

ALASKA STATE PERSONNEL BOARD MEETING

November 5, 2019

3:00 P.M.

Frontier Building

3601 C Street, Suite 896

Anchorage, Alaska

In person:

Al Tamagni, Chair

Craig Johnson, Board Member

Kate Sheehan, Director, Division of Personnel & Labor Relations

Present by teleconference:

Dr. Keith Hamilton, Board Member (Joined the meeting at 3:32 pm)

Maria Bahr, Attorney IV, Department of Law

Siobhan McIntyre, Attorney IV, Department of Law

Pam Day, Human Resource Consultant V, Division of Personnel & Labor Relations

Sara Chambers, Division Director, Commerce, Community and Economic Development

Kim Garrett, Human Resource Consultant IV, Division of Personnel & Labor Relations

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

1. CALL TO ORDER

Chairman Tamagni called the meeting to order at 3:05 p.m.

2. APPROVAL OF AGENDA

The agenda was moved and approved.

3. APPROVAL OF MINUTES

The minutes of the February 26, 2019, 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 08-2003, DEPUTY DIRECTOR

Sara Chambers, Director for the Division of Corporations, Business and Professional Licensing, in the Department of Commerce, Community and Economic Development requested that this position be reclassified from Division Operations Manager to Deputy Director because of a change in duties to become a more independent policy making position rather than an operating manager position. This division is large and complex with about 107 employees, which includes four non-permanent positions, that supports 45 different licensing programs. One program is all the business licensing for the state, another is all the corporate registration for the state, and the final is the professional licensing

functions for the entire state for most of the State's professional licensing programs. There are 43 programs over 100 different licenses that they issue and 21 boards that they work with. A quarter million Alaskan's are licensed through this department. This is a lot to have one person, the Division Director, engaged in policy making. Not only are they processing the applications, but they are dealing with the board business, and also handling all the complaints, investigations, and legal matters that come across their desk either administratively, appeals of board decisions, complaints, denials and so forth. As the Division continues to grow in complexity and size, they need another person at the upper level to share this policy making load, and to be the leader for licensing policy in particular. Board members don't carry out the policies and how things are processed; these are all functions of the division by statute. Craig Johnson asked if this would be their only Deputy Director position within this division and if they would be adding more of these positions within the division in the future. Director Chambers answered that this would be their only Deputy Director position for their division, and they would not be expanding it beyond the one position. The board approved the reclassification of PCN 08-2003.

#### 6. REVIEW OF QUARTERLY ETHICS REPORTS AND SUBMITTAL COMPLIANCE

The board reviewed the Quarterly Ethics Reports and summaries for the fourth quarter of 2018, the first quarter of 2019 and the second quarter of 2019. It was discovered the board packet was missing page 2 of 6, Public Corporations list, for the second quarter due to a copying issue; the board was sent the missing page during the Executive Session.

[Dr. Hamilton joined the meeting via teleconference].

Chairman Tamagni commented that the Emergency Response Commission failed to report during the first quarter of 2018. Maria Bahr confirmed that they did report on the future ethics reports. She also explained that during the fourth quarter of 2018 there was a large amount of transition when a lot of boards and commissions and agencies were in a period flux, which created a huge amount of turnover with the designated ethics supervisors. There will be some missing reporting sections due to this turnover during the fourth quarter of 2018 and even some during the first quarter of 2019. These have been caught up in more current quarterly reports.

Board Member Johnson asked about the fourth quarter statistical summary table for the Commercial Fisheries Entry Commission where the request for ethics determination and the outside employment services columns both listed six. He asked if this was a coincidence or are these conflicts of interest related to outside employment. Maria Bahr explained that this was not a coincidence and that each of these ethics' determinations had to do with a member's outside employment and services. This was an incoming member that was leaving behind a lot of unfinished business, which resulted in a lot of conditional determinations that made sure there were no outside interests present. There were some outside

interest and employment matters that had to be concluded, such as abstaining from certain votes, before the member could be brought on full time.

Chairman Tamagni asked if the Alaska State Council on the Arts still needed a commission since they are no longer being funded. Maria Bahr stated that they have now received funding again.

Chairman Tamagni asked about the outside employment services figure listed on the 2019 second quarter Agency Statistical Summary Table and if this was the number of independent contractors working for the State, or if they are employees that work outside of the State. Maria Bahr explained that independent contractors are not subject to the ethics act, so these are all employees that work outside of the State. This is the second quarter report which is just before the July 1<sup>st</sup> deadline where everyone must submit their outside employment or services disclosure, so there is always a push that increases the numbers during this quarter. Board Member Johnson asked if outside employment meant outside of government. Maria Bahr clarified that it means any work that is outside of their normal State job, which are typically evening or weekend jobs outside of their State employment.

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

The Personnel Board went into executive session at 3:42 p.m. to review the confidential ethics case logs and returned at 3:58 p.m.

8. UPDATE FROM THE DIRECTOR OF PERSONNEL & LABOR RELATIONS

Director Sheehan updated the board that they are preparing to start negotiations with the Public Safety Employees Association, which includes State Troopers, Airport Police and Fire, and Court Service Officers. The State will also begin negotiations with the International Organization of Masters, Mates, and Pilots union. The State is still in negotiations with the Marine Engineer's Beneficial Association, which includes the licensed engineers on the vessels. The State is still in negotiations with the Alaska Vocational Technical Center Teacher's Union.

The State is trying to move to a biweekly payroll processing schedule, but in order to do that, letters of agreement need to be signed by each union. This is because there will be two additional pay periods a year, which will reduce leave accrual and pay on employees' individual paychecks. If biweekly is approved, the plan is to implement it on December 16, 2019, which will result in regulation changes that will need to be approved by the Personnel Board during their next meeting.

9. OTHER MATTERS THAT MAY COME BEFORE THE BOARD

None.

10. ADJOURNMENT

The meeting adjourned at 4:00 p.m.