

NINE HUNDRED NINETY FOURTH
MEETING
OF THE
STATE PERSONNEL BOARD

October 17, 2018

The State Personnel Board met in regular session in the office of the State Personnel Department at 10:00 a.m. on October 17, 2018.

Members Present

Mr. Myron Penn, Acting Chairman
Mr. Evan M. Thornton
Mr. David R. Mellon

Members Absent

Ms. Faye Nelson, Chair
Ms. Liane Kelly

Others Present

Jackie Graham, Personnel Director
Alice Ann Byrne, Deputy Personnel Director

- I. Board Chairman Myron Penn opened the meeting.
- II. On motion of David R. Mellon, seconded by Evan M. Thornton, the minutes of the September meeting were approved.
- III. CLASSIFICATION AND PAY ISSUES
 - A. At the request of the Department of Finance, the Board took the following actions:
 1. Changed the title of Assistant Risk Manager, class code 11954, to Claims Manager and revised the specification to reflect managerial work in the settlement of property and casualty or injury insurance claims filed with the State Risk Management Program; and

2. Increased the salary of Underwriting Manager, class code 11956, from range 83 (\$66,000.00 - \$100,699.20) to range 85 (\$76,713.60 - \$116,882.40).

Motion made by Evan M. Thornton, seconded by David R. Mellon.

- B. At the request of the Department of Rehabilitation Services, the Board approved the following items:

1. Increase the salary of Rehabilitation Staff Nurse, class code 50399, from range 7274 (\$36,657.60 - \$61,303.20) to range 7576 (\$42,496.80 - \$67,660.80); and
2. Increase the salary of Rehabilitation Nurse Coordinator, class code 50404, from range 76 (\$44,640.00 - \$67,660.80) to range 77 (\$46,867.20 - \$71,172.00).

Motion made by David R. Mellon, seconded by Evan M. Thornton.

IV. SPECIAL PAY ISSUE

At the request of the Alabama State Council on the Arts, the Board approved a salary of \$91,000.08 (to be paid at the semi-monthly arrears rate of \$3,791.67) for Elliot Knight who is being appointed Executive Director effective January 1, 2019. Motion made by Evan M. Thornton, seconded by David R. Mellon.

V. ISSUES CONCERNING OVERTIME PAYMENTS

- A. At the request of the Department of Public Health, the Board authorized the following items:

1. Payment of straight-time to fifteen (15) FLSA exempt employees who were deployed to assist the State of North Carolina during the aftermath of Hurricane Florence. Hours involved totaled 1,374.25, with a cost of \$39,585.82. The cost involved is reimbursed by the Federal Emergency Management Agency under the "Emergency Management Assistance Compact"; and
2. Payment of overtime to five (5) FLSA non-exempt employees who were deployed to assist the State of North Carolina during the aftermath of Hurricane Florence. Hours involved totaled 441.75,

with a cost of \$18,671.88. The cost involved is reimbursed by the Federal Emergency Management Agency under the "Emergency Management Assistance Compact."

Motion made by David R. Mellon, seconded by Evan M. Thornton.

- B. At the request of the State Personnel Department, the Board established authorization to pay FLSA exempt employees assigned to disaster-related emergency work in connection with Hurricane Michael. These employees will be eligible for straight time for hours physically worked over 40 in a workweek. Payment to FLSA exempt employees is at the discretion of the appointing authority and will be retroactive to the date the Governor declared the emergency and will end when the emergency is terminated by proclamation or expires. These items will be reported to the Board at its next regularly scheduled meeting. Motion made by Evan M. Thornton, seconded by David R. Mellon.

VI. SPECIAL MERIT RAISE

At the request of the State Military Department, the Board granted a 3-step special merit raise to Pamela M. Wells, Military Construction Specialist II, class code 11672. Motion made by David R. Mellon, seconded by Evan M. Thornton.

VII. CONTRACT

Alabama Board of Hearing Instrument Dealers

The Board approved the renewal of a contract with Marilyn Fletcher to serve as an Executive Secretary for the Board of Hearing Instrument Dealers. This contract covers the period December 1, 2018 through November 30, 2019, at a rate of \$1,905.00 per month not to exceed \$22,860.00, plus expenses not to exceed \$1,000.00. The total amount of the contract will not exceed \$23,860.00. Motion made by Evan M. Thornton, seconded by David R. Mellon.

VIII. ORAL ARGUMENT

The Board heard oral argument in the dismissal appeal of Masequa Johnson from the Department of Corrections.

IX. EXECUTIVE SESSION MOTION

David R. Mellon moved that the State Personnel Board go into Executive Session to consider the discipline or dismissal of a public employee and to deliberate and discuss evidence or testimony presented during a public or contested case hearing, and to discuss the general reputation and character of an individual and for the purpose of discussions with the Board's attorney concerning the options for, the ramifications of, pending or potential, litigation, mediation, and arbitration in accordance with Sections 7(a)(1), (2), (3) and (9) of the Open Meetings Act.

Alice Ann Byrne, a licensed attorney for the State of Alabama, certified that the reasons as stated in the motion are true and correct and are what will be discussed in Executive Session.

Evan M. Thornton seconded the motion. David R. Mellon, Evan M. Thornton, and Chairman Myron Penn voted in favor of the motion.

Before convening to Executive Session, Chairman Myron Penn announced the Board would reconvene in open session in approximately ten minutes.

X. BOARD ORDERS

The following actions were taken on pending cases:

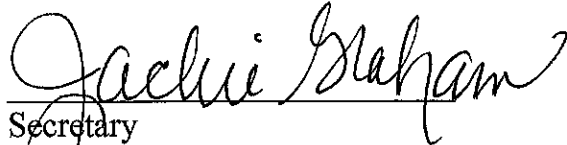
1. Masequa Johnson, Department of Corrections: Dismissal upheld. Motion made by David R. Mellon, seconded by Evan M. Thornton.
2. Corey R. Sykes, Department of Corrections: Dismissal upheld. Motion made by Evan M. Thornton, seconded by David R. Mellon.
3. Cedric T. Specks, Department of Corrections: Dismissal upheld. Motion made by David R. Mellon, seconded by Evan M. Thornton.
4. Derrick L. Kelly, Department of Corrections: Dismissed with prejudice pursuant to employee's withdrawal of appeal. Motion made by Evan M. Thornton, seconded by David R. Mellon.
5. Cornishia R. Clayton, Department of Human Resources: Dismissed with prejudice pursuant to settlement agreement. Motion made by David R. Mellon, seconded by Evan M. Thornton.

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Chairman Myron Penn announced that the next scheduled meeting of the State Personnel Board will be either November 13 or November 28. Jackie Graham will notify the members as to which date is selected.


There being no further business, at 10:57 a.m. the meeting was adjourned on motion made by David R. Mellon, seconded by Evan M. Thornton.



Secretary


Faye Nelson, Chair


Liane Kelly


Myron Penn, Acting Chairman


Evan M. Thornton


David R. Mellon