

**BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA**  
**IN THE MATTER OF THE APPEAL OF**  
**BELINDA B. JOHNSON**  
**ORDER**

**February 19, 2020**

This matter came before the Board based upon the dismissal of the Employee from her employment with the Alabama Bureau of Pardons and Paroles ("ABPP"). The Employee was dismissed from her employment on October 18, 2019, based upon charges contained in a letter dated September 11, 2019. This matter was assigned to Administrative Law Judge James Jerry Wood and a hearing was held on December 10, 2019. The Administrative Law Judge's Recommended Order is now before the Board for consideration. The Board has also had the benefit of oral argument.

ABPP charges that the Employee violated State Personnel Board Rules: 670-X-19-.01(1)(a)(4) – (Failure to perform job properly); 670-X-19-.01(1)(b)(6) – (Falsification of records); 670-X-19-.01(1)(b)(12) – (Disruptive conduct of any sort); and 670-X-19-.01(1)(b)(13) – (Conduct unbecoming a State employee).

A review of the Employee's recent work history shows: one (1) Formal Notice from the Director of the State Personnel Department ("SPD") in June 2019; and one (1) Written Reprimand in 2012 while employed as a Personnel Manager I at the Department of Insurance.

The Employee was employed by ABPP as a Departmental Personnel Manager II. The Employee served in personnel positions in five (5) different State agencies over 21 years. The entire responsibility of all aspects of ABPP's personnel needs were hers. However, the chronic failures to perform her job properly demonstrate that the Employee is unwilling or unable to competently perform the duties of a Departmental Personnel Manager II. In 2018, the Employee failed to return a Probation and Parole Specialist register for 162 days. Also, in March 2019, the Employee caused the unjustified delay of an Administrative Support Assistant appointment to a county field office, which resulted in the position remaining vacant for over six (6) months, to the detriment of the field office, the agency, and local stakeholders. Additionally, on several other occasions in February 2019 and May 2019, vacancies in Andalusia and Huntsville were left unfilled because of the Employee's inactions. In August 2019, the Employee did not process a new employee's paperwork in a timely manner, which left the new employee without health insurance coverage. The Employee failed to properly code the certifications for Probation and Parole Officer Trainee in March 2019 and May 2019, Attorney II in April 2019, and Programmer Analyst in May 2019. The Employee improperly coded several candidates as "F," which indicates they failed to respond, when in fact these candidates had submitted timely affirmative availability letters. The Employee's failure to properly process certifications

and code these individuals correctly denied them potential employment opportunities during the period they were in inactive status.

Also, the Employee failed to monitor the progress of ABPP Probation and Parole Officer Trainees, which resulted in several employees being placed in vacant exempt positions, causing these employees to lose pay and benefits. One employee was prematurely granted permanent status and it was necessary to recoup the increase in pay that the employee erroneously received. The Employee failed to submit requests for new appointments to the State Finance Director as required. On May 14, 2019, a 5% special merit raise was approved for the Agency Accounting Division Director, but the Employee did not submit a State Finance Director approval request until June 5, 2019. The Employee failed to monitor information submitted into the Government Human Resource System, resulting in various payroll errors. Retirement contribution errors were made concerning employees' retirement information, which ultimately required the employees to pay the difference in the amount due for their retirement contribution and required ABPP to pay its applicable employer contribution. Additionally, several employees wrongfully paid an occupational tax or did not pay an occupational tax because the Employee did not make the

necessary corrections, which negatively impacted ABPP employees and local governments. In August 2019, the SPD Payroll Audit and Records Manager indicated that the Employee failed to request a raise for an employee, which required retroactive payments to be back-dated a month.

The Director of SPD sent the Employee a letter in June 2019 that addressed “serious concerns” over her failure to adequately perform fundamental responsibilities of her job. This letter set out specific examples and described the Employee’s actions as a “chronic failure to follow standard rules, policies, and procedures.” ABPP cannot condone this volume of errors from an employee with over 21 years of personnel management experience. The Employee failed to perform her job to the detriment of ABPP, its employees, and the State of Alabama.

The Administrative Law Judge found the totality of the evidence does warrant dismissal in this cause and recommended that the Employee's dismissal be upheld. The Board hereby adopts by reference the findings of fact and conclusions of law as found by the Administrative Law Judge as a part of this Order as if fully set forth herein.

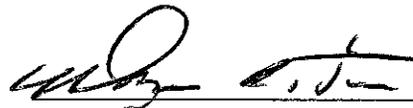
The Board has carefully considered the Administrative Law Judge’s Recommended Order and the oral argument presented in this matter and is of

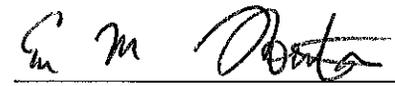
the opinion that the decision of the appointing authority to dismiss the Employee is supported by the evidence and that the termination is warranted.

It is therefore the Order of this Board that the decision of the appointing authority to dismiss the Employee is hereby affirmed.

  
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JACKIE GRAHAM  
SECRETARY

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FAYE NELSON  
CHAIR

  
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MYRON PENN  
MEMBER

  
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EVAN M. THORNTON  
MEMBER

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DAVID R. MELLON  
MEMBER

  
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RACHEL ADAMS  
MEMBER