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Laura Kelly, Governor

To: Kraig Knowlton, Director, Office of Personnel Services
Cheryl Whelan, Director, Office of Administrative Hearings
Phillis Setchell, Chairperson, Civil Service Board

From: Loren F. Snell, Jr., Secretary, Civil Service Board

Date: January 15, 2020

Re: Quarterly Update

The following quarterly report reflects the Civil Service Board case filings and action taken between October 16, 2019 and January 15, 20120:

A. Cases Filed Between October 16, 2019 and January 15, 2020:

Demotion, Department of Wildlife, Parks and Tourism, filed December 10, 2019

B. Cases Decided and/or Disposed of:

Dismissal, *affirmed*
Kansas Department of Transportation

Videolog Technician Specialist. Ms. Bell was dismissed from her position at the Kansas Department of Transportation due to multiple policy violations which included smoking tobacco products in a state-owned vehicle and the possession of and possible use of illegal drugs in a state-owned vehicle. An evidentiary hearing was conducted on January 7-8, 2020, and the Board affirmed the decision of the appointing authority.

Demotion, *default*
Department of Corrections

Juvenile Corrections Officer II. Ms. Perry was demoted from her position to a Juvenile Corrections Officer I (B) position due to allegedly misusing KJCC internet and/or intranet for her personal use. Specifically, KJCC alleged that Perry was using KJCC internet and/or intranet to communicate back and forth with another officer during work hours and the communications were personal and had no business content. Counsel for the Agency filed a motion to dismiss citing a lack of response by Ms. Perry to the various discovery requests that had been served. Ms. Perry was given an opportunity to respond to the motion and failed to do so. A proposed default order was issued due to Ms. Perry's failure to participate in the adjudicative process. The proposed default order was not responded to, resulting in a default order against Ms. Perry and dismissal of the request for an administrative hearing for failure to participate in the proceedings.

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Dismissal, *dismissed*
Department of Corrections

Corrections Officer IB. Ms. Arden was dismissed from her position due to her "inability to perform the essential functions of the position." On December 23, 2019 the parties filed a Stipulation of Dismissal with Prejudice, resulting in the matter being closed.

C. Cases to be Heard:

Dismissal, Kansas Schools for the Deaf and Blind, prehearing conference, January 22, 2020

Demotion, Department of Wildlife, Parks and Tourism, prehearing conference, March 9, 2020

D. Statistics for Completed Cases:

Action Taken by Agency:
Dismissals: 2
Suspensions:
Demotions: 1

Action Taken on Appeal:
Affirmed: 1
Reversed:
Modified:
Dismissed: 1
Withdrawn:
Default: 1

Agency:
Department of Corrections: 2
Board of Indigents Defense Services:
Department for Children and Families:
Department of Health and Environment:
Department of Revenue:
Department for Aging and Disability Services:
Department of Transportation: 1
Department of Commerce:
Commission on Veterans Affairs:
Kansas Bureau of Investigation: