

**BOARD OF PERSONNEL APPEALS
MEETING MINUTES
October 20, 2016**

PRESENT:

LeRoy Schramm, Alternate Presiding Officer
Quint Nyman, Labor Member

Jim Soumas, Labor Member
Amy Verlanic, Alternate Management Member

STAFF ATTENDING:

Tim Little, Board Attorney
John Andrew
Pam McDaniel

BOARD BUSINESS

APPROVAL OF MINUTES:

Member Soumas had a correction to the September minutes. Teamsters No. 9 should actually be Teamsters No. 2. Member Soumas moved to approve with the correction. Member Johnson seconded the motion. Motion passed 5-0.

Member Johnson had corrections to the October minutes. Member Johnson moved to remand to the Office of Administrative Hearings to determine whether or not under § 2-18-301 (4), that the Department administers the pay program based on competency, internal equity, and competitiveness to the labor market when fiscally able. Member Soumas motioned to approve with corrections. Member Johnson seconded the motion. Motion passed 3-0.

NEXT MEETING DATE:

November 17, 2016, pending any appeals.

PUBLIC COMMENT (2-3-103 MCA):

No public comment was made.

NLRB Election Rule Discussion for Representation Cases

This will be postponed to the next general meeting. Board Secretary Windy Knutson will also compile a 5 year look back of Unit Determinations and Decertifications for the Board to review when the discussion takes place. This will include when petitions are filed, when ballots are sent out, election date and the certification letters.

STAFF/ATTORNEY COMMENTS :

Board Attorney Tim Little asked that all Final Orders after they are signed to be emailed to the Board Members for their reference.

Classification Appeal 1-2016: Gary L. Quigg, Legal Secretary, Office of Public Defender, Classification Code 436213, Position No. 61800924 vs. State Personnel Division

LeRoy Schramm was the Presiding Officer in this matter. Gary Quigg represented himself pro se. Margie Thomas represented the State Personnel Division.

The matter before the Board was to determine if Hearing Officer, Steven A. Wise erred in his Order Entering Default and Recommending Dismissal of Grievance. Arguments were heard, questions were asked by Board Members.

Member Nyman motion to uphold the Hearing Officer's decision. Member Verlanic seconded the motion. Motion passed 4-0.

Meeting adjourned