



STATE EMPLOYEES' APPEALS COMMISSION

Eric J. Holcomb, Governor
Erin M. McQueen, 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 May 12, 2022

The regular meeting of the State Employees' Appeals Commission was held on May 12, 2022, at 10:00 A.M. EST, in person in Indiana Government Center South Conference Center Room D. The Chair of the Commission, Frank Sullivan, Jr., called the Commission to order at 10:00A.M. EDT. The following three Commissioners were present and constituted a quorum.

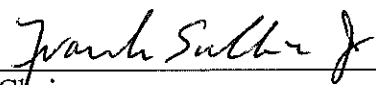
COMMISSIONERS PRESENT:

Frank Sullivan, Jr., Chair
B. Curtis Wilkinson
Barbara Trathen

1. The Commission considered the minutes from the November 18, 2021, meeting. Commissioner Sullivan moved for the minutes to be approved and Commissioner Trathen seconded. The Commission approved the minutes as written by a 3-0 vote.
2. The Commission noted twenty-seven (27) new Civil Service System complaints filed since the last meeting and approved them by a vote of 3-0 to be docketed. The new Civil Service complaints were listed in the Commission's agenda as follows:

1. 11-21-032 Guffey v. DOC
2. 11-21-033 Wea v. INDOT
3. 12-21-034 Curtis v. INDOT
4. 12-21-035 Jenkins v. DCS
5. 12-21-036 Montgomery v. ISDH
6. 12-21-037 Wittmer v. DOC
7. 12-21-038 Thiel v. DOC
8. 12-21-039 Grogan-McGlone v. DCS
9. 12-21-040 McDonald v. DOC
10. 12-21-041 Wilson v. DOE
11. 12-21-042 Dix v. DOC
12. 01-22-001 Nederian v. INDOT
13. 02-22-002 Parker v. Doc
14. 02-22-003 Shoopman v. IGC
15. 03-22-004 Manis v. OALP
16. 03-22-005 Wilson v DOE
17. 03-22-006 Washington v. DOC
18. 03-22-007 Fletcher v. DCS
19. 04-22-008 Gardner v. DOC

20. 04-22-009 Carroll v. DOC
 21. 04-22-010 Smulevitch v. ISDH
 22. 04-22-011 Tumbleson v. INDOT
 23. 04-22-012 Otterbridge v. DOC
 24. 04-22-013 Dickerson v. DCS
 25. 05-22-014 Lee v. DOC
 26. 05-22-015 Middleton v. DCS
 27. 05-22-016 Krajeir v. DOC
-
3. Chief Administrative Law Judge (“ALJ”), Erin M. McQueen reported on the metrics for the first quarter of 2022. Seven (7) new cases were received during the first quarter of the year. Four (4) of those cases were dismissed for lack of jurisdiction. As of the end of the first quarter of 2022, SEAC currently had sixteen (16) cases pending at various stages of proceedings.
 4. The case of *Outlaw v. DCS*, SEAC No. 04-20-028, was heard by oral argument on Petitioner’s timely objections and Respondent’s response. Former Chief ALJ Gabriel Paul¹ entered judgment in favor of Respondent, DCS in his Non-Final Order. Petitioner appeared by counsel, Mr. Shaw Friedman. Respondent appeared by counsel, Ms. Whitney Fritz. Both parties provided oral argument on their respective positions. Following public deliberation, the Commission REVERSED the Non-Final Order by a vote of 3-0 finding that there was not a preponderance of evidence to find just cause for the termination of Mr. Outlaw, a former classified employee.
 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 in September. September 27, 2022 was set as the next Commission date, with the presumption that it will be in person.
 6. Seeing no further new business, Chair Sullivan closed the meeting at 11:06 A.M. with the next meeting set for September 27, 2022 at 10 A.M. in location TBD.



Chair
State Employees’ Appeals Commission
Date: 5/12/2023

¹ The current SEAC ALJ, Erin McQueen, assumed jurisdiction on the case after the issuance of the Non-Final Order by ALJ Paul.