



STATE EMPLOYEES' APPEALS COMMISSION

Eric J. Holcomb, Governor
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MINUTES OF THE REGULAR MEETING OF THE STATE EMPLOYEES' APPEALS COMMISSION NOVEMBER 18, 2021

The regular meeting of the State Employees' Appeals Commission was held on November 18, 2021, at 10:00 A.M. EST, remotely via Microsoft Teams due to the COVID-19 pandemic. The Chief Administrative Law Judge, Judge McQueen, called the Commission to order at 10:00A.M. EST. The following four Commissioners were present, and constituted a quorum.

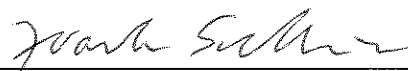
COMMISSIONERS PRESENT:

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

1. The Commission considered the minutes from the April 27, 2021, meeting. Commissioner Wilkinson moved for the minutes to be approved and Commissioner Trathen seconded. The Commission approved the minutes as written by a 4-0 vote.
2. The Commission noted seventeen (17) new Civil Service System complaints filed since the last meeting and approved them by a vote of 4-0 to be docketed. The new Civil Service complaints were listed in the Commission's agenda as follows:

1. 04-21-015 Parker v. DOC
2. 04-21-016 Polster v. DOC
3. 04-21-017 Thatcher v. DCS
4. 04-21-018 Nelson v. IVH
5. 04-21-019 Richie v. FSSA
6. 04-21-020 Claus v. ISD
7. 04-21-021 McGann v. DOC
8. 05-21-022 Ahmad v. DOC
9. 05-21-023 Thompson v. DOC
10. 05-21-024 Mokaya v. DCS
11. 06-21-025 Grubbs v. DOC
12. 07-21-026 Neumann v. DCS
13. 08-21-027 Sharp v. LSH-FSSA
14. 08-21-028 Harris v. DWD
15. 08-21-029 Pfefferkorn v. LJCF-DOC
16. 09-21-030 Goodman v. DCS
17. 09-21-031 Wilson v. DCS

3. Chair Sullivan briefly spoke about an existing Electronic Participation Policy regarding meeting virtually in the future. The Chief ALJ will confirm the existence of this Policy and send it to the Chair for review.
4. The Commission welcomed ALJ Erin McQueen to SEAC and thanked Judge Gabriel Paul for his work with the Commission. The Commissioners expressed their appreciation for Judge Paul's many years as the SEAC ALJ and noted that his initiative in the position was greatly appreciated. The Commissioners also expressed best wishes to Judge Paul in his new position.
5. The case of Goodman v. DCS, SEAC Cause No. 03-20-019, was heard by oral argument on Petitioner's timely objection and Respondent's response. The former Chief ALJ Gabriel Paul published the "Findings of Fact, Conclusions of Law, and Non-Final Order" on June 07, 2021 for the aforementioned case, which provided judgment for the Respondent after an evidentiary hearing. Petitioner Goodman appeared pro se. Respondent appeared by counsel, Ms. Whitney Fritz. Both parties provided oral argument. Following public deliberation, the Commission AFFIRMED IN PART and REVERSED IN PART. The Commission AFFIRMED the decision of the assigned ALJ by a vote of 4-0 in respect to upholding Petitioner's reprimand for failing to properly document his reasonable efforts to contact parents and give them Advisement of Rights forms. The Commission REVERSED the decision of the ALJ by a vote of 4-0 in respect to upholding Petitioner's reprimand for bringing his dog into the office after being told by his supervisor that this was not allowed.
6. 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 May. May 12, 2022 was set as the next Commission date, with the presumption that it will be in person.
7. Seeing no further new business, Chair Sullivan closed the meeting at 11:12 A.M. with the next meeting set for May 12, 2022 at 10 A.M. in location TBD.



Chair
State Employees' Appeals Commission
Date: 5/12/22