

ALASKA STATE PERSONNEL BOARD MEETING MINUTES

March 15, 2007

Division of Personnel

In person:

Debra English, Chairperson

Al Tamagni, Board Member

Dianne Kiesel, Director of Personnel, Secretary to the Board

Nicki Neal, Division of Personnel, Deputy Director

Dennis Geary, Assistant Business Manager, APEA

Judy Bockmon, Ethics Attorney, DOL

By teleconference:

Laura Plenert, Board Member

Sarah Felix, Attorney, Board Attorney, DOL

Carol McLeod, Division of Personnel, Statewide Planning & Research

Julie Russo, Division of Personnel, Statewide Planning & Research

Inga Aanrud, Division of Personnel, Statewide Planning & Research

Kathy Nava, Division of Personnel, Statewide Planning & Research

1. CALL TO ORDER:

Chairperson English called the meeting to order at 12:00 p.m. on March 15, 2007. Board Member Tamagni and Secretary Kiesel were present. Member Plenert joined the meeting via teleconference.

2. APPROVAL OF AGENDA

Chairperson English asked if there were any modifications to the agenda. Secretary Kiesel stated that Item #11A was a carry over from the previous meeting and wouldn't be addressed. Board Member Tamagni moved to approve the Agenda.

3. PUBLIC COMMENT

Dennis Geary was present to comment on the proposed Personnel Rule amendments.

4. APPROVAL OF MINUTES

Minutes from the August 31, 2006 meeting were approved.

5. ETHICS DISCLOSURE

None to report from any board members.

6. SYNOPSIS OF ETHICS BILLS CURRENTLY IN LEGISLATURE

Judy Bockmon, AAG provided an overview of current ethics related legislation including:

HB109 – "An Act relating to bribery, receiving unlawful gratuities, and campaign contributions; denying public employee retirement pension benefits to

certain legislators, legislative directors, and public officers who commit certain offenses, and adding to the duties of the Alaska Retirement Management Board and to the list of matters governed by the Administrative Procedure Act concerning that denial; relating to campaign financing and ethics, including disclosures, in state and municipal government, to lobbying, and to employment, service on boards, and disclosures by certain public officers and employees who leave state or municipal service or leave certain positions in state or municipal government; restricting representation of others by legislators and legislative employees; relating to blind trusts approved by the Alaska Public Offices Commission; and providing for an effective date."

SB 13 – "An Act relating to ethics in state government and to activities of former legislators; and providing for an effective date."

SB19 – "An Act relating to a public officer's taking official action regarding, or influencing, a matter in which the public officer has a personal or financial interest; relating to restrictions on employment after leaving state service; prohibiting certain persons from engaging in activity as lobbyists; relating to financial disclosures from former public officials; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law."

SB 20 - "An Act relating to a public officer's taking official action regarding, or influencing, a matter in which the public officer has a personal or financial interest; relating to restrictions on employment after leaving state service; prohibiting certain persons from engaging in activity as lobbyists; relating to financial disclosures from former public officials; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law."

SB 64 – "An Act relating to bribery, receiving a bribe, and receiving unlawful gratuities; relating to the requirement for candidates, groups, legislators, public officials, and other persons to submit reports electronically to the Alaska Public Offices Commission; relating to the use of state government assets and resources when there is no charge to the state for their use, and to the use of state aircraft for partisan political purposes; relating to disclosures by public officials and certain candidates for public office concerning services performed for compensation and concerning certain income, gifts, and other financial matters; relating to gifts received by a public officer or a public officer's immediate family; expanding the number of boards and commissions whose members and chairs are required to disclose certain financial information to the Alaska Public Offices Commission; and providing for an effective date."

7. REVIEW OF ETHICS PENDING CASE LOG

Chairperson English stated she is impressed with the decrease in the number of pending cases. The back log has been significantly reduced.

Chairperson English inquired as to why some Departments have substantially more ethics issues than others reported in their quarterly report. Judy explained that some agencies verbally communicate with her during the reporting period

and determine that some do not require reporting. Others choose to report on all issues that arise in their report even though some may not require reporting. There are a number of factors and variables that affect the number including the nature of the agencies work, size of the agency, etc.

Board Member Tamagni offered to provide a tracking spreadsheet.

Judy reported that she now has a part time Legal Assistant.

8. REVIEW OF ETHICS CASES

Board members had no questions.

9. PROPOSED PERSONNEL RULE CHANGES

Secretary Kiesel and Deputy Director Neal introduced proposed changes to the Personnel Rules:

2 AAC 07.320 is amended by adding an additional authority.

2 AAC 07.330(d) is repealed to allow for the granting of a longevity step upon promotion.

2 AAC 07.365(b) and (d) are amended removing references to specific performance ratings.

2 AAC 07.500(4) is amended to allow a principal executive officer to grant a leave of absence to an employee who accepts a substitute appointment to a position from which the incumbent of record is on military leave under the Uniformed Services and Reemployment Rights Act.

Discussion occurred regarding the proposed amendments to 2 AAC 07.365(b) and (d). Nicki explained the amendments were requested by the Governor's Office on behalf of the Human Rights Commission (HRC). The HRC has a longstanding practice of granting a merit increase only when the employee receives an overall rating of "high acceptable" or better. The amendments approved in 2005 effected their ability to continue this practice.

Dennis Geary stated that the proposed changes are unacceptable; negatively affect SU and CEA bargaining unit members; and timing is poor considering ongoing contract negotiations.

Board Attorney Felix suggested alternate language. Agreement was reached that alternate language would be proposed for board consideration on March 16, 2007.

The Board requested the presence of a representative from the HRC at the March 16th meeting.

10. EXPANSION OF PARTIALLY EXEMPT SERVICE

None at this time.

11. UPDATE FROM DIRECTOR OF PERSONNEL

Secretary Kiesel provided the following update.

- Market Based Pay was implemented for five job class families.
- Contract negotiations for 8 contracts are underway

11. OTHER MATTERS THAT MAY COME BEFORE THE BOARD

- a. Meeting continued to Friday, March 16, 2007, at 11:30 a.m.

12. ADJOURNMENT:

Chairperson English adjourned the meeting at approximately 1:12 p.m.