

BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
TAYON T. TAYLOR

ORDER

May 20, 2020

This matter came before the Board based upon the dismissal of the Employee from his employment with the Alabama Department of Education ("ALSDE"). The Employee was dismissed from employment on November 19, 2019, based upon charges contained in a letter dated November 18, 2019. This matter was assigned to Administrative Law Judge James Jerry Wood and a hearing was held on January 17, 2020. The Administrative Law Judge's Recommended Order is now before the Board for consideration.

ALSDE charges that the Employee violated State Personnel Board Rules: 670-X-19-.01(1)(a)(8) - (Failure to adhere to standards of conduct and violation of specific department rules); 670-X-19-.01(1)(b)(10) - (Serious violation of any other departmental rule, specifically, the policy against Sexual Harassment); and 670-X-19-.01(1)(b)(12) - (Disruptive conduct of any sort).

A review of the Employee's recent work history shows: two (2) Counseling Sessions in 2013 and 2014 for not following Disability Determination Service ("DDS") and ALSDE rules.

The Employee was employed by ALSDE as a Senior Disability Specialist at DDS. In July 2019, a fellow Senior Disability Specialist was having knee pain.

The Employee approached the coworker, touched her knee, and suggested that she lie on the floor so the Employee could show her some exercises, which she refused. The Employee then asked her to stand up. When she did, the Employee turned his phone light to look at her knee and asked her to move her leg to the side, causing her legs to open. At this point, she looked down and saw the Employee's light from his phone going up her dress. The coworker stated she no longer felt comfortable wearing dresses to work, but on July 10, 2019, she wore a dress again. The Employee asked her to stand up to retrieve a file, slid his chair behind her with his phone light on, and touched her knee. On August 1, 2019, the Employee came into her office and again touched her knee. Later that same day, the Employee asked her to come to his office and close the door. The Employee asked her stand up to type updates to her reports. The Employee complimented her shoes and touched her shoes while holding his cell phone. She soon realized he was taking videos or pictures up her dress because she saw his phone light shining up her dress.

The coworker reported the Employee to her supervisor on August 2, 2019. The DDS Director reassigned the coworker and appointed an internal interview team to investigate. The issue was reported to the State Superintendent's Office. During the investigation, several other women at DDS expressed discomforting experiences with the Employee. The DDS Director recommended the Employee's dismissal to the Superintendent. The Employee

was discharged for the good of the service on November 19, 2019. The Employee's actions at ALSDE establish a reason for concern, and therefore, his conduct warrants dismissal.

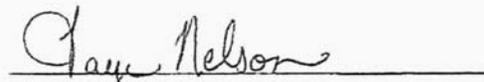
The Administrative Law Judge found the totality of the evidence does warrant dismissal in this cause and recommended that the Employee's dismissal be upheld. The Board hereby adopts by reference the findings of fact and conclusions of law as found by the Administrative Law Judge as a part of this Order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

The Board has carefully considered the Administrative Law Judge's Recommended Order and 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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SECRETARY



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