

ALASKA STATE PERSONNEL BOARD MEETING MINUTES

July 26, 2005

Division of Personnel

In person:

Debbie English, Chairperson

Ron Otte, Board Member

Mila Cosgrove, Director of Personnel, Secretary to the Board

By teleconference:

Laura Plenert, Board Member

Sarah Felix, Attorney General's Office, Board Attorney

Nicki Neal, Division of Personnel, Management Services

Julie Russo, Division of Personnel, Statewide Planning and Research

1. CALL TO ORDER:

Chairperson English called the meeting to order at 12:03 P.M. on July 26, 2005.

Chairperson English and Member Otte were present. Member Plenert joined the meeting shortly thereafter via teleconference.

2. APPROVAL OF AGENDA:

Chairperson English asked Board members if there were any changes to the agenda.

Board members did not have any changes. The agenda was approved as written.

3. PUBLIC COMMENT OF A GENERAL NATURE:

None

4. ETHICS DISCLOSURES:

Board Member Otte confirmed he had no ethics disclosures. Chairperson English confirmed she had no ethics disclosures. (Member Plenert was not yet present.)

5. APPROVAL OF MINUTES:

Chairperson English requested the June 2, 2005 meeting minutes be revised to reflect the member of the public's name and that the settlement information was mailed to her and not distributed at the meeting. Member Otte moved to approve the revised June 2, 2005 minutes with the agreed upon modification. Chairperson English seconded the motion. The minutes were approved as modified.

Cosgrove submitted revised minutes for the following meetings: March 24, 2004, June 22, 2004, August 23, 2004, and September 29, 2004. The minutes were revised to clarify the Personnel Rule amendments approved by the board. Cosgrove explained each change

noting the reason for the modification. Member Otte moved to approve the revised March 24, 2004, June 22, 2004, August 23, 2004, and September 29, 2004 meeting minutes, without amendment. Member Plenert seconded the motion. The minutes were approved.

6. CERTIFICATION OF ORDERS CHANGING REGULATIONS:

Cosgrove presented the revised Certification of Orders Changing Regulations to Chairperson English. Chairperson English signed the Certification of Order Changing Regulations for the March 24, 2004, June 22, 2004, August 23, 2004, and September 29, 2004 meetings.

7. REVIEW OF PENDING ETHICS CASE LOG:

Board members did not have any questions on the Ethics Case Log. Cosgrove informed the Board that Dave Jones has replaced Paul Lyle as the State's lead ethics attorney. Jones will be the Board's new contact for ethics cases.

8. REVIEW OF ETHICS CASES:

Board members reviewed all cases included in the packet. Cosgrove confirmed the Hickel case documents were in regard to the terms agreed upon by the Board. The document, which was reviewed by Assistant Attorney General Lyle, confirms that the Hickel Foundation met and complied with the agreed upon terms. The Board members did not have any questions or comments.

9. PROPOSED PERSONNEL RULE CHANGES:

2 AAC 07.041 VACANCY DESCRIPTION. The proposal inserted "or rehire" to clarify current practice.

2 AAC 07.101 SCOPE OF ASSESSMENT. Paragraph (a) contained a housekeeping change. The proposed amendment to paragraph (b) replaced "test" with "assessment." Paragraph (c) was added to allow for the use of tests with the approval of the director.

2 AAC 07.112(b) LOSS OF ELIGIBILITY. The proposed amendments contained housekeeping changes and added sub-paragraph (7) which was inadvertently omitted from a prior amendment.

2 AAC 07.175 AFFIRMATIVE ACTION. Amendments clarified language without changing the intent of the rule.

2 AAC 07.235 NON-PREFERENTIAL APPOINTMENT RIGHTS WITHOUT PUBLIC NOTICE, INCLUDING TRANSFER AND REHIRE. Paragraph (b) was amended to clarify the current practice of requiring the director's approval of all transfers that include a location change when the employee does not consent to the transfer. The amendments to paragraphs (f) and (g) inserted new language specifying that the minimum qualifications must be met for an employee to be certified to a reallocated position and for an individual to be appointed in a provisional status.

2 AAC 07.260 RETURN OF PERMANENT EMPLOYEE DURING PROBATIONARY PERIOD. The proposed rule amendments in paragraph (a) replaced "unsatisfactorily" with "in less than a fully satisfactory manner"; clarified that prior notice is not required; and added "salary range in which permanent status was obtained." The proposed amendments to paragraph (b) replaced "Before" with "When" and "notify" with "inform." The amendments proposed to paragraph (c) clarified that a return is to be within the location and department in which probationary status is held and clarified that an employee is to be laid off if a vacancy does not exist in either the employee's current or former department.

2 AAC 07.270(a) PROBATIONARY STATUS FOR PROVISIONAL EMPLOYEES. The proposed amendment contained a housekeeping change.

2 AAC 07.355 EFFECTIVE DATE OF APPOINTMENTS. The proposed amendment clarified that an employee may be appointed on a holiday only when required to work on the holiday.

2 AAC 07.360(e) MERIT ANNIVERSARY DATE. The proposed amendment clarifies current business practice of leaving the merit anniversary date the same when an employee who was denied a merit increase is subsequently granted a merit increase prior to one calendar year.

2 AAC 07.365(b) MERIT OR LONGEVITY INCREASES. The proposed amendment modifies the section heading and provides for the granting of a merit or longevity increase on the employee's anniversary date unless the appointing authority takes proactive action to deny the increase through a performance evaluation prior to the anniversary date.

2 AAC 07.375(c) WITHDRAWING A SALARY STEP. The proposed amendment clarifies that a performance evaluation is finalized when signed by the employee's Division Director.

2 AAC 07.395 OVERPAYMENT. The proposed amendment added this new section to allow for the forgiveness of overpayments that are discovered after one year.

2 AAC 07.435(b)(2) PROCEDURE FOR ALL COMPLAINTS OTHER THAN DISMISSAL, DEMOTION, OR SUSPENSION OVER 10 WORKING DAYS , OR A TOTAL OF 30 WORKING DAYS IN A 12-MONTH PERIOD. The proposed amendment replaced "report" with "written findings."

2 AAC 07.500(2) WHEN A LEAVE OF ABSENCE MAY BE GRANTED. The proposed amendment clarifies that entitlements off from work provided by federal or state statute or regulation shall run concurrently with a leave of absence granted under this section.

2 AAC 07.910(b)(6) PERSONNEL RECORDS. The proposed amendment brought language in line with Alaska Statutes by deleting “current.”

2 AAC 07.999 DEFINITIONS. The proposal repeals and readopts this section to allow for the addition of “assessment,” “consideration,” and “test.” The definitions of “provisional appointment” and “transfer” were clarified.

Member Otte moved to approve the amendments. Chairperson English seconded the motion. The rules were approved as amended. Chairperson English signed the Certification of Order Changing Regulations.

10. EXPANSION OF THE PARTIALLY EXEMPT SERVICE

None.

11. UPDATE FROM DIRECTOR OF PERSONNEL:

Cosgrove updated the Board on the current status of the Division of Personnel.

- Client Service Standards – Reported that the Client Service Standards for the last nine months were recently published. Each service center is displaying a copy of the results. Briefly detailed some of the accomplishments made by the division.
- Web Page revisions – The Division of Personnel’s web page revisions are near completion. The division’s home page has been implemented. Each program’s page is being modified to reflect the same format.
- Alaska Administrative Manual – The Division of Personnel is reinstating the personnel section of the manual on Monday, August 1st. The first release is narrow in scope focusing on ethics, nepotism and confidential information. The division worked closely with the Department of Law during the drafting process.
- Statewide Confidentiality Form – The form is for both current and new employees. The form explains employee’s reasonability when dealing with confidentially information.
- New Payroll System – A team is currently working to articulate requirements for the new payroll system. The RFP is scheduled for release in December. The current plan is to begin the contract process in April.

- Workforce Planning – The division is working on Workforce Planning efforts by designing Knowledge Transfer and Workforce Planning Guides. Cosgrove is also acting as chair for a NASPE Workforce Planning Project.
- Annual Report – The first annual Annual Report is being published in September. The report will capture client service standards and substantial achievements made throughout the division over the last year.

12. OTHER MATTERS THAT MAY COME BEFORE THE BOARD

- A. NEXT MEETING - Board members agreed it is not necessary to schedule another meeting at this time.
- B. OTHER - There were no other matters to come before the Board.

13. ADJOURNMENT:

Chairperson English adjourned the meeting at approximately 1:20 P.M.