

**AGENDA**

**PERSONNEL BOARD MEETING**

**June 11, 2010  
9:30 a.m.**

- 1. Call to Order
- 2. Reading of the Minutes of Regular Meeting held May 7, 2010  
Minutes Signed
- 3. Executive Director and Secretary’s Report
  - A. Approval of Hearing Officer Contracts
- 4. Report of the Personnel Cabinet
- 5. **Petitioned Position(s)** – None
- 6. **Oral Arguments**
  - A. Stephanie Berry v. Cabinet for Health and Family Services (Request by Appellee)
  - B. Ashley Loafman and LaKeesha Tisdale v. Education and Workforce Development Cabinet (Request by Appellants)
  - C. Stuart McCloy v. Transportation Cabinet (Request by Appellant)
  - D. Jennifer Westermeyer v. Department of Public Advocacy (Ordered by Board)
- 7. **Motions**
  - A. ~~Druscella Mullins v. Department of Veterans’ Affairs (Passed from May)~~  
~~Appellant’s Motion to Enforce Settlement Agreement~~  
~~Appellee’s Response to Motion~~ **WITHDRAWN BY APPELLANT**
  - B. Heather Blackburn v. Justice and Public Safety Cabinet  
 --Appellant’s Motion to Strike Exceptions to Supplemental Recommended Order
  - C. Thaddeous Price v. Department of Agriculture  
 --Appellant’s Motion to Reopen the Record to Receive Additional Documents and Testimony  
 --Appellant’s Motion for Leave to Enlarge Time to File Amended Exceptions

- D. Betty Runner v. Cabinet for Health and Family Services (2008-204)
  - Appellant's Motion to Accept Late Exceptions
  - Response in Opposition to Appellant's Motion
  
- 8. **Investigations**
  - A. Request for Investigation into hiring practices at Eastern Kentucky Correctional Complex by Brenda Lewis (**Deferred from March Meeting**)
    - Correspondence from Brenda Lewis dated Feb. 24, 2010
    - Response from Justice and Public Safety Cabinet
  
- 9. **Closed Session**
  
- 10. **Cases to be Decided**
  - A. Stephanie Berry v. Cabinet for Health and Family Services (Demotion – appeal sustained, action not taken by appointing authority or designee)
    - Appellee's Exceptions and Request for Oral Argument
  
  - B. Ashley Loafman and LaKeesha Tisdale v. Education and Workforce Development Cabinet (Removal of duties – appeals dismissed)
    - Appellants' Exceptions and Request for Oral Argument
    - Appellee's Response to Exceptions
  
  - C. Stuart McCloy v. Transportation Cabinet (Probationary dismissal – appeal dismissed)
    - Appellant's Exceptions and Request for Oral Argument
    - Appellee's Response to Exceptions
  
  - D. Jennifer Westermeyer v. Department of Public Advocacy (Dismissal – appeal sustained) (**DEFERRED FROM APRIL**)
    - Appellee's Exceptions
    - Amended Appellee's Exceptions
  
  - E. Johnny Crider v. Justice and Public Safety Cabinet (Dismissal – sustained to the extent of changing to a written reprimand) (**DEFERRED FROM MAY**)
    - Appellee's Exceptions and Request for Oral Argument
    - Appellant's Response to Exceptions
  
  - F. Perry Puckett v. Cabinet for Health and Family Services (Dismissal, e-mail/internet usage – appeal sustained to the extent of reducing to a 30-day suspension) (**DEFERRED FROM MAY**)
    - Appellee's Exceptions and Request for Oral Argument
    - Appellant's Response to Exceptions

- G. Heather Blackburn v. Justice and Public Safety Cabinet (Dismissal – Sustained to extent, reduced to a 30-day suspension)
  - Appellee's Exceptions and Request for Oral Argument
  - Appellant's Response to Exceptions
  - SUPPLEMENT TO FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER
  - Appellee's Exceptions to Supplement to Recommended Order
  - Appellant's Response to Appellee's Exceptions
- H. Robert Gimmell v. Justice and Public Safety Cabinet (Disciplinary fine – appeal sustained)
  - Appellee's Exceptions
  - Appellant's Response to Exceptions
- I. Debora Pigman v. Cabinet for Health and Family Services (Dismissal – appeal sustained, action not taken by appointing authority)
  - Appellee's Exceptions
  - Appellant's Response to Exceptions (returned as untimely)
- J. Betty Runner v. Cabinet for Health and Family Services (2008-204) (retaliation after separation -- appeal dismissed, no jurisdiction)
  - Appellant's Exceptions
  - Appellee's Response to Appellant's Exceptions
  - Appellant's Response to Appellee's Exceptions (not allowed)
- K. Richard Barnes v. Justice and Public Safety Cabinet (10-day suspension – sustained to the extent of reducing to 5 days)
- L. Cecil Buckner v. Transportation Cabinet (2 appeals) – (Discrimination – appeals dismissed)
- M. Glen A. Crabtree v. Auditor or Public Accounts (Probationary dismissal – appeal dismissed)
- N. Darryl Hopson v. Justice and Public Safety Cabinet (Written reprimand – appeal dismissed, no jurisdiction)
- O. Rondal Keith Jervis v. Justice and Public Safety Cabinet (2009-269) – (HIPAA violation – appeal dismissed, no jurisdiction)
- P. Bill Johnson II v. Transportation Cabinet (Suspension, later rescinded – appeal dismissed, no appealable issue)
- Q. Victor Morris v. Justice and Public Safety Cabinet (HIPAA violation – appeal dismissed)

- R. Betty Runner v. Cabinet for Health and Family Services (2008-245) (Improper use of subpoena – appeal dismissed, no jurisdiction)
- S. Tara Schrader v. Cabinet for Health and Family Services – (Probationary dismissal – appeal dismissed)
- T. Kelly Shortridge v. Energy and Environment Cabinet (Suspension, discrimination – dismissed, untimely filed)

Show Cause Orders –Response Filed – Appeals Dismissed

- U. Dartanya Hill v. Cabinet for Health and Family Services  
--Response by Mr. Hill  
--Exceptions by Hon. Joseph D. Wibbels, counsel for Appellant

Show Cause Orders – No Response Filed – Appeals Dismissed

- V. Earlene Coleman v. Cabinet for Health and Family Services
- W. Mikeial Laychak v. Justice and Public Safety Cabinet
- X. Jackie Standifur v. Justice and Public Safety Cabinet

11. **Withdrawals**

- A. Kathy Cays-Turner v. Department of Corrections
- B. Matthew Finley v. Public Protection Cabinet
- C. Kelly Hooks, Jr. v. Cabinet for Health & Family Services (2 appeals)
- D. Teddy Lisle v. Cabinet for Health & Family Services
- E. Carlos Rose v. Department of Corrections
- \*\*\* F. Dana Murrell v. Tourism, Arts and Heritage Cabinet
- \*\*\* G. Leah Starks v. Cabinet for Health and Family Services

12. **Settlements**

- A. Debbie A. Doran v. Justice and Public Safety Cabinet
- \*\*\* B. Shannon Leva v. Tourism, Arts and Heritage Cabinet (mediated)

13. **Other**

- A. Annual Increments for Executive Director and General Counsel