1020 S. Kansas Avenue
Topeka, KS 66612

Kansas
Civil Service Board

Phone: (785) 296-2433
Fax: (785) 296-4848

Sam Brownback, Governor

To: Kraig Knowlton, Director, Office of Personnel Services
Bob L. Corkins, Director, Office of Administrative Hearings
Phillis Setchell, Chairperson, Civil Service Board

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

Date: July 24, 2017

Re: Quarterly Update

The following quarterly report reflects the Civil Service Board case filings and action taken between April 15, 2017 and July 15, 2017:

A. Cases Filed Between April 15, 2017 and July 15, 2017:

Dismissal, Kansas Department of Health and Environment, filed May 10, 2017
3-day suspension, Department of Corrections, Lansing Correctional Facility, filed May 31, 2017

B. Cases Decided and/or Disposed of:

Dismissal *affirmed*
Custodial Specialist, Department of Administration, Office of Facilities & Property Management
Appellant was dismissed for exhibiting unprofessional conduct which caused undue disruption of work. The Board affirmed the action of the appointing authority dismissing the appellant.

Dismissal *dismissed*
Parole Officer I, Department of Corrections
Appellant was dismissed due to the substantiation from an investigation that he was involved in the use of excess force upon a juvenile in his care and custody, as well as other violations for personal conduct detrimental to the state service, and unbecoming of a state officer/employee. Prior to the hearing, the parties reached a settlement and requested dismissal of the case.

Dismissal *default*

IT Project Analyst, Kansas Department of Health and Environment

Appellant was dismissed for negligence in the performance of his duties, improper use of state property, and failure to maintain satisfactory and harmonious relationships with fellow employees. A prehearing conference was scheduled. Appellant did not appear at the prehearing conference. The following day, the Office of Administrative Hearings received a letter from the appellant stating he made the decision not to participate. Appellant, therefore, intentionally failed to participate and a Proposed Default Order was issued to which he did not respond.

Demotion *dismissed*

Corrections Supervisor I, Department of Corrections, Topeka Correctional Facility (TCF)

Appellant was demoted for having sexual relations with a subordinate and failing to report the relationship. A prehearing conference was held and deadlines for discovery were established. Appellant did not comply. The agency filed a motion to dismiss for failure to prosecute and a motion for summary judgment. Appellant was sent a letter giving him an opportunity to respond to the agency's motion with the letter specifically stating "[i]f you choose not to file a response, such inaction will be deemed an admission that dismissal is appropriate." Appellant did not file a response. The Board dismissed the appeal.

C. Cases Heard but Awaiting Briefing:

Dismissal, Kansas Department for Aging and Disabilities Services

D. Cases to be Heard:

Demotion/whistleblower, Department of Labor, hearing October 30-31, November 1, 2017
Dismissal, Department for Aging and Disability Services, Osawatomie State Hospital, summary judgment motion pending
Dismissal, Department of Revenue, hearing October 3, 2017
Dismissal, Kansas Veterans Home, hearing October 5, 2017
3-day suspension, Department of Corrections, Lansing Correctional Facility, hearing October 4, 2017
3-day suspension, Department of Corrections, Lansing Correctional Facility, status conference August 18, 2017

E. Statistics for Completed Cases:

Dismissals: 3
Suspensions:
Demotions: 1
Other:

Affirmed: 1
Modified:
Dismissed: 2
Withdrawn:
Default: 1

Kansas Department of Corrections:	2
Department of Administration:	1
Department of Health and Environment:	1