

**BOARD OF PERSONNEL APPEALS
MINUTES – MAY 21, 2015 MEETING**

PRESENT:

Anne MacIntyre, Presiding Officer
Jay Reardon, Board Member
Quint Nyman, Board Member

Steve Johnson, Board Member
Rina Moore, Board Member

STAFF ATTENDING:

Tim Little, Board Attorney
John Andrew

Diana Ferriter

BOARD BUSINESS

APPROVAL OF MINUTES (00:1.19):

Member Reardon made a motion for the approval of the minutes for October 16, 2014. Member Nyman seconded the motion. Motion passed 5-0.

NEXT MEETING DATE (1.20:1.54):

There will not be a meeting scheduled for June but will have an appeal before the Board scheduled on July 16, 2015. It is an Unfair Labor Practice that was filed by Lori Aply vs. Helena School District.

PUBLIC COMMENT (2-3-103 MCA) (1.55:2.19):

No comments were made.

STAFF/ATTORNEY COMMENTS – (2.20:9.28.):

Board Attorney Tim Little stated that he will provide an update on cases that are in District Court and will distribute to the members by email.

He updated the Board in regards to the Mashek case. They have received an order from the District Court and is anticipating it going to the Supreme Court. He is unsure at this time if we will be a part of the filing or if filing an amicus brief. He asked that Board Members be cautious of discussing this case outside of a public meeting. If you have questions or want to know the status to call or email him.

ORAL ARGUMENT: UNFAIR LABOR PRACTICE 11-2015

Ruby Farabaugh vs. Federation of Montana State Prison Employees, Local 4700, MEA-MFT

Anne MacIntyre was the Presiding Officer in this matter. Ruby Farabaugh was pro se. Karl Englund represented the Federation of Montana State Prison Employees, Local 4700, MEA-MFT.

The matter before the Board was to determine if the Board Agent, John Andrew erred in his Investigative Report and Notice of Intent to Dismiss. Arguments were heard, questions were asked by Board Members.

Member Nyman made a motion to uphold the Investigator's determination, Investigative Report and Notice of Intent to Dismiss in the matter of Ruby Farabaugh vs. the Federation of Montana State Prison Employees, Local 4700, MEA-MFT. Member Reardon seconded the motion. Motion passed 5-0.

Meeting adjourned