



# STATE EMPLOYEES' APPEALS COMMISSION

**Eric J. Holcomb, Governor**  
Gabriel Paul, Director and Chief ALJ

INDIANA GOVERNMENT CENTER NORTH  
100 NORTH SENATE AVENUE  
SUITE N103  
INDIANAPOLIS, IN 46204-2200  
(317) 232-3135  
(317) 972-3109 FAX

## MINUTES OF THE REGULAR MEETING OF THE STATE EMPLOYEES' APPEALS COMMISSION JUNE 17, 2020

The regular meeting of the State Employees' Appeals Commission was held on June 17, 2020, at 10:00 A.M. EST, remotely via Microsoft Teams due to the COVID-19 pandemic. The Chair, Jonathan Mayes, called the Commission to order at 10:10 A.M. EST. The following five Commissioners were present, and constituted a quorum.

### **COMMISSIONERS PRESENT:**

Jonathan Mayes, Chair  
Cynthia Springer  
Frank Sullivan, Jr.  
B. Curtis Wilkinson  
Tom Hanahan

1. The Commission considered the minutes from the November 12, 2019, meeting. Commissioner Sullivan moved for the minutes to be approved and Commissioner Springer seconded. The Commission approved the minutes as written by a 3-0 vote.
2. The Commission noted forty-eight (48) new Civil Service System complaints filed since the last meeting. The new Civil Service complaints were listed in the Commission's agenda as follows:
  1. Thomas Piotrowski v. INDOT, 11-19-056
  2. Heather Hollcraft v. PLA, 11-19-057
  3. Joshua Tempel v. INDOT, 11-19-058
  4. Kailee Guess v. FSSA, 11-19-059
  5. Charles Gant v. IYC-DOC, 11-19-060
  6. Kevin Elzy v. IYC-DOC, 11-19-061
  7. Stephanie Clephane v. DCS, 12-19-062
  8. James Brewer v. ISDH, 12-19-063
  9. James Burns v. IYC- DOC, 12-19-064
  10. Ronald McClain v. IGC, 12-19-065
  11. Craig Landers v. IWMC, 12-19-066
  12. Chad Corn v. MCF-DOC, 01-20-001
  13. Daryl Bowman v. DCS, 01-20-002
  14. Robert Williams v. DCS, 02-20-003
  15. Matthew Price v. BCF-DOC, 02-20-004
  16. Kirsten Bryson v. DCS, 02-20-005
  17. Mark Jones v. RSH-FSSA, 02-20-006

18. Kevin Allen v. IWP-DOC, 02-20-007
  19. Trevor Timmons v. WCF-DOC, 02-20-008
  20. Kenneth Lowe v. PVCF-DOC, 02-20-009
  21. Joshua Locke v. PCF-DOC, 02-20-010
  22. Athena Christy v. WVCF-DOC, 03-20-011
  23. Abigail Alumbaugh v. DCS, 03-20-012
  24. Donald Pinkston v. PVCF-DOC, 03-20-013
  25. Tony Cochran v. MCF-DOC, 03-20-014
  26. Diane Mack v. DOC, 03-20-015
  27. Geraldine Stone v. WCF-DOC, 03-20-16
  28. Thomas Francum v. WCF-DOC, 03-20-017
  29. Stephan Mirich v. WCF-DOC, 03-20-018
  30. Kevin Goodman v. DCS, 03-20-019
  31. Edward Vazquez v. WCF-DOC, 03-20-020
  32. Lori Pusz v. WCF-DOC, 03-20-021
  33. Amber Combs v. MCF-DOC, 04-20-022
  34. Brian Stoner v. CIF-DOC, 04-20-023
  35. Nicholas Cramer v. PVCF-DOC, 04-20-024
  36. Angela Downey v. WVCF-DOC, 04-20-025
  37. Shafonda Lewis v. DCS, 04-20-026
  38. Alan Anderson v. MCF-DOC, 04-20-027
  39. Clyde Outlaw v. DCS, 04-20-028
  40. Thomas Wellington v. WVCF-DOC, 04-20-029
  41. Christopher Wright v. RCF-DOC, 04-20-030
  42. Paris Barnett v. DCS, 04-20-031
  43. Juante Collins v. ISP-DOC, 05-20-032
  44. Judith Rohe v. RSH-FSSA, 05-20-033
  45. Brian Rivette v. INDOT, 05-20-034
  46. Lisa Watson v. DCS 05-20-035
  47. Lisa Ubiles v. DCS, 05-20-036
  48. Mehulkumar Patel v. IDEM 06-20-037
3. Commissioner Mayes moved to have the cases assigned to the Chief ALJ for further assignment. The motion was seconded by Commissioner Sullivan and approved by a 4-0 vote.
  4. A brief thank you was given to Commission Mayes for his service on the Commission.
  5. A discussion was then held concerning the next Commission meeting date. It was proposed by the Chief ALJ that the next meeting be held early December or after Thanksgiving. December 8, 2020 at 10:00 A.M. was set as the next Commission date.
  6. The case of McQueen v. DCS, SEAC Cause No. 01-19-009, was heard by oral argument on Petitioner's timely objection and Respondent's response. The Chief ALJ published the "Findings of Fact, Conclusions of Law, and Non-Final Order" on November 13, 2019, for the aforementioned case, which provided judgment for the Respondent after an evidentiary hearing. Petitioner McQueen appeared by counsel, Mr. Mark Waterfill.

Respondent DCS appeared by counsel, Ms. Whitney Fritz. Both parties provided oral argument. Upon public deliberation, motion, the Commission AFFIRMED the decision of the assigned ALJ in its entirety by a vote of 5-0 and adopted the Non-Final Order of the ALJ as the Final Order in this matter with no revisions.

7. Seeing no further new business, Chair Mayes closed the meeting at 11:00 AM with the next meeting set for December 8, 2020, at 10 A.M. in Conference Center, Room TBD.



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Chair  
State Employees' Appeals Commission

Date: 12/8/2020