

**KENTUCKY PERSONNEL BOARD  
MINUTES OF MARCH 14, 2025**

1. The regular monthly meeting of the Kentucky Personnel Board was called to order by Board Chair Michael Eaves on March 14, 2025, at approximately 9:30 a.m., ET, at 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky.

Board Personnel Present:

Michael Eaves, Chair  
Morgan Ward, Member  
Larry Gillis, Member  
Rick Reeves, Member  
Lisa Haydon, Member\*  
Michelle Snodgrass, Member\*\*

Gordon A. Rowe, Jr., Executive Director and Secretary  
Erritt H. Griggs, General Counsel  
Gwen McDonald, Administrative Section Supervisor

Personnel Board Members Absent: Mitchel Denham, Member

2. **READING OF THE MINUTES OF THE REGULAR MEETING HELD FEBRUARY 14, 2024.**

The minutes of the last Board meeting were previously circulated among the members. Chair Eaves asked for any additions or corrections. Ms. Snodgrass moved to approve the minutes as submitted. Mr. Gillis seconded, and the motion carried 5-0.

3. **EXECUTIVE DIRECTOR AND SECRETARY'S REPORT**

Mr. Rowe explained that staff's focus for the past few months has been on evaluating cases for appropriate disposition and reducing its backlog of older cases. Mr. Rowe and Mr. Griggs reviewed the cases, particularly the older cases on the Board's docket, to see how they can best be resolved, i.e., what hurdles are preventing the cases from getting to final hearing and final order; and which cases can best be resolved by dispositive motions.

After a comprehensive review of the cases, including the cases from 2022 and older, Mr. Rowe and Mr. Giggs have prioritized the cases that need preliminary issues addressed before they could reach a final decision.

Staff is also evaluating and exploring case management systems for tracking the appeals through each stage of the process. Currently, staff uses an Excel spreadsheet to track active cases but this is not ideal and there is room for improvement. New case management systems are being sought and considered to better track and guide matters through the appeal process.

Mr. Rowe and Mr. Griggs met with the current contract hearing officers to discuss their capacity for taking on additional work. Although the number of cases on the Board's docket for final Order after evidentiary hearing have been small in recent months, many appeals, which were set for evidentiary hearings, have settled or rescheduled. Staff expects the number of matters resolved by final order after evidentiary hearing to increase in the coming months. The meetings with the hearing officers were useful and the current hearing officers felt they could conduct as many as six evidentiary hearings (up to three or four each) per month.

Chair Eaves inquired about the number of contract hearing officers currently employed by the Board and Mr. Rowe stated that the Board currently has three (3) hearing officers. An RFP has been issued with the hope to engage more contract hearing officers soon. Mr. Rowe recently met with an attorney with prior experience in Board matters who expressed interest in becoming a hearing officer. Mr. Griggs is working to spread the word through the administrative law judges association and also to advertise the openings. Mr. Rowe said that he also expects that contract hearing officers may be utilized to resolve some dispositive motions as well.

Mr. Rowe noted the reduction of cases over the past few months. He felt the reduction would be more substantial in the coming months as more final orders come before the Board for review. Mr. Rowe said he would discuss this matter further during the "Other" portion of the Agenda under topic "A."

Mr. Rowe announced that he and Mr. Griggs are working on guidelines for pro se appellants and attorneys who practice before the Board. Mr. Rowe noted that both he and Mr. Griggs currently explain Board procedures to the parties during pre-hearing conferences, but that it was a lot of information and can become confusing, especially for pro se Appellants and some attorneys who have not previously appeared before the Board. The new guidelines should be easy to read and follow, and should improve parties understanding of the appeal process and minimize delays. Mr. Rowe and Mr. Griggs will share the proposed guidelines with the Board for its review and approval in the near future.

\*Ms. Haydon arrived during the Executive Director and Secretary's Report.

#### **4. REPORT OF THE PERSONNEL CABINET**

The Hon. Robert Long, Deputy Secretary and General Counsel of the Personnel Cabinet, presented for the Cabinet. Mr. Long agreed that the proposed use of guidelines for parties is a good idea, especially for people who do not normally practice before the Board.

Mr. Long informed the Board that the Internship Interview Preference regulation was approved and is final. This regulation provides that if an intern completes 300 hours in an internship position and meets all the qualifications of the regulation, then the former intern would be given an interview preference during job selection.

Mr. Long noted that LivingWell Wellness Fairs have been hosted in several state buildings. The fair hosted in the Department of Education building had over eighty (80) attendees and over one-half of those who attended chose to obtain biometric screenings. The fair conducted at the Cabinet for Health and Family Services building had one hundred seventy-five (175) attendees and fifty-nine (59) of those attendees chose to obtain biometric screenings. Executive Branch staff are provided one (1) hour to attend with their supervisor's approval. Several more fairs are scheduled throughout the year, and for the first time one is scheduled for the L&N Building in Louisville. Approximately fifteen (15) vendors have participated in the fairs to discuss and share information about healthcare. The Kentucky Extension Service has also demonstrated healthy cooking and has shared recipes.

The Personnel Cabinet announced that a RFP has been issued for vendors to operate a childcare facility in the Rosenwald Building on the Kentucky State University campus. . The facility will offer partially subsidized childcare for up to one hundred (100) children at its launch, which is expected in early 2026, and can grow to care for approximately one hundred forty (140) children when fully staffed. If the initiative is successful, the plan is to expand the offering to additional areas around the state.

Regarding legislation, the Personnel Cabinet through Senator McDaniel, proposed Senate Bill 79. The bill was proposed to clean up some of the language in KRS Chapter 18A and make it more consistent and reflective of current policies. An amendment was added to this Bill that would have eliminated all teleworking for state employees, including during inclement weather, or other building closures that can create difficulties for employees to report to work. An amendment was filed on the floor that would have overturned the proposed cessation of teleworking. However, Senate Bill 79 did not get assigned by the Committee on Committees and was not passed.

## **5. CLOSED SESSION/RETURN TO OPEN SESSION**

Mr. Reeves moved that the Board go into Executive Session for the purposes of discussions and deliberations regarding individual adjudications. Mr. Ward seconded. Chair Eaves stated that a motion had been made and seconded for the Personnel Board to retire into closed Executive

Session, passed by a majority vote of the members present, with enough members present to form a quorum.

**[Pursuant to KRS 61.810(1)(j), the Kentucky Open Meetings Act, the Board retired into closed Executive Session and the attendees were required to leave the video conference, pursuant to KRS 61.826. Specific justification under the Kentucky Open Meetings Act for this action were as follows, because there were deliberations regarding individual adjudications as listed on the Board's Agenda for the March 14, 2025 meeting.](10:05 a.m.)**

Mr. Ward moved to return to open session. Ms. Haydon seconded, and the motion carried 6-0. (10:30 a.m.)

## **6. CASES TO BE DECIDED**

- A. Lytle, Martina v. Justice and Public Safety Cabinet, Department of Public Advocacy and Personnel Cabinet (2024-030)**

Mr. Ward, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, moved to accept the recommended order dismissing the appeal. Ms. Snodgrass seconded, and the motion carried 5-0, with Mr. Gillis abstaining.

- B. Phelps, Brian Scott v. Transportation Cabinet and Matthew West (2021-112)**

Mr. Gillis, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, moved to accept the recommended order dismissing the appeal. Ms. Haydon seconded, and the motion carried 6-0.

### **Show Cause Orders – No Response Filed – Appeals Dismissed**

- C. Bradley, Raymond v. Justice and Public Safety Cabinet, Department of Corrections (2024-024)**
- D. Wood, Brandy v. Justice and Public Safety Cabinet, Department of Juvenile Justice (2024-021)**

In the cases listed above, Mr. Gillis moved to find that the Appellants had not responded to the show cause orders and that the recommended orders be accepted dismissing the appeals for failure to timely prosecute the appeals. Mr. Reeves seconded, and the motion carried 6-0.

## **Show Cause Orders – No Response Filed – Dismissed as Withdrawn**

- E. Slone, Stevie v. Transportation Cabinet (2024-052)
- F. Wright, Steven v. Cabinet for Health and Family Services (2024-127)

In the cases listed above, Mr. Gillis moved to accept the recommended order and to dismiss the appeal as withdrawn. Mr. Reeves seconded, and the motion carried 6-0.

## **7. WITHDRAWALS**

Chair Eaves moved to accept the following withdrawals *en bloc* and to dismiss the appeals. Ms. Snodgrass seconded, and the motion carried 6-0.

- A. Bryant, Yvonne v. Cabinet for Health and Family Services (2024-126)
- B. Burrows, Tyler v. Transportation Cabinet (2024-130)
- C. Grider, Scott v. Transportation Cabinet (2024-131)
- D. Thompson, Amy v. Kentucky Bar Association (2024-155)
- E. Walker, Sharon v. Cabinet for Health and Family Services (2024-171)

## **8. SETTLEMENTS**

Chair Eaves moved to issue a settlement order and to sustain the appeal in the matter designated below to the extent set forth in the settlement submitted by the parties. Ms. Snodgrass seconded, and the motion carried 6-0.

- A. Kennedy, Corey v. Cabinet for Health and Family Services (2024-147)

## **9. OTHER**

- A. Case Load Reduction

- 1. Backlog, status of appeals, plan of action

Mr. Rowe reported that the staff goal is to continue to have at least as many cases ready for final disposition as was accomplished for the March Agenda. The minimum goal going forward will be to have twenty (20) final orders per month ready for Board review in order to stay ahead of our new appeals filed. Mr. Rowe stated he felt that more cases would be on future agendas for the Board, especially in light of the amount of decisions made in the past few weeks.

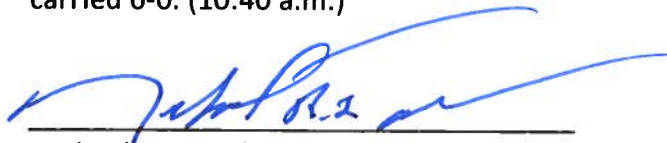
He hopes to get the total number of appeals under 200 by the June 2025 Board meeting and significantly fewer than that by the end of the calendar year.

Ms. Haydon questioned how many appeals were filed with appellate courts following the Board's Final Orders. Mr. Rowe stated that Mr. Griggs dealt with those appeals, and that very few had been filed during the past year. Mr. Griggs stated that there were currently twenty (20) active cases that had been appealed to the appellate courts.

Chair Eaves asked about change in venue for appeals of Personnel Board decisions and parties now being allowed to file appeals to Circuit courts in the county where the Appellant resides, instead of only in Franklin County. Mr. Griggs stated that while most cases were filed in Franklin County, a few had chosen to file in their home county pursuant to KRS 452.005.

**B. Next Board Meeting: April 11, 2025**

Mr. Gillis made a motion for the Board to adjourn. Mr. Ward seconded, and the motion carried 6-0. (10:40 a.m.)

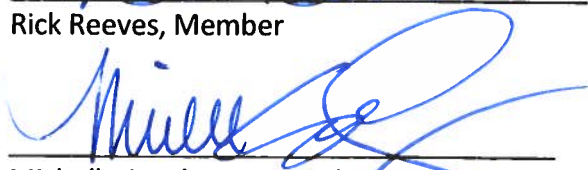
  
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