

AGENDA

PERSONNEL BOARD MEETING

October 12, 2012

9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held September 14, 2012
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Oral Arguments**
 - A. Monique Anthony v. Justice and Public Safety Cabinet (Corrections) (Request by Appellee)
 - B. Daymon Duvall v. Justice and Public Safety Cabinet (Corrections) (Request by Appellant) **Moved from September**
 - C. ~~Michelle Crowe v. Justice and Public Safety Cabinet (Juvenile Justice)~~
Moved to November
 - D. John Grevious v. Justice and Public Safety Cabinet (Corrections) (Request by Appellee)
 - E. Warren McElmore v. Justice and Public Safety Cabinet (Corrections) (Request by Appellant)
6. **Motions**
 - A. Michael O'Brien v. Justice and Public Safety Cabinet (Juvenile Justice)
--Motion to File Late Exceptions by Appellee
 - *** B. Michelle Crowe v. Justice and Public Safety Cabinet (Juvenile Justice) (3 appeals)
--Appellant's Motion to file Memorandum in Support of Exceptions
--Appellee's Response
7. **Investigations**
 - A. Department of Agriculture – request by Steve Alvey
--Additional Information provided by Alvey

- B. Department of Agriculture – request by Thaddeus Price
--Response by Department of Agriculture

- 8. **Closed Session**

- 9. **Open Session**

- 10. **Cases to be Decided**
 - A. Monique Anthony v. Justice and Public Safety Cabinet (Corrections) --
(Demotion – appeal sustained to the extent of demotion to Sergeant)
--Appellee’s Exceptions and Request for Oral Argument
--Appellant’s Response to Exceptions

 - B. Daymon Duvall v. Justice and Public Safety Cabinet (Corrections) (3-day
suspension -- appeal dismissed)
--Appellant’s Exceptions and Request for Oral Argument

 - C. ~~Michelle Crowe v. Justice and Public Safety Cabinet (Juvenile Justice)~~
Moved to November

 - D. John Grevious v. Justice and Public Safety Cabinet (Corrections) – (Demotion –
appeal sustained to the extent of changing demotion to 10-day suspension)
--Appellee’s Exceptions and Request for Oral Argument
--Appellant’s Response to Exceptions

 - E. Warren McElmore v. Justice and Public Safety Cabinet (Corrections) (Show
Cause Order)
--Appellant’s Response and Request for Oral Argument

 - F. Robert Dickow v. Tourism, Arts and Heritage Cabinet (Parks) (constructive
discharge – appeal sustained) **DEFERRED FROM SEPTEMBER**
--Appellee’s Exceptions (oral argument request untimely)
--Appellant’s Response to Exceptions

 - G. Frank Derr v. Justice and Public Safety Cabinet (Juvenile Justice) – 2 appeals –
(10- and 15-day suspensions – appeals dismissed)

 - H. Harry Loudon v. Justice and Public Safety Cabinet (Corrections) and Personnel
Cabinet – (Probationary dismissal – appeal dismissed, no jurisdiction)

 - I. Michael O’Brien v. Justice and Public Safety Cabinet (Juvenile Justice) –
(Directed sick leave – sustained to the extent of returning leave)
--Appellee’s Exceptions and Request for Oral Argument (returned as
untimely)

 - J. Jerome Penick v. Transportation Cabinet and Erbie Tim McNutt – (Promotion –
appeal dismissed)

- K. John Rankin v. Tourism, Arts, and Heritage Cabinet (State Fair Board) and Personnel Cabinet – (overtime/comp time issue (appeal dismissed))

Show Cause Orders – No Response Filed – Appeals Dismissed

- L. Mark Brown v. Justice and Public Safety Cabinet (Corrections)
- M. Matthew King v. Education and Workforce Development Cabinet and Personnel Cabinet
- N. Lisa Papineau v. Cabinet for Health and Family Services

11. **Withdrawals**

- A. Sue Alexander v. Cabinet for Health and Family Services
- B. Stuart Fanning v. Tourism, Arts and Heritage Cabinet (Fish and Wildlife) – 2 appeals
- C. Jenny Howard v. Cabinet for Health and Family Services (2 appeals)
- D. Mary Elaine Jett v. Education and Workforce Development Cabinet
- E. Kenneth Joyce v. Energy and Environment Cabinet
- F. Samantha O’Daniel v. Justice and Public Safety Cabinet (DPA) and Personnel Cabinet
- G. David K. Stidham v. Justice and Public Safety Cabinet (Corrections)
- H. Thomas Waters v. Justice and Public Safety Cabinet (Corrections) – 2 appeals

12. **Settlements**

- A. Cleta G. Haywood v. Finance and Administration Cabinet
- *** B. Thomas Clay v. Tourism, Arts and Heritage Cabinet (Parks)
- *** C. Dawn Cockerel v. Cabinet for Health and Family Services
- *** D. Sherry Runkle v. Cabinet for Health and Family Services (2 appeals) (mediated)

13. **Other**

- A. Election of Officers