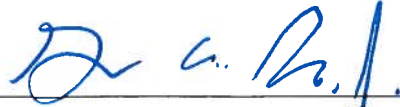


**CERTIFICATION OF PERSONNEL BOARD RECORDS**

I certify that attached hereto is a true and correct copy of the Findings of Fact, Conclusions of Law and Recommended Order and Final Order in the case of **KRISTY YOUNG V. CABINET FOR HEALTH AND FAMILY SERVICES (APPEAL NO. 2023-111)** as the same appears of record in the office of the Kentucky Personnel Board.

Witness my hand this 21<sup>st</sup> day of November, 2025.

**KENTUCKY PERSONNEL BOARD**



**GORDON A. ROWE, JR., SECRETARY**

Copy to Secretary, Personnel Cabinet

COMMONWEALTH OF KENTUCKY  
PERSONNEL BOARD  
APPEAL NO. 2023-111

KRISTY YOUNG

APPELLANT

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

CABINET FOR HEALTH AND FAMILY SERVICES

APPELLEE

\*\*\* \*\*

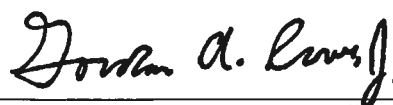
The Board, at its regular November 2025 meeting, having considered the record, including the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer dated September 19, 2025, and being duly advised,

**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 **SUSTAINED**.

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 21<sup>st</sup> day of November, 2025.

KENTUCKY PERSONNEL BOARD



GORDON A. ROWE, JR., SECRETARY

Copies hereof this day emailed and mailed to:

Hon. Evan Taylor, counsel for Appellant  
Hon. Christopher Ballantine, counsel for Appellee  
Hon. Rosemary Holbrook (Personnel Cabinet)  
Jay Klein

**COMMONWEALTH OF KENTUCKY  
PERSONNEL BOARD  
APPEAL NO. 2023-111**

**KRISTY YOUNG**

**APPELLANT**

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

**CABINET FOR HEALTH AND FAMILY SERVICES**

**APPELLEE**

This matter came on for Evidentiary Hearing on August 1, 2024, at 9:30 am Eastern Time, via zoom, before the Hon. Gordon Rowe, Hearing Officer. The case was later transferred to Hearing Officer Kim Hunt Price, who watched and listened to the entire Evidentiary Hearing proceedings and viewed the entire record herein. The proceedings were recorded by audio/video equipment and were authorized by virtue of KRS Chapter 18A.

The appellant, Kristy Young (“Appellant”), was present and was represented by Hon. Evan Taylor. The Appellee, Cabinet for Health and Family Services (“CHFS”), was present and represented by Hon. Christopher Ballentine. By Interim Order dated December 27, 2023, the issues for the Evidentiary Hearing were whether there was just cause for the three-day suspension of the Appellant and whether that penalty was excessive or erroneous. The burden of proof was upon the Appellee and was by a preponderance of the evidence.

**BACKGROUND**

1. By letter dated August 2, 2023, the Appellant was suspended from duty and pay for three (3) days from her position as Social Service Clinician I with the Department for Community Based Services, Two Rivers Service Region, for Lack of Good Behavior. She filed a timely Appeal with Personnel Board on August 15, 2023, appealing her three-day suspension.

2. **Mary Michelle Baize**, the Service Region Administrator (SRA) at the Daviess County Office, testified that she had served in that role for approximately two (2) years at the time of the Hearing. She had worked for the cabinet for twenty-two (22) years. The Appellant was a frontline worker under her indirect supervision whose duty it was to investigate allegations of child abuse.

3. Baize testified that she first became aware of issues with the Appellant on May 24, 2023. Baize's office is next to Heather Cann's office. The Appellant and Andrea Payne went into Cann's office, and she could hear that the Appellant was upset and was speaking loudly. Both Baize's and Cann's doors were open. The Appellant and Payne were upset with a mandate that they help coworker, Hanna Ebelhar, catch up on completing her late investigations. Baize heard the Appellant state "I am not going to talk about that bitch" but she was not aware as to who she was referring. She also heard her say "fuck, Becky isn't going to address the issues," and "this is bullshit." According to later testimony, those comments were in response to Cann's question about: "Madelynn Voyle's treatment." The Appellant stated "fucking bullshit" numerous times during the conversation. She has a naturally loud voice, but it was raised even more because she was upset.

4. Baize acknowledged that the Appellant had previously helped catch up other staff behind in their duties. The gist of the conversation in Cann's office was that making staff help others get caught up was rewarding staff who were not helping themselves. There was also discussion of a system called the "Wheel of Encouragement" where those who had completed their work timely were placed in a drawing for a gift card.

5. Baize testified that she then stepped over into Cann's office and explained that the "Wheel of Encouragement" was not rewarding staff that were not getting things done but instead rewarding those who were helping others by entering them into the drawing. The Appellant was still upset. Baize told the Appellant that she had been entered into the "Wheel of Encouragement" drawing by her supervisor multiple times.

6. While in Cann's office, Baize also addressed the Appellant's profanity and told her to bring it down a notch because it was loud and disrespectful. There was no testimony that, after this directive from Baize, the Appellant cursed any more. Baize testified that people do cuss at the office regularly, but generally in private settings where others cannot hear.

7. Kim Butler, the Service Region Administrator (SRA) in charge of disciplinary action referrals, asked Baize to interview other staff in relation to this matter. Baize did so, took their statements and sent information to Office of Human Resources Management (OHRM) who then made the decision on the three-day suspension that was given to the Appellant. Appellee's Exhibit 1 was a June 19, 2022 Memorandum sent to OHRM.

8. On cross-examination, Baize testified that the level of vulgarity allowed in the office before disciplinary action depended on various factors. She acknowledged that other workers have used the word “fuck” in the workplace without disciplinary action being initiated. There was no set number of times they could say it, but it is the context, how it is used, and the volume of the profanity. If it is loud to the point that it disrupts others, disciplinary action can be taken. She was in the office next door when she heard the language referred to on May 24, 2023.

9. Baize acknowledged that a social workers’ job is very stressful, and they need an outlet for stress. Cursing is sometimes used as a way of venting their frustrations. She acknowledged that the Appellant and her coworker had been doing that on May 24. She further acknowledged that the Appellant had not been calling anyone a name or directing vulgarity toward anybody. The Appellant was angry at Cann, who had sent the email asking for the Appellant’s team to assist others with their past due reporting and the Appellant had stated that mandate was “fucking bullshit”. She was not calling Cann a name but was upset with her request.

10. Baize also acknowledged that in the May 31, 2023 office staff meeting where staff met to discuss office profanity, she had stated that she liked the word “fuck” and used it also, but did not say it loud enough to be disruptive.

11. Baize acknowledged that the Appellant’s work was exemplary and she completed her work timely. She also acknowledged that, because the Appellant does complete her work timely, it is easier to ask her to help others. Baize also acknowledged that the Appellant had received exemplary employee evaluations.

12. Baize agreed that workers who were behind on their reporting were not automatically referred for disciplinary actions, but supervisors would begin with suggestions to improve their performance, then move to a performance improvement plan, and then, if they were not successful, could be referred to OHRM for a major disciplinary action. Baize confirmed that, at the time of the incident with the Appellant on May 24, she counseled her not to curse loudly again but did not go through other steps of counseling or corrective action before referring the matter for major disciplinary action.

13. **Heather Cann**, a Service Region Administrative Associate (SRAA) for nine (9) years at the time of hearing, had worked for a total of twenty-five (25) years for the Appellee. She supervised the staff of which the Appellant was a member.

14. Cann described the May 24 incident when the Appellant and Payne came into her office. She asked if they wanted to talk about a prior incident the Appellant had been involved in involving Madelynn Voyles, and they stated no. Retina DePriest, Cann's supervisor, had asked Cann to organize a meeting on how to help those struggling to get their work done timely. The "Wheel of Encouragement" was developed. The Appellant was upset with the "Wheel of Encouragement" that allowed people who completed their work timely to be put in a drawing for a gift card. The Appellant was upset with Ebelhar, who was rarely in the office and, if she was in the office, was not attending to her work, and therefore she continued to be behind with her workload.

15. Cann testified that her office was next to Baize's office, and the door was open. She verified, as Baize had testified, that Baize came in and explained how the "Wheel" was supposed to be used. During that conversation, Baize said she received complaints from people who overheard the Appellant making other inappropriate statements. None of those individuals testified at the hearing. Further, Baize did not testify to such instances.

16. Cann testified that the Appellant teared up during this conversation, stated that she was not the only one who used the word "fuck," and that she was tired of being blamed as the only one in the office who did. She believed that the Appellant requested to be on leave the rest of the day, and Cann told her to go get approval from her direct supervisor. During this conversation, the Appellant said the word "fuck" several times. Cann reported the details of this incident to Michelle Baize and SRAA Lead Kim Butler.

17. Cann believed that the Appellant's behavior was a policy violation of the Code of Ethics due to use of inappropriate language and also showed a lack of respect.

18. Cann testified she also investigated other allegations from other staff on the Appellant using inappropriate language. Again, these individuals were not called to testify at the hearing.

19. Cann acknowledged that the Appellant's ability as a social worker was extraordinarily good and her evaluations were consistently good. She also acknowledged that the Appellant met her deadlines, while other workers were struggling to meet their work deadlines during this period of time. This was partially because of staffing shortages, the demands of investigations, and the number of inexperienced new workers.

20. Cann confirmed that employees are not referred to OHRM for major disciplinary action every time they violate policy. The Supervisor has discretion to send requests for major disciplinary actions and not every employee who has filed late reports has been sent up for disciplinary actions.

21. Cann acknowledged that, during the May 24 incident in her office, her door remained open, and she did not ask the Appellant to shut it or try to shut it herself. Aside from Michelle Baize, there were no other witnesses at the hearing to testify that they heard what the Appellant said. This was not the first occasion in which Cann heard workers use the word “fuck” at work. She herself had used it in private conversations with other supervisors. Cann stated that she does not use the word “fuck” in front of subordinates as a rule of thumb. She had said that word to Baize herself though, and other subordinates have said “fuck” in her presence. These employees were not referred for disciplinary action. She also testified that there are no certain number of times that someone could say the word “fuck” and no rule specifying when to send for major disciplinary action for using profanity. Cann acknowledged that she did not ask the Appellant to stop using the language in front of her.

22. Regarding the May 31 staff meeting, Cann stated that she would not have been surprised if Baize had said that she liked the word “fuck.”

23. Cann acknowledged that part of her job as a supervisor was to listen to employees’ grievances and allow them to vent and that cursing was a way that could happen.

24. **Andrea Mattingly** testified that she had been an investigative social worker at Daviess County CHFS Office for four (4) years at the time of the Hearing. The Appellant was a coworker and on occasion she had been on the same team as the Appellant but was not at the time of Hearing. The Appellant trained Mattingly when she began working at the office.

25. With regard to the May 24 incident in Heather Cann’s office, Mattingly stated that she, the Appellant, and her supervisor at the time had been in Retina DePriest’s office when there was discussion of them helping workers who were behind with their reporting to get caught up. She and the Appellant did not agree with this proposal and went to Cann’s office to discuss. Baize came in because she overheard the Appellant saying “fuck,” but Mattingly was not aware of anyone else hearing the Appellant say that during the conversation. Baize said she had emails concerning the Appellant’s verbiage at work at that time, but they were not shown to anyone in her presence, nor were any such emails submitted into evidence.

26. Mattingly also acknowledged that she regularly curses in the office and in front of supervisors. She cannot say her door is always shut when that happens. She only recalled the Appellant using vulgarity one time during the May 24 incident due to her frustration over her coworkers' incomplete and past due investigations.

27. Mattingly testified that, at the May 31, 2023 staff meeting, Baize stated that she liked the "fuck" word and took that perhaps as encouraging the use of the word in the proper context.

28. **Retina DePriest** was a Protection and Permanency Worker in Webster County at the time of the hearing but previously worked in Daviess County and had been the office supervisor since August 2022. She testified that the Appellant was on her team as an investigator from August 2018 to October 2023 and temporarily under her supervision from January 2024 to April 1, 2024.

29. Regarding the May 24 incident, DePriest testified that she met with workers to brainstorm about how they could help another team who was struggling to keep up with their investigations in a timely matter. This meeting did not go well, and the participants were frustrated because the worker who was behind had previously given notice they were quitting and was, therefore, off the investigation rotation for a few months to allow her to catch up with completing her past due investigations. That worker then withdrew her notice to quit work and did not care she was behind. This made the remaining workers feel defeated, and the Appellant and Andrea went to Cann's office to discuss.

30. **Madelyn Voyles** testified that she had previously been an investigator with Protection and Permanency, under either Becky Baker or Retina DePriest as her supervisor. She was a coworker with the Appellant, but they were not on the same team. Investigation rotations occur when workers are put on a list and, as investigations come in, whoever is next in line is assigned to complete the investigation. Voyles stated that, on May 18, 2023, she and another coworker, Jennifer Johnson, were going to Iowa to pick up children. The Appellant was upset that Jennifer Johnson was going because she was behind on her investigations. Voyles did not feel that the Appellant was upset with her, but just with the situation and she did not remember exactly what was said other than the Appellant was upset with two investigators being gone at one time. She was sure there was cursing but could not remember exact words and acknowledged that cuss words were used regularly between employees. As a result of this conversation, Voyles went to Becky Baker's office to be sure it was okay for both she and Jennifer Johnson to go pick up the



children. Voyles acknowledged that she was crying at the time she went into Becky Baker's office but not crying when she left Baker's office. She did not see the Appellant for the rest of the day and no one else saw her upset. She does not recall the Appellant ever having called her to tell her she had "hooker eyelashes," but could not say for certain that this had not occurred.

31. **Becky Baker**, the Daviess County office supervisor during all times pertinent hereto, testified that she had been a coworker with the Appellant from 2017 to 2021, but the Appellant had not been under her direct supervision. She had heard her workers curse regularly, but did not feel it was appropriate in halls or in front of clients. If it was in an office behind closed doors, she did not mind workers venting at all. Baker acknowledged that everyone in the office used vulgarity regularly.

32. **Audria McCoy-Hoge**, who has been a Supervisor since July 1, 2021, testified that the Appellant was a worker in Daviess County, but not under her supervision. Audreonna Barnett and Bridgette Cummings were workers under her supervision but were no longer employed by the Appellee. She investigated allegations by these workers against Appellant regarding inappropriate behavior and she sent an email on February 16, 2023, up the chain of command after speaking with Barnett and Cummings. She did not feel that the Appellant's behavior, as described to her by these individuals, was appropriate for the workplace and sent that information to Heather Cann but does not recall if there was any follow up. None of those witnesses testified during the Hearing. Any statements admitted into evidence of their written testimony were hearsay. McCoy agreed that cursing was considered okay in the office if behind closed doors and was not too loud.

33. McCoy acknowledged attending the May 31, 2023 staff meeting but she could not recall if Baize had said she liked the "fuck" word but would not have been surprised if she had said that and if there was a discussion about that word.

34. **The Appellant, Kristy Young**, testified that she has worked with the Cabinet for ten (10) years and was an investigator.

35. She acknowledged having discussed eyelashes with another worker, Madelyn Voyles, and made a statement that Voyles had "hooker eyelashes."

36. Regarding the May 24 meeting in Cann's office, the Appellant testified that she and other workers were upset and disagreed with being asked to catch up other workers' late investigations. She had always been told that if you disagree with your supervisor (in this case Retina), you were to go to your supervisor, which is why she went to Cann's office. She believed

that she said “fuck” one (1) time during the meeting, something to the effect of “where is my ‘fucking’ gift card after nine years of no past dues,” referring to the “Wheel of Encouragement.” Baize came and stood in the doorway with her face red and said she had been receiving emails, as they were sitting there, of people saying they heard the Appellant say “fuck.” The Appellant has never been provided any such emails. Neither Baize nor Cann asked Young to shut the door. The Appellant had always been told to speak freely to her supervisor and, thus, made a comment about the gift cards. She felt like those who were doing their job efficiently, as she was, ended up getting more work put on them because others were not doing their job consistently and timely. She never directed any comments to any one person and was not disrespectful to her supervisor.

37. Regarding the assignment of the two (2) workers going to Iowa to transport children, her reaction was, “Why would you not send a new worker who was not on the investigation rotation yet to make the trip, rather than pull someone out of the investigation rotation.”

38. The Appellant testified that all of her performance evaluations were exemplary. She never received any prior discipline, including any written or verbal reprimands. Vulgarity was regularly tolerated in their workplace.

39. She pointed out that no one had testified they sent an email concerning her cursing and that no such allegations were listed in her suspension letter.

40. With regard to the May 31, 2023 staff meeting, the Appellant testified that Baize said “fuck” was her favorite word, and that she did not care what they said the privacy of their offices. The Appellant verified that she had heard coworkers and supervisors curse within the workplace.

41. The Appellant also testified that she had lost three (3) days of pay and benefits for the suspension and had used four (4) personal days to deal with this appeal for mediation, pre-hearing conferences, and the Hearing. On two (2) of those occasions, she had traveled to Frankfort.

42. Lastly, **Howard J. Klein**, who has been an Appointing Authority and Assistant Director of CHFS’ Office of Human Resources Management for over twenty (20) years, testified that when he receives a request for disciplinary actions, he assigns it to a Branch Manager who then has a worker investigate the information, compile it and send it up to him for review. He, along with the other Director of Human Resources, reviews said recommendations.

43. Klein stated that they also review other disciplinary cases for consistency. They receive approximately three hundred (300) disciplinary actions per year and records are kept of all of those actions in order to try to maintain consistency.

44. Klein received the request for disciplinary action in this case by email from an SRA. It went through the same investigative process and then, based upon the investigation results, a three-day suspension without pay was issued.

45. Klein testified that the Appellant's actions were unprofessional, and he issued the August 2, 2023, three-day suspension letter. Klein said that the suspension was based upon lack of good behavior and violation of employee policy and procedures and practices.

46. Klein acknowledged that, by taking disciplinary action, he takes the allegations made by parties as true. He confirmed that while there was no testimony from several of the employees, business records were provided to him, which he used in making the decision. He had not directly talked to those employees. He affirmed that, if he had not been aware of the allegations set forth on page 2 of the letter concerning Audreonna Mattingly, Kathy Poe, Audria McCoy-Hoge, Bridgette Cummings, Amanda Lawson and Madelynn Voyles, he would not have issued the three-day suspension letter.

47. Klein was not aware of whether vulgarity was regularly used at the Daviess County Office because he did not work at that office. He felt that, if the nature of its use included actions such as a clenched fist, attacking individuals, etc., it would be cause for disciplinary action but other instances would not create disciplinary actions. If the word "fuck" was used as venting to supervisor in their office one (1) time, he did not believe that was enough for a three-day suspension.

### **FINDINGS OF FACT**

1. The Appellant was suspended for three (3) days by letter dated August 2, 2023, based on incidents alleged to occur January 24, 2023; February 16, 2023; February 6, 2023; May 18, 2023, and May 24, 2023.

2. KRS Chapter 13B allows the Personnel Board to consider hearsay statements and give them the weight deemed appropriate. The incidents alleged to have occurred on January 24, 2023, February 6, 2023 and February 16, 2023 were not proved by the Appellee as none of those

witnesses were made available to testify at the Hearing. No credible testimony was provided on those alleged instances.

3. On May 24, 2023, the Appellant went to SRAA Cann's office and was upset regarding having been asked to help "catch up" workers who were behind on investigations and a "Wheel of Encouragement" system. During this conversation, the Appellant used the "fuck" word on at least one (1) occasion, but same was not addressed to any particular person. The Appellant did call the request to catch up the other employee's work "bullshit" during this conversation. She was frustrated with the fact that, since she kept her work up, she received additional work added to her caseload from those who were not keeping their investigations current.

4. Baize heard this conversation in her office, which is next door to Cann's, through two (2) open doors. Baize asked the Appellant to keep cursing down. The Appellant immediately complied.

5. No testimony was presented that any other individual besides Cann and Baize heard the conversation on May 24, 2023.

6. The Appellant has an exemplary work history, having received good evaluations and not having any past due work. She has no prior disciplinary action at all.

7. It is the culture within the Daviess County Office that cursing occurs regularly within the office. In fact, during staff meetings, Baize acknowledged that she likes the word "fuck" and it was appropriate for use within the office under subjective criteria.

8. There was no evidence presented that any member of the public or clients heard any of the Appellant's use of profanity.

9. The only two (2) witnesses who seemed even remotely upset by the use of the Appellant's language during the May 24 meeting were Baize, who seemed more upset that the Appellant was attacking the "Wheel of Encouragement," and possibly Cann, who believed that the cursing could be inappropriate, although she acknowledged it occurred in many other situations without disciplinary action.

10. With regard to the May 18, 2023 incident where the Appellant questioned Madelyn Voyles about being taken off the investigation rotation to help transport children instead of newer workers not on the investigation rotation who were available to go, Voyles cried when she asked Becky Baker if it was okay to go but was not upset enough that she was still crying when she left

Baker's office. She did not believe the Appellant was angry with her at the time, just with the situation of the two (2) workers being gone, and Voyles was not upset about it at the Hearing.

11. Voyles was not upset and, in fact, did not even recall the Appellant making comments to her about "hooker eyelashes."

### CONCLUSIONS OF LAW

1. 101 KAR 1:345(1) allows employees to be suspended for lack of good behavior.
2. The Cabinet for Health and Family Services' Personnel Procedure 2.1, Employee

Conduct, states:

"CHFS expects its employees to maintain a high standard of conduct and professional behavior to maintain the public confidence in the integrity of its government and public servant...actions in violations of this duty as a public servant may lead to corrective or disciplinary action, up to and including dismissal. CHFS also expects a respectful work environment, free from any form of harassment and violence. Violation of policy and procedure, unsatisfactory performance of duties, and or failure to exhibit good behavior may lead to corrective or disciplinary action, up to dismissal."

3. The Department for Community Based Services' Standard Practice SOP 1.1,

Ethical Practice, states:

"DCBS employees; avoid participation in any activity they know to be illegal or improper activity...refrain from entering into any activity which may prejudice 'or give the appearance as such' their ability to objectively perform their duties and responsibilities...; act with integrity in their relationships with their colleagues, treating them with respect, honesty and fairness and accepting their right to hold values and beliefs that differ from their own; cooperate with colleagues in order to serve the best interests of their clients effectively and efficiently; accurately represent the views and qualifications of colleagues."

4. Given the overall acceptance of use of profanity in the Daviess County Protection and Permanency Office, and the subjective standards of allowing it when deemed appropriate by supervisors, the Appellee has failed to prove that the Appellant's actions constitute a lack of good behavior.

5. There is no proof that anyone, other than three (3) workers, heard the incident complained of on May 24. The language was not directed toward an individual. Thus, there is no

issue of maintaining public confidence or a respectful work environment free of harassment and violence. CHFS Personnel Procedure 2.1, Employee Conduct, was not violated.

6. Likewise, DCBS Standard of Practice 1.1, Ethical Practice, was not violated. Nothing showed the Appellant's actions affected the Appellant's ability to objectively perform her duties or that she acted without integrity in her relationships with colleagues. She merely followed the accepted culture of the office - to vent by cursing.

7. There is no evidence that the Appellant had been counseled regarding use of such language. There was no testimony that the Appellant used profanity after Baize instructed her not to in such meetings.

8. Howard Klein acknowledged that, without evidence of the contents of page 2 of the suspension letter, on which there was no testimony or credible evidence at the hearing, a three (3) day suspension was not appropriate.

9. Based on only hearsay evidence of several alleged incidents in the suspension letter, the testimony regarding the wide use of profanity in the office, and with no proof of clients or the public having heard any of the Appellant's profanity, and with the Appellant having stopped cursing when directed, having no prior disciplinary actions, and having an exemplary work history, the Appellee did not prove by a preponderance of the evidence that the Appellant's actions constituted Lack of Good Behavior sufficient to justify a three-day suspension. Said suspension was excessive. Given these facts, SRA Baize's directive to bring down the level of cursing was sufficient discipline in the matter.

#### **RECOMMENDED ORDER**

**Therefore, the Hearing Officer recommends to the Kentucky Personnel Board that the appeal of KRISTY YOUNG V. CABINET FOR HEALTH AND FAMILY SERVICES (APPEAL NO. 2023-111) be SUSTAINED. The Appellant's three-day suspension from duty and pay as a Social Service Clinician I with the Department for Community Based Services, Two Rivers Service Region, be RESCINDED and removed from her personnel files, and she shall be reimbursed for any leave time she used for attending the hearing, mediation, or pre-hearing conferences and any milage she traveled from her workstation to Frankfort for such meetings, and to otherwise make the Appellant whole. KRS 18A.105, KRS 18A.095, 200 KAR 12:030.**

**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 exception 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 the 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).

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

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.

**ISSUED** at the direction of Hearing Officer Kim Hunt Price this 19<sup>th</sup> day of September, 2025.

**KENTUCKY PERSONNEL BOARD**

  
\_\_\_\_\_  
**HON. GORDON A. ROWE, JR.**  
**EXECUTIVE DIRECTOR**

A copy this day emailed and mailed to:

Hon. Christopher Ballantine, Counsel for Appellee  
Hon. Evan Taylor, Counsel for The Appellant  
Hon. Rosemary Holbrook, Personnel Cabinet