

**BOARD OF PERSONNEL APPEALS  
MINUTES – April 9, 2014 MEETING**

**PRESENT:**

Anne MacIntyre, Presiding Officer  
Jay Reardon, Board Member  
Rina Moore, Board Member, by telephone

Steve Johnson, Board Member, by telephone  
Quint Nyman, Board Member, by telephone

**STAFF ATTENDING:**

Tim Little, Board Attorney  
Pam McDaniel  
Bill Smith

John Andrew  
Max Hallfrisch

**BOARD BUSINESS**

**Rule Project: Discussion for Collyer Rule. (00:12:00):**

Presiding Officer MacIntyre moved to adopt the proposed amendments to Rule 24.26.697 with the revisions that Board Attorney Tim Little has provided and to adopt new Rule 1 as proposed. Member Johnson seconded the motion. It was then opened for discussion and Member Reardon stated that with the information that John Andrew provided us was very helpful in addressing concerns that he had. As we go forward he would like to hear if a case has been deferred and not appealed. Presiding Officer MacIntyre stated that there is already a process in place and has been working well but just formalizing what has been going on. The investigator will need to have the discretion to find the balance of the stable and effective bargaining relationship vs the interest of the Board to effectively adhere to the collective bargaining laws. It would need to be addressed on a case by case basis. It is a good rule that will assist the investigator to strike that balance. Member Johnson reread the materials that John provided and the section of the Developing Labor Law that the criteria for deferral is adequately addressed in the interpretation of Collyer. He has no further concerns. Motion passed 5-0.

Board Attorney Tim Little has everything prepared and will go forward as prepared. He will get this submitted on Monday to the Secretary of State's Office and then it will be published the following week.

**NEXT MEETING DATE (12:00:12:30):**

The next meeting is scheduled for April 17, 2014. It will be at the Scott Hart Auditorium at 302 N. Roberts. Use the more modern entrance in the center and the auditorium will be visible.

**PUBLIC COMMENT (2-3-103 MCA):**

No comments were made.

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