KENTUCKY PERSONNEL BOARD
MINUTES OF OCTOBER 9, 2026

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

Board Personnel Present:

Michelle Snodgrass-Deimling, Vice Chair
Lisa Haydon, Member
Gordon Slone, Member
Demetrius Holloway, Member*
David Bradley, Member

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

Board Members Absent: Mitchel Denham, Chair
Thomas J. Gilpin, Member

2. **READING OF THE MINUTES OF THE REGULAR MEETING HELD SEPTEMBER 11, 2026.**

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

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

Mr. Rowe welcomed the Board members. He stated that he wanted to address a couple of items in his report for the Board's consideration and then revisit the proposed regulation presented to the Board during its September meeting.

Mr. Rowe confirmed that the Board members received a copy of the Board's Annual Report and then highlighted some of the important benchmarks cited in the report. He pointed out that the report showed an upward trend in terms of the number of appeals filed, the number of pre-hearing conferences held, and the number of evidentiary hearings held in 2026. He emphasized that the number of evidentiary hearings held has increased year over year in each of the last two fiscal years. The Board's restored ability to hire and utilize contract hearing officers is largely responsible for the significant increase in the number of evidentiary hearings that are

being conducted. As alluded to during the August Board meeting, the Board should see the increase continue. Mr. Rowe stated that, with the recent addition of a new hearing officer, he intends to schedule more evidentiary hearings per month, so that more cases can be heard and decided by the Board. The number of pre-hearing conferences held per month in FY 2026 compared with the previous fiscal year. More of these conferences are being held so that Mr. Rowe and Mr. Griggs can stay on top of issues that arise in their cases and are trying to address those issues as early as possible so that the cases can maintain positive, forward momentum. Mr. Rowe told the Board he is happy about the increased numbers.

Several educational efforts which were highlighted in the report. Mr. Rowe and Mr. Griggs have engaged in various efforts to educate state government employees about what the Personnel Board does and what remedies are available through Board action. They are also going out into the community to educate attorneys and others who might be involved in the Board's administrative process. For example, Mr. Rowe and Mr. Griggs made a presentation to the Lexington Inns of Court in November, 2025, explaining the Board's jurisdiction and functions under KRS Chapter 18. Mr. Rowe and Mr. Griggs have also been trying to bring new attorneys into the system, especially in terms of representation for employees, which typically makes the adversarial process more efficient. The Board did not have any questions about the report. Mr. Rowe requested that the Board approve and ratify the Annual Report.

Vice Chair Snodgrass-Deimling stated she thought the report was very thorough and appreciated the work that went into preparing it.

Mr. Slone moved to ratify the Personnel Board's Fiscal Year 2026 Annual Report. Vice Chair Snodgrass-Deimling seconded, and the motion carried 5-0.

Mr. Rowe stated that, since the August Board meeting, staff has been able to update the Clio case management system and all of the "old" (closed) cases have been uploaded. This information should allow staff to provide more robust reporting both internally and to the Board in future meetings. It should allow staff to present more trend and historical information, as requested by the Board Chair. For example, staff will be able to report more accurately on the average time it takes to progress from case filing to case conclusion and be able to show improvements in the time it takes to process appeals. We have had a few hiccups in implementing some of the Clio reporting functions but expect to receive more training within the next few weeks that will address our needs for better reporting and generally assist our transition to the Clio case management system.

Mr. Rowe reported that, since the August meeting, Mr. Griggs has been working with Personnel Cabinet staff regarding the revision of the grievance regulation, 101 KAR 1:375. Mr. Rowe yielded the floor to Mr. Griggs for his comments on the proposed regulation.

Mr. Griggs reminded the Board that, during the August meeting, the Board had some comments and questions regarding the proposed regulation amendment and changes to the

grievance form. Mr. Griggs has worked with the Personnel Cabinet staff to address the concerns raised by the Board about the form, particularly regarding the time allowed and the process for the initial response to a grievance by the Warden, Executive Director or Commissioner. In order to accommodate those concerns, Mr. Griggs inserted some language into the revised grievance form that will require that a grievance be provided to the agency's human resources office on the same day that it is submitted to the Warden, Executive Director or Commissioner. This will allow the human resources office(s) to review the grievance when submitted, ensure that it is properly delivered to the initial decisionmaker (Warden, Executive Director or Commissioner), and assist with the response to the grievance. The Personnel Cabinet has had some discussions with the human resources officers in various cabinets to facilitate some of the support systems and process improvements that will be required to ensure grievances are received and processed timely, which should address the concerns raised by the Board during the August Board meeting. Mr. Griggs also stated that the grievance form will be incorporated by reference into the amended grievance regulation.

Mr. Griggs reported that there were a few other small additions to the form. He noted that the revised, proposed regulation with the attached, revised grievance form was in the Board's packet. He pointed out, in response to Board comments about the timing of the response due from the Warden, Executive Director or Commissioner, that the proposed amended regulation states that the Warden, Executive Director or Commissioner will have ten (10) working days, which is essentially two (2) weeks, within which to respond to the grievance. There is a five (5) day window thereafter within which the employee may request further review if they do not agree with the response and, thereafter, there will be twenty (20) working days for the appointing authority to issue a final decision. Part of the impetus for the changes was to keep the timeframe for responses relatively short so that the employee who filed the grievance received the benefit of a quick and substantive response.

Mr. Griggs thanked Personnel Cabinet Secretary Mary Elizabeth Bailey and Deputy General Counsel Rosemary Holbrook for their assistance in drafting some of the changes to the proposed regulation and revised grievance form, and for their support. Mr. Griggs further thanked the Board for their useful comments and requested feedback regarding the new revisions. Mr. Rowe and Deputy Secretary Robert Long answered questions from the Board.

A. **Regulation Amendment:**

101 KAR 1:375, Employee Grievances and Complaints

Mr. Slone moved to accept the amendments to 101 KAR 1:375 with the attached revised grievance form. Ms. Haydon seconded, and the motion carried 5-0.

4. **REPORT OF THE PERSONNEL CABINET**

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

Mr. Long first reviewed the proposed changes to 101 KAR 1:325, which would affect probationary periods for certain job classifications. He answered questions from the Board regarding the proposed changes.

A. **Request for Amendments to 101 KAR 1:325, Initial Probation Periods:**

1. Justice and Public Safety Cabinet, Department of Juvenile Justice

a. **Juvenile Services District Supervisor**

i. 20001175: 12 months to 6 months

2. Transportation Cabinet

a. **Transportation Operations Center Specialist I**

i. 20000698: 12 months to 6 months

Ms. Haydon moved to approve the Justice and Public Safety Cabinet's and Transportation Cabinet's requests to reduce the probationary periods of the above from twelve (12) months to six (6) months. Mr. Holloway seconded, and the motion carried 5-0.

B. **Job Classifications Whose Title Have Been Amended by the Personnel Cabinet:**

1. Forensic Computer Examiner I (20000953) – Title should be changed to **Computer Forensic Examiner I**.

2. Forensic Computer Examiner II (20000954) – Title should be changed to **Computer Forensic Examiner II**.

3. Forensic Computer Examiner III (20000955) – Title should be changed to **Computer Forensic Examiner III**.

Mr. Bradley moved to amend the titles of the above-stated Job Classifications as shown. Mr. Slone seconded, and the motion carried 5-0.

C. **Job Classifications that have been abolished by the Personnel Cabinet and should be removed from 101 KAR 1:325:**

1. Boards and Commissions Support Specialist (21002476)
2. Advanced Practice Registered Nurse Investigator (21002825)

Ms. Haydon moved to abolish the above-stated Job Classifications. Mr. Slone seconded, and the motion carried 5-0.

Mr. Long reminded the Board that the Open Enrollment period for healthcare benefits is ongoing. The open enrollment period began on October 5 and is a mandatory open enrollment. As of the date of this Board meeting, forty-six thousand two hundred and forty-two (46,242) individuals have completed their open enrollment. Mr. Long acknowledged the good work of the Department of Employee Insurance (DEI) staff who, during regular open enrollment periods, field approximately one hundred twenty (120) calls per day and who are now, during this mandatory open enrollment, fielding approximately four hundred twenty (420) calls per day. DEI prepared for this by staffing a call center appropriately and calls are being answered with little to no waiting periods. The call center is able to route retirees' calls directly to the Kentucky Public Pensions Authority or to the Kentucky Teacher's Retirement if the retiree needs additional information more specific to their question. Fourteen (14) benefits fairs have been scheduled and most have been held in different counties across the state. These have been well attended and are going very smoothly.

Ms. Haydon asked what the cut-off date was for enrollment. Mr. Long stated that open enrollment closes on October 26 but there will be an extended exception period through January 31, 2027. DEI plans to contact all individuals who do not complete their open enrollment to give them an opportunity to enroll before the end of the exception period.

5. Oral Argument

A. **Smith, Dennis v. Cabinet for Health and Family Services (2022-021)**
(Dismissal – Lack of Good Behavior – Sustained to the Extent)
--Appellee's Request for Oral Argument
--Order Regarding Oral Argument Procedure
--Appellee's Exceptions to July 24, 2026 Recommended Order
--Appellant's Response to Appellee's Exceptions to Recommended Order
(***Rescheduled to November Board***)

6. **CLOSED SESSION/RETURN TO OPEN SESSION**

Mr. Holloway moved that the Board go into Executive Session for the purposes of discussions and deliberations regarding individual adjudications. Mr. Bradley seconded. Vice Chair Snodgrass-Deimling 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 October 9, 2026 meeting.](10:23 a.m.)

Vice Chair Snodgrass-Deimling moved that the Board return to open session and the motion carried by acclamation. (10:51 a.m.)

7. **CASES TO BE DECIDED**

A. Fooks, Nicholas v. Justice and Public Safety Cabinet, Department of Corrections (2023-107)
(***Moved to November Board***)

B. France, Candice v. Justice and Public Safety Cabinet, Department of Juvenile Justice (2024-140)

Ms. Haydon, 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. Mr. Bradley seconded, and the motion carried 5-0.

C. Reed, Sonja v. Finance and Administration Cabinet and Personnel Cabinet (2025-120)

Mr. Slone, having considered the record, including the Hearing Officer's Findings of Fact, Conclusions of Law and Recommended Order, Appellant's exceptions and Appellees' joint response to exceptions, moved to accept the recommended order dismissing the appeal. Mr. Holloway seconded, and the motion carried 5-0.

D. Roberts, Charles v. Justice and Public Safety Cabinet, Department of Corrections (2024-093)

Ms. Haydon, 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. Vice Chair Snodgrass-Deimling seconded, and the motion carried 5-0.

E. Smith, Dennis v. Cabinet for Health and Family Services (2022-021)
(***Moved to November Board meeting***.)

F. Thomas, Michael v. Justice and Public Safety Cabinet, Department of Juvenile Justice (2025-049)

Mr. Bradley, 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. Mr. Holloway seconded, and the motion carried 5-0.

Show Cause Order – No Response Filed – Appeal Dismissed

G. Eversole, Nicole v. Cabinet for Health and Family Services (2022-156)

In the case listed above, Vice Chair Snodgrass-Deimling moved to find that the Appellant had not responded to the show cause order and that the recommended order be accepted dismissing the appeal for failure to timely prosecute the appeal. Mr. Bradley seconded, and the motion carried 5-0.

8. WITHDRAWALS

-None

8. SETTLEMENTS

Vice Chair Snodgrass-Deimling 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. Mr. Holloway seconded, and the motion carried 5-0.

A. Quarles, Margarita v. Justice and Public Safety Cabinet, Department of Juvenile Justice (2025-109)

9. OTHER

A. Case Load Reduction

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

Mr. Rowe updated the Board regarding our efforts toward docket reduction. The total number of pending cases has gone up this past month due to an unusual number of filings of new appeals. There were also fewer evidentiary hearings held; staff generally attempt to schedule eight (8) evidentiary hearings per month but only five were scheduled in September. Of the five scheduled evidentiary hearings, two (2) were held, one (1) settled, one (1) case involved continuing settlement discussions, and one (1) evidentiary hearing was continued based on a

last-minute motion by the Appellant, due to extraordinary circumstances. Staff are making progress in docket reduction and are confident the total number of cases will continue to decline. Mr. Rowe and Mr. Griggs have raised the goal for scheduling evidentiary hearings to ten (10) per month, allowing for months already previously scheduled, which should result in more cases being heard per month and eventually, more final decisions.

Mr. Rowe and Mr. Griggs have also discussed how to make the case administration process more efficient. Currently, the practice has been to conduct the initial pre-hearing conference, go through the initial stages of discovery, and reconvene to see how the matter should proceed. Mr. Rowe and Mr. Griggs are working on developing a model litigation that would be adopted after the very first pre-hearing conference, so the Hearing Officer and the parties will all have agreed early in the process on milestone deadlines, such as the end of discovery, the end of dispositive motion practice, and the target date for the evidentiary hearing. While they realize that some deadlines may have to be adjusted based upon how the case develops and evolves, Mr. Rowe and Mr. Griggs believe this plan should increase efficiency in how cases move through the appeal process.

Mr. Griggs stated that some cases were getting "bogged down" during the discovery period and are requiring additional pre-hearing conferences to try to work through discovery issues. The litigation plan would set forth firmer initial deadlines for discovery but allow for extensions or motions to compel, if necessary. This is a different approach to the case management process but Mr. Rowe and Mr. Griggs are hopeful these changes will lead to more efficiency.

Mr. Rowe stated that this would be a balancing act; attempting to balance efficiency with making certain that state employees are afforded the due process they are entitled to, especially since many of the Appellants are without legal representation and sometimes do not understand parts of the administrative process. Although Mr. Rowe and Mr. Griggs explain the process during the initial pre-hearing conferences, it is not always totally clear to the *pro se* Appellant, and they find themselves postponing deadlines to accommodate the misunderstandings. Mr. Rowe and Mr. Griggs hope that, by using the litigation plan they are working on, the parties will have a clearer understanding of the case timeline and deadlines from the outset so they can more closely adhere to that schedule.

C. Next Board Meeting: **November 13, 2026**.

1. Board Chair and Vice Chair Elections

2. Board Meeting Dates for 2027

3. Board Holiday Meal for December Board meeting

Mr. Holloway made a motion for the Board to adjourn. Mr. Slone seconded, and the motion carried 5-0. (11:03 a.m.)

Michelle Snodgrass-Deimling, Vice Chair

Lisa Haydon, Member

Gordon Slone, Member

Demetrius Holloway, Member

David Bradley, Member