

**AGENDA**

**PERSONNEL BOARD MEETING**

**October 9, 2009**

**9:30 a.m.**

1. Call to Order
2. Reading of the Minutes of Regular Meeting held September 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. Donald Haggard v. Auditor of Public Accounts (Request by Appellee)
  - B. Jason Morrison v. Tourism, Arts and Heritage Cabinet (Request by Appellee)
  - C. Freddie Tooley v. Transportation Cabinet (Request by Appellee)
7. **Motions**
8. **Investigations**
  - A. Education and Workforce Development Cabinet – Request by Terri Brogan
9. **Election of Board Chair and Vice Chair**
10. **Closed Session**
11. **Cases to be Decided**
  - A. Donald Haggard v. Auditor of Public Accounts (dismissal – appeal sustained to the extent of being modified to a 30-day suspension)  
--Appellee's Exceptions and Request for Oral Argument and **Motion for Stay**  
--Appellant's Response to Exceptions and Response to Request for Stay

- B. Jason Morrison v. Tourism, Arts and Heritage Cabinet (dismissal, time and attendance – appeal sustained to the extent of reinstatement with a 30-day suspension)  
--Appellee's Exceptions and Request for Oral Argument  
--Appellant's Reply to Appellee's Exceptions
- C. Freddie Tooley v. Transportation Cabinet (involuntary transfer – appeal sustained)  
--Appellee's Exceptions and Request for Oral Argument  
--Appellant's Response to Exceptions
- D. Cecil Colliver v. Education and Workforce Development Cabinet (demotion and involuntary transfer – appeal sustained to the extent of rescinding the demotion and transfer and imposing a 5-day suspension) **Deferred from September meeting**  
--Appellee's exceptions  
--Appellant's Response to Exceptions (probationary dismissal – appeal dismissed)
- E. Terry Farmer v. Transportation Cabinet (10-day suspension – appeal sustained) **Deferred from September Meeting**  
--Appellee's Exceptions and Request for Oral Argument  
--Appellant's Response to Exceptions
- F. Peggy Washington v. Education Cabinet (evaluation – appeal dismissed, no jurisdiction)  
--Appellant's Exceptions
- ~~G. Larry Fredley v. Justice and Public Safety Cabinet (10-day suspension, unprofessional conduct – appeal dismissed) **Moved to November**~~
- H. Ronald Frye v. Energy and Environment Cabinet (3-day suspension, poor work performance – appeal dismissed)
- I. Harold Markey v. Finance and Administration Cabinet (3-day suspension – appeal dismissed)
- ~~J. Bradley Mitchell v. Cabinet for Health and Family Services (Dismissal – appeal dismissed) **Moved to November**~~
- K. Clarence Robinson v. Justice and Public Safety Cabinet (demotion, lack of good behavior – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed

- L. Steven Shields v. Justice and Public Safety Cabinet

12. **Withdrawals**

- A. Wayne Chorzelewski v. Finance and Administration Cabinet
- B. Kimberly Hunt v. Tourism, Arts and Heritage Cabinet
- C. Mary Maeser v. Cabinet for Health and Family Services
- D. Vicki Rowe v. Justice and Public Safety Cabinet
- E. Marcia Weiser v. Personnel Cabinet

13. **Settlements**

- A. Lana Durbin v. Cabinet for Health and Family Services
- B. Chris Evans v. Tourism, Arts & Heritage Cabinet (mediated)
- C. Bernard Marion, Jr. v. Tourism, Arts & Heritage Cabinet (mediated)

14. **Other**

- A. 2010 Budget discussion