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Kansas
Civil Service Board

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Correne K. Green, Chairperson

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To: Kraig Knowlton, Director, Office of Human Resources
Bob L. Corkins, Director, Office of Administrative Hearings
Correne K. Green, Chairperson, Civil Service Board

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

Date: October 16, 2014

Re: Quarterly Update

The following reflects the Civil Service Board case filings and action taken since the July 16, 2014 quarterly report:

A. Cases Filed Between July 15, 2014 and October 15, 2014:

Demotion, Lansing Correctional Facility, filed July 15, 2014
Dismissal, Kansas Highway Patrol, filed July 31, 2014
Dismissal, Department for Children and Families, filed August 7, 2014
Resignation, Topeka Correctional Facility, filed August 21, 2014
2 day suspension, Larned Correctional Mental Health Facility, filed August 29, 2014
1 day suspension, Osawatomie State Hospital, filed September 8, 2014
Dismissal, Department of Labor, filed September 11, 2014
Dismissal, Kansas State University, filed September 15, 2014
Dismissal, Norton Correctional Facility, filed September 30, 2014
Dismissal, El Dorado Correctional Facility, filed October 1, 2014
Dismissal, Office of the State Fire Marshal, filed October 6, 2014
Dismissal, Department of Health and Environment, filed October 7, 2014

B. Cases Decided and/or Disposed Of:

Dismissal *dismissed*
Department for Children and Families
Human Services Specialist. Appellant was dismissed for forwarding and initiating instant messages that contained inappropriate content, some of which were of a sexual nature. A prehearing conference was convened during which deadlines were established by agreement of the parties. A prehearing order was issued memorializing the deadlines. Thereafter, appellant did not comply with the deadlines. DCF filed a motion to dismiss. Appellant was given a deadline to respond to the motion. She did not respond, so the case was dismissed.

Dismissal *withdrawn*

Kansas School for the Blind

Registered Nurse Senior. Appellant was dismissed for failing to maintain a harmonious and collaborative relationship with her supervisor. Appellant withdrew her appeal.

Demotion *affirmed*

Department of Corrections-Kansas Juvenile Correctional Complex

Juvenile Corrections Officer III. Appellant was demoted to a Juvenile Corrections Officer II as the result of excessive tardiness, leaving early, and providing inaccurate time on his time records. The Board affirmed the decision of the appointing authority.

Proposed promotion to unclassified service *dismissed*

Department of Administration-Printing Plant

Maintenance Supervisor. Appellant was offered a promotion to an unclassified position as the Maintenance Supervisor at the Printing Plant; he declined to accept the offer. Appellant filed an appeal. The agency filed a motion to dismiss on the grounds that the Board did not have jurisdiction to hear the appeal. Appellant filed a response. The Board granted the agency's motion and dismissed the case for lack of jurisdiction.

Demotion *default*

Department of Corrections-Lansing Correctional Facility

Corrections Specialist I. Appellant was demoted for failing to follow proper procedures and for his actions during a confrontation with a subordinate. A prehearing conference was scheduled; Appellant did not appear. A proposed default order was issued for his failure to appear to which he did not respond.

Dismissal *affirmed*

Department for Aging and Disability Services-Parsons State Hospital and Training Center

Mental Health Developmental Disability Technician. Appellant was dismissed for hitting a resident on the head. The Board affirmed the decision of the appointing authority.

Dismissal *dismissed*

Department for Children and Families

Human Services Assistant. Appellant was dismissed for excessive tardiness, use of unauthorized/unscheduled leave, displaying inappropriate, insulting, demeaning, or threatening behavior in the workplace, and passive aggressive behavior in the workplace that was inappropriate, unprofessional, and did not contribute to a positive work environment. The parties reached a settlement and the appellant voluntarily dismissed his appeal.

Resignation *dismissed*
Department of Corrections-Topeka Correctional Facility
Corrections Officer I. Appellant filed an appeal regarding whether his resignation from the Topeka Correctional Facility was fair. The agency filed a motion to dismiss on the grounds that the Board did not have jurisdiction to hear the appeal. Appellant responded to the motion. The Board granted the agency's motion and dismissed the case for lack of jurisdiction.

C. Cases to be Heard:

Demotion/whistleblower, Department of Labor, remanded-stayed
Dismissal, Kansas Highway Patrol, hearing January 20, 2015
Dismissal, Department for Children and Families, hearing January 7, 2015
2 day suspension, Larned Correctional Mental Health Facility, hearing February 5, 2015
1 day suspension, Osawatomie State Hospital, hearing November 8, 2014
Dismissal, Department of Labor, hearing February 4, 2015
Dismissal, Kansas State University, motion to dismiss filed
Dismissal, Norton Correctional Facility, prehearing October 21, 2014
Dismissal, El Dorado Correctional Facility, motion to dismiss filed
Dismissal, Office of the State Fire Marshal, prehearing October 22, 2014
Dismissal, Department of Health and Environment, prehearing October 24, 2014

E. Statistics for Completed Cases:

Dismissals: 4
Suspensions: 0
Demotions: 2
Other: 2

Affirmed: 2
Dismissed: 4
Withdrawn: 1
Default: 1

Department for Children and Families: 2
Kansas School for the Blind: 1
Department of Corrections: 3
Department of Administration: 1
Department for Aging and Disability Services: 1