

BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA
IN THE MATTER OF THE APPEAL OF
JOHNATHAN BOZEMAN

ORDER

July 24, 2024

This matter came before the Board based upon the dismissal of the Employee from his employment with the Alabama Department of Public Health (“ADPH”). The Employee was dismissed from his employment on April 5, 2024, 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 May 21, 2024. The Administrative Law Judge’s Recommended Order is now before the Board for consideration. The Board has also had the benefit of oral argument.

ADPH charges that the Employee violated ADPH's Policies and Procedures Against Workplace Threats and Violence (2017-007), Professional Conduct (2020-002) and Employee Handbook for Semi-Monthly Employees (2018-003) by verbalizing threats of violence toward coworkers in the workplace.

The Employee does not have any prior disciplinary actions and has either met or exceeded standards during his six years of employment with ADPH.

ADPH employed the Employee as a Microbiologist in the Bureau of Clinical Laboratories, and he worked in close proximity to fourteen or fifteen

other laboratory workers on metabolic issues involving newborn babies. The Employee self-reported that he is six-foot, five-inches tall and weighs two-hundred eighty-one pounds. In March 2024, an investigation made ADPH aware that the Employee allegedly threatened coworkers with violence by allegedly brandishing knives, needles, and a static gun in menacing and aggressive motions at coworkers from July 2023 until March 2024. On or about March 18, 2024, the Employee pulled out a knife and pointed it at a coworker and said, "am I going to have to use this on you?" On, or about March 19, 2024, a coworker said the Employee told him, "I'm going to shoot you," followed by "don't take me seriously." Later that day the coworker was startled when he turned and saw the Employee with a static gun aimed at his face. The record contains other credible testimony regarding the Employee's statements such as threats to drive his vehicle into the building and other threats of violence.

The Employee denies any wrong doing on his part.

The Administrative Law Judge found the totality of the evidence warrants dismissal in this cause and recommended the Board uphold the Employee's dismissal. 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.

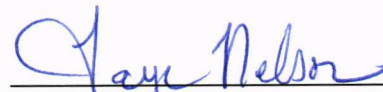
The Board has carefully considered the Administrative Law Judge's Recommended Order and the oral arguments presented in this matter and is of

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.



LAURY B. MORGAN
SECRETARY



FAYE NELSON
CHAIR




EVAN M. THORNTON
MEMBER



DAVID R. MELLON
MEMBER



CAROLYN FAIR
MEMBER



PHIL WEBB
MEMBER