BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
LAKEsha HOPKINS

ORDER

May 18, 2022

This matter came before the Board based upon the dismissal of the Employee from her employment with the Alabama Department of Public Health ("DPH"). The Employee was dismissed from her employment on January 31, 2022, based upon charges contained in a letter dated the same. This matter was assigned to Administrative Law Judge James Jerry Wood and a hearing was held on April 5, 2022. The Administrative Law Judge’s Recommended Order is now before the Board for consideration.

DPH charges that the Employee violated State Personnel Board (SPB) Rules: 670-X-19-.01(b)(2) – (Insubordination); 670-X-19-.01(1)(b)(5) – (Use of abusive or threatening language); 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). Additionally, the Employee violated DPH Policies on Professional Conduct and DPH’s Policy Against Workplace Threats and Violence.

A review of the Employee’s recent work history shows no prior disciplinary history.

The Employee was employed by DPH as a Health Services Administrator I. On April 1, 2021, the Employee was administratively transferred within DPH

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to a new division. The Employee did not acclimate well to the transition. The Employee did not get along well with her supervisor and was disappointed in not receiving a promotion. The Employee's most recent "draft" performance appraisal stated that her work was unsatisfactory in cooperation with coworkers and responsiveness to her supervisor.

During December 2021 and January 2022, the Employee expressed that her supervisor "didn't know her" and that she "would hurt someone." The Employee stated she was angry with her supervisor and that she "didn't want to hurt" her supervisor "but kill her." A co-worker of the Employee testified that the Employee made credible threats of violence in the workplace toward her supervisor and co-workers. Per an email sent from the co-worker to the supervisor, the co-worker warned the supervisor of the threats the Employee made toward the supervisor and that she considered the Employee to be "extremely dangerous." DPH does not condone threats of violence in the workplace and determined that the actions of the Employee necessitates her 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.

JACKIE GRAHAM
SECRETARY

FAYE NELSON
CHAIR

MYRON PENN
MEMBER

EVA M. THORNTON
MEMBER

DAVID R. MELLON
MEMBER

RACHEL BUNNING
MEMBER