

**AGENDA**

**PERSONNEL BOARD MEETING**

**January 8, 2010**

**9:30 a.m.**

1. Call to Order  
Swearing in of new Board member, David F. Hutcheson, Jr.
2. Reading of the Minutes of Regular Meeting held December 11, 2009  
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Petitioned Position(s)** – None
6. **Oral Arguments**
  - A. Edward Davis v. Tourism, Arts and Heritage Cabinet (Request by Appellee)
  - B. Joby Gossett v. Tourism, Arts and Heritage Cabinet (Request by Appellee)
  - C. Alan Miller v. Justice and Public Safety Cabinet (**REQUEST FOR ORAL ARGUMENT WITHDRAWN BY APPELLEE**)
  - D. Bradley Mitchell v. Cabinet for Health and Family Services  
(**MOVED TO FEBRUARY**)
7. **Motions**
  - A. Michael Agbor v. Transportation  
--Appellant's **Motion** for extension of time to file exceptions  
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--Appellee's Response to Motion
8. **Investigations**
9. **Closed Session**

10. **Cases to be Decided**

- A. Edward Davis v. Tourism, Arts and Heritage Cabinet (Dismissal – appeal sustained to the extent of changing to a 30-day suspension)  
--Appellee’s Exceptions and Request for Oral Argument  
--Appellant’s Response to Exceptions (returned as untimely filed)
  
- B. Joby Gossett v. Tourism, Arts and Heritage Cabinet (dismissal – appeal sustained to the extent of converting to a one-day suspension)  
--Appellee’s Exceptions and Request for Oral Argument  
--Appellant’s Response to Exceptions
  
- C. Alan Miller v. Justice and Public Safety Cabinet (Dismissal -- Sustained to the extent of reinstatement with a 15-day suspension)  
--Appellee’s Exceptions and Request for Oral Argument  
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--Appellee’s Motion to Withdraw Exceptions and Request for Oral Argument
  
- D. Bradley Mitchell v. Cabinet for Health and Family Services  
**(MOVED TO FEBRUARY)**
  
- E. Terry Farmer v. Transportation Cabinet (Demotion, discrimination – sustained to the extent of return him to previous position) **Deferred from December**  
--Appellee’s Exceptions and Request for Oral Argument  
--Appellant’s Exceptions  
--Appellant’s Response to Appellee’s Exceptions
  
- F. Robert Perkins v. Transportation Cabinet (Promotion – appeal sustained to the extent of being detailed to special duty) **Deferred from December**  
--Appellee’s Exceptions and Request for Oral Argument  
--Appellant’s Exceptions
  
- G. Ted Schlenker v. Justice and Public Safety Cabinet (3-day suspension – appeal dismissed)  
--Appellant’s Exceptions  
--Appellee’s Response to Exceptions
  
- H. Michael Agbor v. Transportation Cabinet – 2 appeals – (Dismissal – appeals dismissed on failure to provide medical information)
  
- I. Shannon Martin v. Transportation Cabinet (30-day suspension for time and attendance – appeal dismissed)
  
- J. Irvin Mattingly v. Education and Workforce Development Cabinet (Reclass – Sustained to the extent of reclassification, discrimination dismissed)

- K. Lori Miley v. Public Protection Cabinet (Dismissal, poor time and attendance – appeal dismissed)
- L. Hondo West v. Tourism, Arts and Heritage Cabinet (Dismissal, poor time and attendance – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed

- M. John Howard v. Cabinet for Health and Family Services
- N. James Lambert v. Justice and Public Safety Cabinet
- O. James Leachman v. Justice and Public Safety Cabinet

11. **Withdrawals**

- A. Judy Fenley v. Personnel Cabinet
- B. Rondal Keith Jervis v. Justice and Public Safety Cabinet (2009-131)
- C. Megan Mitchell v. Personnel Cabinet
- D. Ashley Morrison v. Personnel Cabinet
- E. Scott Wallen v. Personnel Cabinet
- F. Linda Weyler v. Cabinet for Health and Family Services
- \*\*\* G. Daniel T. A’Hearn v. Personnel Cabinet
- \*\*\* H. Brian Shane Cook v. Transportation Cabinet
- \*\*\* I. Connie Shepherd v. Education and Workforce Development Cabinet

12. **Settlements**

- A. Larissa Pryor v. Cabinet for Health and Family Services (mediated)
- \*\*\* B. George McQuinn v. Justice and Public Safety Cabinet (mediated)

13. **Other**

- A. Election of Vice Chair
- \*\*\* B. Discussion of Proposed Legislature