

BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
ASHLEY BETTIS

ORDER

May 15, 2019

This matter came before the Board based upon the dismissal of the Employee from her employment with the Alabama Department of Human Resources ("DHR"). The Employee was dismissed from her employment with DHR on November 30, 2018, based upon charges contained in a letter dated August 27, 2018. This matter was assigned to Administrative Law Judge James Jerry Wood, and a hearing was held on February 25, 2019, which the employee did not attend. The Administrative Law Judge's Recommended Order is now before the Board for consideration. The Board has also had the benefit of oral argument.

DHR charges that the Employee violated the following standards under State Personnel Board Rules: 670-X-19.01(1)(a)(4) – (Failure to perform job properly); 670-X-19-.01(1)(a)(7) – (Participation in unauthorized activity or solicitations on work premises); 670-X-19-.01(1)(a)(8) – (Violation of specific department rules); 670-X-19-.01(1)(b)(1) – (Violations of safety rules); 670-X-19-.01(b)(2) – (Insubordination); 670-X-19.01(1)(b)(6) - (Falsification of records); 670-X-19-.01(1)(b)(10) – (Serious violation of any other department rule); 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) Warning in April 2018 for failure to perform job properly and insubordination. The Employee's probationary period was also extended for 90 days because she did not meet standards in all her responsibilities.

The Employee was employed as a Social Service Caseworker. On August 7, 2018, the Employee was served with a pre-dismissal letter alleging violations of general work rules. After a pre-dismissal hearing on the day of November 2, 2018, the DHR hearing officer recommended the Employee's dismissal. The Employee was terminated from her employment on November 30, 2018. While the Employee did appeal her case in a timely manner, she did not attend the hearing date on February 25, 2019. This resulted in DHR filing a Motion for Default Judgment and Payment of Costs. The Employee did not file an answer in this matter and did not object to any of the exhibits, including the transcript of her pre-dismissal hearing before the DHR Hearing Officer.

The Employee's repeated subordination and failure to perform her job properly establishes a reason of concern for DHR. The Employee failed to attend a hearing that she requested. This resulted in DHR filing a Motion for Default Judgment. Additionally, the Employee did not object to any exhibits or provide further answers in the matter. In the matter of terminating its Employee, DHR presented sufficient evidence warranting dismissal and acted within the State Personnel Board rules, and its rules, policies, and statutory authority.

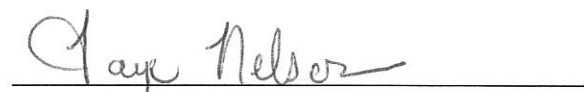
The Administrative Law Judge granted DHR's Motion for a Default Judgment and Payment of Costs and recommended the termination of the Employee's employment with DHR be upheld and that costs be taxed against the Employee in the amounts contained in DHR's motion. The Board hereby adopts by reference the 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.



JACKIE GRAHAM
SECRETARY



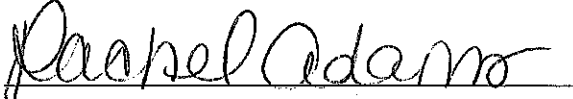
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