

ALASKA STATE PERSONNEL BOARD MEETING

April 15, 2021

3:00 P.M.

Atwood Building

550 W 7<sup>th</sup> Avenue, Suite 1236

Anchorage, Alaska

In person:

Al Tamagni, Chair

Craig Johnson, Board Member

Dr. Keith Hamilton, Board Member

Kate Sheehan, Director, Division of Personnel & Labor Relations

Camille Brill, Human Resource Consultant V, Division of Personnel & Labor Relations

Present by teleconference:

Maria Bahr, Attorney IV, Department of Law

Siobhan McIntyre, Attorney IV, Department of Law

Frank Hurt, Human Resource Consultant II, Division of Personnel & Labor Relations

Jeff Hahnen, Human Resource Consultant I, Division of Personnel & Labor Relations

Sylvan Robb, Division Director, Department of Health & Social Services

Bobi Jo Grimes, Human Resource Consultant III, Department of Education & Early Development

Kate Orozco, Human Resource Consultant IV, Division of Personnel & Labor Relations

Karen Melin, Deputy Commissioner, Department of Education & Early Development

Rob Montoya, Human Resource Consultant II, Division of Personnel & Labor Relations

Elizabeth Spence, Human Resource Consultant I, Division of Personnel & Labor Relations

Chris Moniz, Human Resource Consultant I, Division of Personnel & Labor Relations

Greg Campbell, Member of the Public

Malan Paquette, Member of the Public

1. CALL TO ORDER

Chairman Tamagni called the meeting to order at 3:03 p.m.

2. APPROVAL OF AGENDA

The agenda was moved and approved.

3. APPROVAL OF MINUTES

The minutes of the January 19, 2021, meeting was moved and approved.

4. ETHICS DISCLOSURE – PERSONNEL BOARD MEMBERS

The board members had no disclosures or conflicts of interest that they were aware of.

5. EXPANSION OF THE PARTIALLY EXEMPT SERVICE TO INCLUDE PCN 05-1637, DEPUTY DIRECTOR, DE&ED AND PCN 06-4112, SPECIAL ASSISTANT TO THE COMMISSIONER II, DH&SS

Bobi Jo Grimes spoke on behalf of PCN 05-1637 and explained that her department is tasked with modernizing the public education system for the entire State of Alaska. Right now, that is coming with a lot of new work assigned from the federal government as well as from legislation from within the state. In addition to that, they are being tasked with creating new learning opportunities in the face of the current pandemic disruption, such as online learning opportunities. This means creating new programs, as well as adjusting current programs and changing state and federal regulations and statutes. The department is requesting to reclass a current management position into this Deputy Director position, which results in a cost savings for the state. The board moved to approve PCN 05-1637.

Director Sylvan Robb spoke on behalf of PCN 06-4112. Health and Social Services is the largest department both in terms of staff and budget, and they provide a complex array of services to the public. The Assistant to the Commissioner II position will work closely with the Commissioner, Deputy Commissioners, and the Division Director, and will be key to determining how the child welfare system, youth psychiatric care, and the tribal child welfare compact policy are amended and implemented in the department. Currently, the work is not being given the attention it requires as they strive to improve this system of support for youth that need protection and services. The work is currently spread across the existing policy team in a slightly piecemeal fashion, and this would allow the department a more cohesive effort on this very important topic. This position will report directly to the Commissioner. Board member Johnson asked what is the fiscal note on adding this position and is the state saving money? Director Robb stated that this position does come with a cost, but it was included with the budget for fiscal year 2021 that was passed by the legislature and signed by the governor. Board member Johnson asked if this was a vacant position? Director Robb explained this that position does not currently exist and that the work is currently being done piecemeal by other people within the department. Chair Tamagni asked what would be the end benefit of adding this position? Director Robb stated that they will have a much greater focus on the very important issues of the child welfare system, tribal child welfare compact policies, which is very important in our state that has half of the recognized tribes in the country, and focusing on youth psychiatric care, which has been a big issue for the state as they try to improve the system so that they can treat youth in Alaska. Board member Johnson stated that vacant to him means the position already exists and there is no one in it. In the future, board member Johnson would like a new position listed as a new position and a vacant position listed as a vacant position. The board moved to approve PCN 06-4112.

6. EXECUTIVE SESSION UNDER AS 44.62.310(c)(3)

The Personnel Board went into executive session to review the confidential ethics case logs and returned at 3:33 p.m. At 3:40 p.m. Personnel Board went back into executive session to continue reviewing confidential ethics case logs and returned at 3:42 p.m.

7. UPDATE FROM THE DIRECTOR OF PERSONNEL & LABOR RELATIONS

Director Kate Sheehan informed the board that the State is continuing to bargain with Supervisors union, the Labor, Trades, and Crafts union, and the Correctional Officers Association. They have not yet reached agreement but are hopefully that an agreement will be made before the end of the legislative session. Regulations for moving to biweekly payroll processing are in the final approval process and she will have that for the boards review at the next meeting.

Board member Hamilton asked if there would be sufficient time by the June meeting to work on the request for proposal (RP). Director Sheehan said she would verify that, and she wanted to have a procurement officer come and speak with the board to update them on the process. The board confirmed that, if legally allowed, they would like to review the proposals as they come in. Chair Tamagni stated that he had sent a request to a couple of legislators to investigate what the board wanted to have done, but he has not received a response.

Chair Tamagni ask for clarification regarding Alaska Statute section 39.52.310(c) where it states, “Notwithstanding AS 36.30.015(d), the personnel board may contract for or hire independent counsel under this subsection without notifying or securing the approval of the Department of Law.” Maria Bahr explained that this goes to the overall policy, which is that the Division of Personnel and the Personnel Board assign those complaints to independent outside council. Those are complaints that are against the Governor, Lt. Governor, or the Attorney General. Those three are a conflict of interest for the Department of Law to handle, and when those complaints come in, they are forwarded to the Personnel Board who sends them to outside independent council for investigation. The Department of Law does not get to choose who is going to be investigating the complaints against these specific positions.

Maria Bahr stated that she would no longer be attending the Personnel Board meetings because she has been appointed by Governor Dunleavy to a position on the bench in Fairbanks, but she will be cross training her replacement prior to her departure. She will make sure her replacement is in contact with Director Sheehan and the Department of Law Paralegal Jennifer Williams. It would be helpful to know ahead of time what kind of documents and witnesses the Personnel Board would like to have available when looking at the Greg Campbell decision. Chair Tamagni requested from Director Sheehan all written correspondence regarding Mr. Campbell, and he'd like to see the appellant participate if possible.

8. OTHER MATTERS THAT MAY COME BEFORE THE BOARD

Ms. Malan Paquette of Anchor Point, Alaska spoke with the board as a member of the public. Ms. Paquette is a volunteer with the long-term care ombudsmen, an associate member with the Association of Certified Fraud Examiners, but she is speaking to the board on a personal interest. Ms. Paquette stated that many public notices are going out right now to honor the State's quarterly meetings and different meeting requirements, and on the public notices page and if you are looking at the Personnel Board's public notice for today's meeting, you will see in the lower right hand side corner under Events and Deadlines that staff are leaving this data entry point vacant. What this does is that it makes the MyAlaska Public Notices page search function moot. The public is not able to search for Personnel Board meetings by date, as well as on the home page where there is a Up and Coming Events and Deadlines tab where members of the public may view those up-and-coming events. By leaving out the data entry point in events and deadlines, you are omitting yourselves from being listed on that up-and-coming events tab. Please consider future public notice with a data entry content on events and deadlines sections. This will allow your event to be searched by date. This will allow your event to be appear on the Lt. Governor's up-and-coming events public notice page.

The Personnel Board spoke with Mr. Greg Campbell letting him know that they would be moving his process to the next meeting in June to allow time for the board to review the information that has been provided. The board would like the opportunity to perhaps ask for more information from the Attorney Generals Office. The board stated that the date of the June meeting has not been confirmed yet, and once it has, Mr. Campbell would be notified by email.

The board tentatively agreed to meet again on June 7<sup>th</sup> at 10:00 a.m.

9. ADJOURNMENT

The meeting adjourned at 3:51 p.m.