

**KENTUCKY PERSONNEL BOARD
MINUTES OF MAY 8, 2026**

1. The regular monthly meeting of the Kentucky Personnel Board was called to order by Vice Chair Deimling on May 8, 2026, at approximately 9:30 a.m., ET, at 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky.

Board Personnel Present:

Mitchel Denham, Chair
Michelle Snodgrass-Deimling, Vice Chair
Morgan Ward, Member
Larry Gillis, Member
Rick Reeves, Member
Lisa Haydon, Member

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

2. READING OF THE MINUTES OF THE REGULAR MEETING HELD APRIL 10, 2026.

The minutes of the last Board meeting were previously circulated among the members. Chair Denham asked for any additions or corrections. Mr. Reeves moved to approve the minutes as submitted. Ms. Haydon seconded, and the motion carried 5-0, with Mr. Ward abstaining.

3. EXECUTIVE DIRECTOR AND SECRETARY'S REPORT

Mr. Rowe began his report by updating the Board regarding the Clio Case Management System. Staff have attended a couple of online training sessions in which the Clio staff conducted demonstrations of their software platform. Board staff are learning about the functionality of the system and expect to have case documents migrated over to the new system soon. Board staff are pleased with the training and feel confident that this system will be able to meet their needs and will be a significant improvement over the ProLaw case management system currently being used. Additional training has been scheduled in the next few weeks and staff look forward to full implementation.

Mr. Rowe and Mr. Griggs will be attending the Kentucky Attorney General's Hearing Officer training on May 15, 2026. This will be an all-day in-person training; the first time the training has been conducted in-person since the COVID-19 epidemic.

The administrative staff have been participating in some internal cross-training on different functions in the office so that the office can maintain operations when members of the staff are absent and to generally maximize functionality and efficiency.

Mr. Rowe stated he had one appellate court decision to report on: *Rita Richardson v. Cabinet for Health and Family Services*. In this matter, the Board sustained Ms. Richardson's appeal of being placed on directed sick leave. The Cabinet appealed to Franklin Circuit Court but served the Personnel Board untimely, which resulted in the Court dismissing the Cabinet's appeal. Recently, the Court of Appeals affirmed the decision of the Franklin Circuit Court and overruled the Cabinet's position that they made a good faith effort to serve the Board on time through the Attorney General's office. Mr. Rowe thanked Mr. Griggs, who was counsel for the Board in this matter, for his efforts in defending against the Cabinet's appeal.

Mr. Rowe thanked Mr. Ward for his service to the Board during 2026. Mr. Ward was due to rotate off the Board on January 1, 2026, however, since the Board has not received a new Board member, Mr. Ward generously agreed to stay so in his position to help the Board maintain a quorum. Staff have been very grateful for Mr. Ward's support and dedication. Mr. Rowe said he would follow-up with the Governor's office regarding the appointment of new Board members.

Chair Denham questioned whether the lack of cases to decide on the Board's May Agenda was due to the Clio migration or whether it was the natural progression of cases. Mr. Rowe stated it was a bit of an anomaly, in part due to the type of cases staff are currently reviewing and ruling on and the length of the required notice period given for parties to respond to a hearing officer's recommended orders. In addition, Staff have initiated a push to close the gap between the time an appeal is filed and the first pre-hearing conference, which significantly increased the number of pre-hearing conferences being held. The goal is to shorten the overall length of time a case is pending. This is reflected in the monthly status report showing ninety-five (95) pre-hearing conferences were held during April.

4. REPORT OF THE PERSONNEL CABINET

The Hon. Robert Long, Deputy Secretary of the Personnel Cabinet, presented for the Cabinet.

Mr. Long stated his report to the Board would be short this month. He announced this day was the end of the Public Service Recognition Week and that the Personnel Cabinet held different events all week. On the previous Monday, Governor Beshear and Personnel Cabinet Secretary Mary Elizabeth Bailey delivered a televised message to all employees recognizing them and thanking them for all their service and the work they do for the Commonwealth. The Personnel Cabinet conducted several activities including popcorn day, a lunch for the employees and recognizing the Employee of the Quarter. The Cabinet encouraged other agencies to also

recognize their employees. Mr. Long said the state has a great public service workforce; our employees are very valuable and the hard work they put in every day to serve the Commonwealth is appreciated.

Mr. Long mentioned the Governor's Ambassadors Awards program nominations closed on this date. This program is a way for the Governor to recognize excellence in public service. Employees were encouraged to make their nominations using the link on the Personnel Board's website.

The Team Kentucky Early Learning Center has been officially announced as a kickoff to the Public Service Recognition Week and is expected to be opening its doors in late August or early September 2026. The Governor discussed the initiative during his Team Kentucky briefing on Thursday, May 7, 2026. A website has been launched and applications are now being accepted. A very good partner, the Community Action Center, will be running the Center. They have shown a commitment to public employees and a desire to make this a flagship childcare center. Hopefully this initiative will allow some employees to have a cheaper option for childcare closer to where they work. The Center will be accepting 92 children at the start of the program.

House Bill 10, which would likely negatively impact career service employees and employees with prior classified status and their rights for reversion, reinstatement or re-employment, is being challenged in court. A lawsuit has been filed in the Franklin Circuit Court challenging the provisions of that bill (and a few other bills) in late April. There has been one (1) appearance before the Judge Wingate on a motion to expedite so the parties will hopefully not have to go through the traditional extended period of attempting to set a briefing schedule so that this matter can be moved forward. The parties are waiting for a decision on that motion.

Chair Denham asked who the parties were to the Franklin Circuit Court lawsuit. Mr. Long stated that the Plaintiffs were Governor Beshear, Personnel Cabinet Secretary Mary Elizabeth Bailey, and Finance and Administration Cabinet Secretary Holly Johnson.

Mr. Long asked for questions about his report. Ms. Haydon asked about the age range of the children to be accepted for the childcare center. Mr. Long stated they were accepting one-to five-year-old children. Ms. Haydon asked if the childcare workers were certified. Mr. Long was unsure of this; however, he confirmed that the center would be required to be inspected and certified by the Cabinet for Health and Family Services Office of Inspector General.

5. CLOSED SESSION/RETURN TO OPEN SESSION

Chair Denham moved that the Board go into Executive Session for the purposes of discussions and deliberations regarding individual adjudications. Vice Chair Deimlin seconded. Chair Denham 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 May 8, 2026 meeting.](10:00 a.m.)

Mr. Gillis moved that the Board return to open session. Mr. Reeves seconded and the motion carried 6-0. (10:09 a.m.)

6. CASES TO BE DECIDED

(None)

Show Cause Orders – No Response Filed – Appeals Dismissed

- A. *Callahan, William v. Justice and Public Safety Cabinet, Department of Corrections* (2021-032 and 2022-084)
- B. *Morris, Liggett v. Justice and Public Safety Cabinet, Department of Juvenile Justice* (2024-144)

In the cases listed above, Ms. Haydon 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. Vice Chair Deimling seconded, and the motion carried 6-0.

Show Cause Order – No Response Filed – Dismissed as Withdrawn

- C. *Henderson, Melissa v. Cabinet for Health and Family Services* (2025-018)

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

7. WITHDRAWALS

Mr. Reeves moved to accept the following withdrawals and to dismiss the appeals. Mr. Ward seconded, and the motion carried 6-0 on Items "A" and "B" and the motion carried 5-0 on Item "C," with Chair Denham abstaining.

- A. *Barnett, Estill v. Transportation Cabinet* (2026-033)
- B. *McDowell, Kelly v. Cabinet for Health and Family Services* (2025-126)
- C. *Schneider, William Chase v. Finance and Administration Cabinet* (2026-070)

8. SETTLEMENTS

Mr. Gillis moved to issue settlement orders and to sustain the appeals in the matters designated below to the extent set forth in the settlements submitted by the parties. Ms. Haydon seconded, and the motion carried 6-0.

- A. *Freholm, Kennetta v. Education and Labor Cabinet* (2024-185)
- B. *Grimes, Jon v. Public Protection Cabinet* (2024-146)
- C. *Short, Daniel v. Justice and Public Safety Cabinet, Department of Corrections* (2025-058)

9. OTHER

- A. Case Load Reduction

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

Mr. Rowe confirmed that the Board received the various reports sent out by Board staff. As shown on the reports, Mr. Rowe and Mr. Griggs are scheduling an increasing number of evidentiary hearings. They recognize that some of these matters may be rescheduled, withdrawn or settled, but want to make sure that a significant number of cases are heard each month. That strategy is working so far. During April, three (3) appeals were withdrawn and, in two (2) matters, the Appellant did not appear or request to reschedule prior to the hearing.

A part of the backlog reduction strategy is to schedule more cases. This appears to be generating favorable results, as will be shown more clearly on the June 2026 Board Agenda. The increased scheduling is a big part of the plan of action, in addition to better tracking of the status of the appeals so that none of the appeals “get stuck” or remain in a “continued” status. Mr. Rowe stated that when a case seems to be lagging, with no significant events scheduled, staff will find out the reason(s) for delay and make sure the situation is corrected for the next month. Mr. Rowe feels good about the Board’s progress.

Mr. Rowe confirmed that the new hearing officer would be coming on board soon; his contract is still working its way through the Finance Cabinet’s approval process. The addition of another hearing officer will help the Board to hear and decide more cases every month.

Mr. Rowe congratulated Mr. Griggs on his daughter’s graduation from the University of Kentucky on this day. The Board congratulated Mr. Griggs as well. Mr. Griggs thanked the Board and stated that his daughter was graduating with honors as a public health major. She plans to take a year off before returning to graduate school.

Chair Denham discussed the monthly appeals report and said that the appeals being filed were fewer than the number of final decisions on cases. This is positive as well as the number of

cases being mediated and settled without the hearing officers or staff having to expend resources to resolve the cases. Chair Denham stated that the Board is moving in a positive direction. He said that the backlog had been discussed since he started on the Board and many questions have been raised about the persistence of the backlog. However, people are still filing appeals – as is their prerogative – but the fact there are contract hearing officers now who are well-funded, and that more cases are being sent to mediation, or are being scheduled and resolved to get to hearing, is what is most important to the Board. Chair Denham said he applauded and was glad Mr. Rowe and Mr. Griggs were focused on those items. He encouraged them to keep up the good work.

Chair Denham said that, when he reviewed the report regarding the older cases, some of them that had lingered - the reasons for them were a lot of motion practice and a lot of reasons that may be harder to resolve. However, they are now moving; they are getting recommended orders or issues are being resolved. This is encouraging and Chair Denham congratulated staff on working hard to achieve their goals.

Mr. Rowe thanked Chair Denham for his kind words and acknowledged that these are the actions that staff are taking to reduce the backlog, including a focus on older cases, which has led to a reduction in the number of older cases on the docket, and making certain to address the issues and move the cases toward evidentiary hearings or some other kind of resolution.

Ms. Haydon questioned the number of contract hearing officers the Board has. Mr. Rowe stated there were four. He said that number may go up when the hearing officer rate increased on July 1, 2026 (the start of the new fiscal year). Chair Denham stated that the new rate would be \$200 per hour and Mr. Rowe confirmed that rate. Ms. Haydon asked if new hearing officers could be hired once the new rate went into effect. Mr. Rowe said yes. Mr. Griggs confirmed that the new rate would expand the Board's capacity to schedule more evidentiary hearings. Getting cases on the calendar for evidentiary hearing sooner presses the parties to make decisions and resolve cases more quickly. Having additional hearing officers will increase the Board's capacity to hear more cases.

Mr. Reeves questioned whether there was enough money in the Board's budget to finish the fiscal year. Mr. Rowe confirmed that there is. Mr. Gillis asked: (1) if there had been any feedback on the Guidelines the Board had issued regarding the practice of appeals, and (2) if there had been a reduction in the number of appeals filed based on what the Board has jurisdiction over since the passage of Senate Bill 153. Mr. Rowe replied that staff have seen a reduction in 2026 of the number of appeals filed regarding salary disputes. He stated that staff were more prepared to deal with these types of appeals now by advising Appellants that these appeals have significant jurisdictional issues and that they may want to consult an attorney regarding these matters. A couple of appeals involving this issue were withdrawn and other salary dispute cases have dispositive motions practice scheduled. Mr. Rowe felt there had definitely been an impact on the number of appeals filed on that issue now that several decisions had been rendered in similar appeals.

Regarding Mr. Gillis's question about the feedback on the Guidelines, Mr. Rowe said he has heard that agencies were glad to receive them. Some agencies have decided to only distribute the Guidelines to employees who may be filing an appeal rather than to every employee in the agency. Mr. Griggs stated he has already heard positive feedback from agency legal staff regarding the Guidelines and their usefulness. Mr. Griggs noted that the Personnel Cabinet is working toward providing the Guidelines to anyone who has a potentially actionable issue, particularly if there is a disciplinary issue; such employees should be provided a copy of the Guidelines with a disciplinary notice and appeal form. Mr. Griggs said it was extremely useful for employees to have an opportunity to review the Guidelines prior to filing so that they will have a better understanding of the process and can identify potential issues before they go forward. While he has not heard from any employees/Appellants regarding the Guidelines, legal staff from various agencies have made positive comments regarding the explanation of Personnel Board process, policies and procedures contained in the Guidelines.

Ms. Haydon asked about the process for filing an appeal and how employees can obtain appeal forms. Mr. Griggs confirmed that appeal forms are on the Board's website, are maintained by agency HR staff, and are required to be provided by an agency when disciplinary notices are issued.

C. Next Board Meeting: **June 12, 2026**

Ms. Haydon made a motion for the Board to adjourn. Mr. Ward seconded, and the motion carried 6-0. (10:26 a.m.)



Mitchel Denham, Chair



Michelle Snodgrass-Deimling, Vice Chair


Morgan Ward, Member
Larry Gillis, Member
Rick Reeves, Member
Lisa Haydon, Member