learn about this until after she returned from vacation in May. Jones was told that the Appellant knew that the other two (2) coworkers had stolen the trash can and were fired. The Appellant was not written up due to her lack of knowledge. She learned this during the Zoom meeting with Marcus Haycraft and another individual.

57. **Courtney Hilbert** testified that she worked with the Cabinet for ten (10) years as of the date of the hearing and had been a Family Services Office Supervisor in Hardin County since 2018. Wilson was initially under the supervision of Casey Turner and was then reassigned to Korri Perry. Hilbert testified that all new employees receive Academy training that consists of about three hundred (300) hours online and shadowing seasoned staff. This alternated with one week of online training and one week of field training for several months. Hilbert stated that while Perry was her supervisor, the Appellant approached her for additional help and clarifying and feedback but did not recall specifics of that. She gave the Appellant some feedback and referred her to seasoned staff.

58. Hilbert stated that Perry had discussed the Appellant with her and stated that the Appellant could not do things despite the fact that Perry had physically gone over things with her on how to do reports.

59. Hilbert was present during Judge Hall's Show Cause Hearing and recalled that his statements were very extremely escalated and frustrated. It was stated that the Appellant could not be in his courtroom. She could see how a worker could have felt this was very harsh at that moment, however, DCBS has an obligation to get their reports in and, if the job had been done correctly, the Judge would not have been critical. She does not recall if she spoke to the Appellant that day, but probably did briefly. She did not hear the Appellant make any criticizing statements about the Judge.

60. During the time that the Appellant was placed on desk duty, Hilbert supervised her briefly. During that time, the Appellant never had to prepare any reports. Hilbert stated that some of the duties that she gave to the Appellant were not completed and she had to assign them to another worker.

61. Hilbert stated that the average caseload for a worker in 2023 was about forty (40) cases, but the Appellant did not have as many cases as seasoned staff. Regarding the Academy training, Hilbert stated that she was not sure if court reports were specifically discussed, but the entire court process and how to file the initial Petition was covered. It would have also covered home visits during the case management portion of the training, how to conduct them, document, and do other case planning.

62. Hilbert testified that it would never be appropriate to submit a report to the Court that children were fine if you had not seen them. That would be considered falsification. The expectation is discussed in the Academy training about falsification, documentation, and entering true information to the best of your knowledge. Ethic rules are also discussed during Academy training.

63. The August 2022 staff meeting agenda (Exhibit B) reflects, on page 3, discussion that if someone was not going to be able to be in Court it is their responsibility to obtain Court coverage. Also, page 4 discusses Standard Operating Procedures in investigations. On page 5, ongoing contact with the birth family and child are discussed. Specifically, SOP 3.10 requires that a worker has a private, face-to-face visit with the child at least once every calendar month in the

home. At that time, it was via in-person visits and visits were also allowed via video. Discussion was specifically held in Section 5D about home visits and suggestions were made on how workers must see everyone and keep current case plans. Page 6 states that personal visits must occur every month.

64. Exhibit C was an email dated April 10, 2023 to workers, and included the April 19, 2023 Court docket showing that the Appellant had cases for H and T on Judge Blair's docket and four (4) cases, including the CR case, in Judge Hall's court.

65. Exhibit D is an email from Korri Perry to the Appellant on April 14, 2023, and specifically verifies the testimony of Perry that she was requesting additional information about appointments with the mother and specifically asked, "When was the last time you saw the kiddos? There is nothing in TWIST to indicate that you've ever seen them."

66. Exhibit G reflects that Judge Dawn Blair issued show cause orders on May 3, 2023, for the Appellant to appear in her court on May 17, 2023 in the cases of 22-J-450, 20-J-292, and 22-J-246 & 248, to show cause why she should not be held in contempt of court for failure to file her reports timely. Orders entered by Judge Blair on April 26, 2023, continued the above cases and required all the social workers to be present and to address all questions and concerns on May 17, 2023.

67. Exhibit F, the Orders of Judge Brent Hall, shows that a review was scheduled to held on April 19, 2023 on the CR case; that no CHFS report had been submitted, and the Appellant did not appear in Court. Therefore, the court ordered her to appear on May 10, 2023, to give reason why he should not hold her in contempt for not preparing timely court reports and for failing to appear at the April 19, 2023 hearing.

### **FINDINGS OF FACT**

1. The Appellant was employed with the Cabinet for Families and Children as a DCBS Social Worker I, with status, at the time of her dismissal, effective August 22, 2023.

2. The Appellant was dismissed for lack of good behavior, due to falsified information set forth in court reports provided to the court to the Hardin Family Court regarding the CR family, false medical leave relayed to Judge Blair, and comments made on May 10, 2023, about Judge Hall in the Social Workers Conference Room.

3. The Appellant filed numerous reports late contrary to the Hardin Family Court rule stating that reports be filed by noon on Fridays prior to court hearings on Wednesday.

4. In her April 24, 2023 Court Report in the CR case, the Appellant falsely stated that she had seen all three (3) of the children and all were doing well when, in fact, she had only seen one (1) of the three (3) children and was taking the father's word that the two (2) children living with him were doing well.

5. One of the broadest authorities that DCBS has is to remove children who are in danger while in the custody of their parents or other custodians from their families. The Courts in which these removals take place rely upon the DCBS reports of the progress families are making for reunification and the well-being of the children involved, in order to make informed decisions to protect the safety of these already vulnerable children. In the case at hand, the parent with whom the children were placed had an active criminal history and was on probation. While the mother and children were residing with him, another child returned from visits with the mother with bruises that caused the removal of all children from her care. Although by all accounts CK was doing well, it cannot be justified that a worker relied on his statement that the children are doing well without actually seeing the children. Doing so would place the children in danger.

6. Both CHFS Personnel Procedure 2.1, Employee Conduct, and DCBS Standard of Practice 1.1, Ethical Practice, were violated by the Appellant when she was not honest when she reported to the court that she had seen two (2) children who she had not seen and that they were doing well. This undermines any confidence that Judges, DCBS clients, community partners, or the public would have in a Social Worker's performance of their duties.

7. Judge Brent Hall of the Hardin County Family Court felt strongly enough about the ongoing lack of performance in filing timely reports by Wilson that he stated that the Appellant did not meet minimally adequate standards and should work in a different line of work. He went to the extreme of saying that he would have no choice but to dismiss her cases or for her to not appear in his courtroom again. This showed that he did not have confidence in the reports she was submitting.

8. The witnesses' testimony about training that the Appellant received (Perry, Jones and Hilbert) were credible. The Appellant is not entirely credible on her lack of training. Thus,

her claims of lack of training are not sufficient to overcome the proof of cause for termination provided by the Appellee.

9. The correspondence in the June 29, 2023 email to Judge Blair by the Appellant is misleading at best and, to a degree, a lie about work she did at times during that period. Even though she was on leave and limited in the type of work she could do, she was doing some work during that period of time when her memo stated that she was not working at all. Clearly, this was an attempt to justify her failures to the Court.

10. The Appellant made statements after court in the privacy of the social worker's conference room that Judge Hall had been rude and hateful on May 10, 2023. She was not loud, did not use profanity, and did not make threats. She merely relayed the facts as she saw them.

11. There was no direct testimony provided as to the Appellant's alleged lack of good behavior concerning theft, the firing of another employee for theft, or harassing another employee involved in that matter. The only evidence was hearsay, which can be considered with appropriate credibility given to same.

### **CONCLUSIONS OF LAW**

1. The issue in this case is whether the Appellant's dismissal was with cause. The burden of proof is on the Appellee by the preponderance of evidence. KRS 18A.095 (1) requires that a classified employee with status shall not be dismissed except for cause. 101 KAR 1:345 provides that appointing authorities may discipline for lack of good behavior or the unsatisfactory performance of duties.

2. The actions of the Appellant of failing to visit with two (2) of three (3) children in the CR case and then reporting to the Court that the children were doing well is a lack of good behavior and unsatisfactory performance of duties. The very essence of protecting our vulnerable children in the Commonwealth of Kentucky is seeing them on a regular basis to determine whether they are safe and the goals of their case plans are being met. It is crucial that the court system be able to rely upon the social workers' candor and professionalism in seeing these children in order to make decisions which keep these children safe.

3. Further, failing to timely file numerous court reports to the extent that two (2) separate Judges in multiple cases issue Show Cause Orders for a worker to personally appear in

their Court constitutes lack of good behavior and unsatisfactory performance of duties. If the Court cannot have confidence in a worker timely doing their duties, neither can other community partners, the families served, nor the general public. Further, the Courts cannot rely on reports that are not accurate.

4. The above actions alone are sufficient to justify a dismissal for cause of the Appellant from her position as a Social Worker I.

5. The Appellant did not make any inappropriate comments to Judge Hall at the Show Cause Hearing; she is the only witness who testified about what was said in the privacy of the social workers conference room and said she stated the Judge was rude and hateful. The hearsay evidence of other workers does not indicate any inappropriate comments. The Appellant was stating her opinion after being asked what happened in the courtroom, and that does not constitute lack of good behavior or unsatisfactory performance of duties. However, the prior conduct was sufficient to cause the dismissal.

6. Although KRS 13B permits hearsay evidence to be introduced at a Hearing, the Hearing Officer must determine what credibility, if any, to give it. No direct testimony was given about the Appellant having any knowledge of theft by other workers or having harassed another employee about the firing of Walhood. The Appellant denied these allegations. Although there were exhibits showing email statements about the matter, most of those contained additional hearsay and are not given weight by the Hearing Officer. Therefore, those allegations of lack of good behavior are not proven. However, based on the findings above it is not necessary for the Cabinet to have proved this alleged lack of good behavior and unsatisfactory performance of duties because the other actions were more than sufficient to justify a dismissal.

7. In light of the egregiousness of the Appellant's failure to file numerous required reports, her falsification of records related to visiting DCBS clients, and her failures to appear in court, the discipline imposed on the Appellant was not excessive.

### **RECOMMENDED ORDER**

**WHEREFORE**, based upon the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer recommends to the Personnel Board that the appeal of **SYLENA WILSON V.**

**CABINET FOR HEALTH AND FAMILY SERVICES (APPEAL NO. 2023-130) be DISMISSED**, and that Exhibits E, F, and G shall be redacted to leave only initials of children and parents/guardians.

**NOTICE OF EXCEPTION AND APPEAL RIGHTS**

Pursuant to KRS 13B.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 fifteen (15) 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).

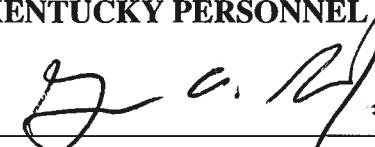
**The parties are strongly encouraged to send any exceptions and/or requests for oral argument by email to: [PersonnelBoard@ky.gov](mailto:PersonnelBoard@ky.gov).**

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.

**Any document filed with the Personnel Board shall be served on the opposing party.**

**SO ORDERED** at the direction of Hearing Officer Kim Hunt Price this 28<sup>th</sup> day of August, 2025.

**KENTUCKY PERSONNEL BOARD**

  
**GORDON ROWE**

**EXECUTIVE DIRECTOR**

A copy hereof was emailed and mailed to the following on this 28<sup>th</sup> day of August, 2025:

Hon. Ramon McGee, Counsel for the Appellant  
Hon. Amy Robertson, Counsel for the Appellee  
Hon. Rosemary Holbrook (Personnel Cabinet)