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Kansas
Civil Service Board

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Correne K. Green, Chairperson

Sam Brownback, Governor

To: Kraig Knowlton, Director, Office of Human Resources
Robert M. Tomlinson, Director, Office of Administrative Hearings
Correne K. Green, Chairperson, Civil Service Board

From: Michele L. Tunnell, Secretary, Civil Service Board

Date: July 16, 2013

Re: Quarterly Update

The following reflects the Civil Service Board case filings and action taken since the April 15, 2013 quarterly report:

A. Cases Filed Between April 15, 2013 and July 15, 2013:

Dismissal, Kansas State University, filed April 25, 2013
Dismissal, Kansas State University, filed April 26, 2013
Dismissal, Department of Transportation, filed May 31, 2013
Dismissal, Department of Corrections, filed June 6, 2013
Dismissal, Department for Aging and Disability Services, filed June 11, 2013
Dismissal, Parsons State Hospital and Training Center, filed June 24, 2013
Dismissal, Osawatomie State Hospital, filed June 27, 2013

B. Cases Decided and/or Disposed Of:

Dismissal *default*
Department for Children and Families
Human Service Assistant. Appellant was dismissed for repeated rude and unprofessional conduct with clients and other employees. A status conference was scheduled; appellant did not appear. A proposed default order was issued for her failure to appear to which she did not respond.

Transfer *dismissed*
Kansas Highway Patrol
Trooper. Appellant filed an appeal with regard to his being transferred after being returned to work by the Civil Service Board. KHP filed a motion to dismiss for lack of jurisdiction. The Board granted the motion on the grounds that the Board does not have jurisdiction to hear matters regarding transfers.

Dismissal *withdrawn*
Department of Corrections/Hutchinson Correctional Facility
Corrections Officer I. Appellant was dismissed for unprofessional conduct during his shift. Specifically, appellant was "acting like a monkey" jumping on an inmate's cell door, shaking it, and making noises. Appellant had previously been suspended for fifteen days and five days. Appellant withdrew his appeal.

Dismissal *affirmed*

Department of Administration/Office of Facilities and Property Management

Electrician Senior. Appellant was dismissed for exhibiting inappropriate conduct towards other state employees. He also failed to immediately report that he had lost his master set of keys to the Finney State Office Building. The Board affirmed the decision of the appointing authority dismissing appellant.

Dismissal *affirmed*

Department of Corrections/Norton Correctional Facility-East Unit

Corrections Officer II. Appellant was dismissed for engaging in horseplay with the inmates that was unprofessional and inappropriate. The Board affirmed the decision of the appointing authority dismissing appellant.

Dismissal *withdrawn*

Kansas State University

Senior Administrative Assistant. Appellant was dismissed after receiving two unsatisfactory reviews for deficiencies in her work performance. Prior to the hearing, appellant withdrew her appeal.

Dismissal *affirmed*

Office of Information Technology Services/Department of Children and Families

Management Systems Analyst. Appellant was dismissed for failing to maintain the passwords for several systems to which he had administrative access in a secure manner. Specifically, appellant had written the passwords on the bottom of his calendar which was found by a coworker and his supervisor on his desk in plain view. The Board affirmed the decision of the appointing authority appellant.

Dismissal *default*

Department for Children and Families

Social Worker Specialist. Appellant was dismissed for inefficiency or incompetency in the performance of her duties and a habitual pattern of absences and tardiness. A status conference was scheduled; appellant did not appear. A proposed default order was issued for her failure to appear to which she did not respond.

Demotion *affirmed*

Department of Corrections

Parole Supervisor. Appellant was demoted from a Parole Supervisor to a Parole Officer II for careless oversight and management of sex offender cases. The Board affirmed the decision of the appointing authority demoting appellant.

Dismissal *dismissed*

Department for Children and Families

Social Work Specialist. Appellant was dismissed for consistently failing to complete documentation with regard to her cases. DCF filed a motion to dismiss on the grounds that appellant had failed to respond to its discovery requests and other deadlines set forth in the prehearing order. Appellant did not respond to the motion notwithstanding the Board's admonition that failure to respond would be deemed an admission that dismissal was warranted. The Board dismissed appellant's case.

Dismissal *default*

Department of Corrections/El Dorado Correctional Facility

Corrections Specialist I. Appellant was dismissed for appearing for duty intoxicated. A prehearing conference was scheduled; appellant did not appear. A proposed default order was issued for her failure to appear to which she did not respond.

Dismissal *affirmed*

Kansas State University

Building System Technician. Appellant was dismissed for exhibiting a continuing pattern of poor conduct and disregard for university policies and procedures. The last incident involved a verbal confrontation with another employee while holding a knife which was used in his work. The Board affirmed the decision of the appointing authority dismissing appellant.

C. Cases To Be Heard:

Dismissal, Osawatomie State Hospital, hearing September 4-5, 2013
30 day suspension, Larned State Hospital, hearing October 21-25, 2013
30 day suspension, Larned State Hospital, hearing October 21-25, 2013
7 day suspension, Larned State Hospital, hearing October 21-25, 2013
30 day suspension, Larned State Hospital, hearing October 21-25, 2013
Dismissal, Larned State Hospital, hearing October 21-25, 2013
Dismissal, Larned State Hospital, hearing October 21-25, 2013
30 day suspension, Larned State Hospital, hearing October 21-25, 2013
Dismissal, Department of Health and Environment, hearing November 5-6, 2013
Dismissal, Department of Agriculture, hearing September 17, 2013
Demotion/whistleblower, Department of Labor, stayed
Dismissal, Department of Transportation, prehearing July 17, 2013
Dismissal, Department for Aging and Disability Services, stayed
Dismissal, Parsons State Hospital and Training Center, prehearing July 17, 2013
Dismissal, Osawatomie State Hospital, hearing November 7, 2013

E. Statistics for Completed Cases:

Dismissals: 10
Suspensions: 0
Demotion: 1
Transfer: 1

Affirmed: 5
Modified: 0
Dismissed: 2
Withdrawn: 2
Default: 3

Department of Corrections: 4
Kansas Highway Patrol: 1
Department for Children and Families: 4
Kansas State University: 2
Department of Administration: 1