

MEETING MINUTES
BOARD OF PERSONNEL APPEALS
1805 Prospect Ave, Conference Room B, Second Floor
Zoom Meeting
Helena, Montana
9:00 a.m.
December 14, 2020

Call to Order – Establish Quorum – Introduction of Board & Staff Members Present: (00:00)

Members Present via Zoom:

Anne MacIntyre, Presiding Officer
Jim Soumas, Labor Member
Quint Nyman, Labor Member
Kevin McRae, Management Member
Jenny Stringer, Management Member

Staff Present via Zoom:

Amber Carpenter, Compliance & Investigation Bureau
Theresa Sroczyk, Dispute Resolution Section Manager
Jacquie Haney, Board Secretary
Wendy Jackson, DLI Dispute Resolution Mediator
Haley Nelson, Attorney, Department of Labor
Quinlan O'Connor, Attorney, Department of Labor
Max Hallfrisch, DLI Dispute Resolution Mediator
Dave Luckey, DLI Dispute Resolution Mediator
Bill Wheeler, ERD Deputy Administrator

Approval of Minutes of October 20, 2020 meeting (00:33)

Member Soumas moved to approve the December 11, 2020 minutes. Member McRae seconded the motion. The vote was unanimous. Motion carries.

Public Opportunity to Comment (2-3-103 MCA) (02:02):

No public comments.

Staff/Attorney Comments (02:52):

No Staff/Attorney comments.

Board Action - (3:41):

Presiding Officer MacIntyre opened discussion regarding the amendments of the proposed rules from the December 11, 2020 meeting. Attorney Nelson provided a summary of the updated language to the amendments and offered to answer any questions. Board members discussed the proposed amendments and clarified the language in ARM 24.26.695. Presiding Officer MacIntyre made a motion to adopt the revisions to the rules as reflected in the most recent version of the notice of amendment provided since the meeting on Friday with the following change to 24.26.695(4) ...department staff shall designate a qualified board agent to mediate the dispute. Upon written request of both parties, the department staff may instead request ... Member Stringer seconded the motion. Vote: 5-0 motion passes.

Miscellaneous (50:04):

Presiding Officer MacIntyre announced this may be her last meeting as the Governor Elect will be appointing new Board members for interim and open seats. Member McRae thanked her for the leadership and service she has given to the Board. Members Nyman and Stringer also have expiring terms but plan to reapply. Member Soumas has not decided if he will reapply for his term. Board Attorney Nelson thanked everyone on the Board for their service and help with the rules process.

Scheduling of Next Meeting (51:17):

At this time there are no cases to come before the Board in January.

Meeting adjourned. (56:31)

Presiding Officer MacIntyre adjourned the meeting.