1020 S. Kansas Avenue
Topeka, KS 66612

Kansas
Civil Service Board

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

Governor Jeff Colyer, M.D.

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

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

Date: October 15, 2018

Re: Quarterly Update

The following quarterly report reflects the Civil Service Board case filings and action taken between July 15, 2018 and October 15, 2018:

A. Cases Filed Between July 15, 2018 and October 15, 2018:

Dismissal, Department of Corrections, filed September 4, 2018

B. Cases Decided and/or Disposed of:

Dismissal *withdrawn*
Department for Children and Families

Human Services Specialist. Appellant was terminated for having reportedly engaged in "inappropriate conduct of a sexual nature on multiple occasions, during work time, while in an elevator at the DCF Topeka Service Center" with an EES supervisor. Appellant advised that he wanted withdrew his appeal prior to the hearing due to reaching a settlement with DCF.

Dismissal *reversed*
Department for Aging and Disability Services, Osawatomie State Hospital

Registered Nurse. Appellant was terminated as a registered nurse at Osawatomie State Hospital (OSH) after a patient on his unit was found deceased during shift change. A staff member being supervised by appellant reportedly completed rounds and stated to appellant that the patient was well and in their room. Appellant, accepting the staff member's statement as accurate, initialed an "Accounting for Patients Flow Sheet" indicating that appellant had accounted for the patient's safety and well-being when he had not actually done so. OSH concluded that appellant had falsified the document, and in the process neglected the patient. The Board found that the appointing authority failed to follow statutory guidance in dismissing appellant, and that appellant was to be reinstated without backpay or benefits.

Suspension *withdrawn*
Department of Revenue, Division of Vehicles. Mission Metro Services

Drivers License Examiner. KDOR initially proposed to terminate appellant for admitting to consuming alcohol while on duty at the Mission Drivers License Office, and for failing to maintain harmonious relationships with her co-workers. After meeting with the Secretary of KDOR the termination was modified to a ten (10) day suspension without pay. Appellant submitted a letter to the Board prior to the hearing indicting that she had decided not to appeal her case.

Dismissal *withdrawn*
Department of Commerce

Program Consultant I, Johnson County Workforce Center. Commerce proposed dismissing appellant due to deficiencies in work performance. Appellant received a "needs improvement" rating on his annual performance review. He was then placed on a 90-day special performance review from January 12, 2018 through April 11, 2018. On April 11, 2018 appellant received another "needs improvement" rating. Appellant submitted a letter requesting that his appeal be closed prior to the hearing.

C. Cases to be Heard:

Dismissal, Commission on Veteran Affairs. Parties have indicated that this matter has been settled; however, neither party has filed necessary pleadings to conclude the matter.

Dismissal, Kansas Bureau of Investigation, hearing was begun on September 21, 2018, and has been continued to October 25, 2018 to allow the matter to be completed.

Dismissal, Department for Health and Environment, hearing October 26, 2018. Hearing is to be conducted by ALJ Sandra Sharon.

Dismissal, Department of Corrections, Status Conference set for December 19, 2018, and evidentiary hearing set for March 4-5, 2019.

D. Statistics for Completed Cases:

Action Taken by Agency:
Dismissals: 3
Suspensions: 1

Action Taken on Appeal:
Affirmed:
Reversed: 1
Modified:
Dismissed:
Withdrawn: 3
Default:

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