

ALASKA STATE PERSONNEL BOARD MEETING MINUTES

March 24, 2004

Division of Personnel

619 E Ship Creek Avenue, Suite 311

Anchorage, Alaska

Revised June 14, 2005

Attendees:

In person:

Debbie English, Chairperson

Ron Otte, Board Member

Dianne Corso, Director of Personnel, Secretary to the Board

Melinda Cosgrove, Division of Personnel, Management Services

By teleconference:

Lynn Ate, Division of Personnel, Management Services

Sarah Felix, Attorney General's Office, Board Attorney

Julie Russo, Division of Personnel, Statewide Planning and Research

1. CALL TO ORDER:

Secretary to the Board Corso called the meeting to order at 9:10 A.M. on March 24, 2004 in the Anchorage office of the State Division of Personnel. She introduced Board Member Debra English and Board Member Ron Otte present in Anchorage. Board Member Laura Plenert was unable to attend. With two members present, there was a quorum.

2. ELECTION OF CHAIR:

Board Member Otte nominated Board Member English as Board Chairperson. Board Member English accepted the nomination.

3. APPROVAL OF AGENDA:

Chairperson English asked the Board if they had any changes to add to the agenda. Board Member Otte did not have any comments or changes to add.

4. PUBLIC COMMENT OF A GENERAL NATURE.

None

5. ETHICS DISCLOSURES:

There were no ethics disclosures.

## 6. APPROVAL OF MINUTES:

Ate indicated the minutes dated November 4, 2002 contained a typographical error in the date. The correct date is November 14, 2002. Member Otte moved to approve the November 14, 2002 minutes, noting the altered date; Chairperson English seconded the motion. The minutes were approved.

The board members voiced concern regarding the cost of transcribing the case attached to the minutes. Attorney to the Board, Felix addressed the boards concerns, responding that the board need only keep a tape or a transcription of the record of the meeting. The board has the ability to choose the format. Chairperson English moved to maintain the taped version unless a transcribed copy is needed. Corso noted the Board's directive.

Member Otte moved to approve the January 12, 2004 meeting minutes; Chairperson English seconded the motion. The minutes were approved.

## 7. REVIEW OF PENDING ETHICS CASE LOG:

Chairperson English opened the agenda topic. Cosgrove clarified that she receives a copy of the pending ethics case log on a monthly basis from the Department of Law. In the past, Board members preferred to receive copies of the log within their board meeting packages, but she offered to send copies to the Board members on a monthly basis. Both Chairperson English and Board Member Otte stated that they preferred to receive copies in their board meeting packages noting the additional time and expense in sending monthly copies.

Board members had no questions or comments about the case logs.

## 8. REVIEW OF ETHICS CASES:

There were no filings with the State Personnel Board.

## 9. PROPOSED PERSONNEL RULES CHANGES:

Members present in Anchorage verified packet contents and agreed to ask questions and make comments as they reviewed each change. Ate explained the changes to the original packets and the information on formatting changes received prior to the start of the meeting.

Corso made note that Ate headed up the project, also noting that changes have been reviewed by the Division of Personnel. Corso asked Ate to give a brief overview of the proposed changes.

Ate stated that there were two main goals associated with the changes. The first goal was to delete the references to the Human Resource Manager job class, which is not used in the integrated Division of Personnel. This resulted in the revision of 2 AAC 07.450.

The second major thrust focused on injured workers with regard to the Work First Initiative. One goal was to revise the injured worker regulation; to streamline the process, allowing management better opportunity to bring employees back to work as soon as possible. The goal was to revise the article to clearly support the statute without going beyond the law. Previously, the article allowed employees the ability to choose which jobs they would like to apply for, and which jobs they would like to decline. The revised article is a more direct reflection of the law and provides for the Division of Personnel to place an employee in any comparable position with duties that s/he is qualified and able to perform.

An effort was also made to reorganize regulations to make them clearer and more accessible. Also, language was added to capture how ADA reassignments are prioritized.

Chairperson English asked that changes be reviewed individually by article, so that board members could address questions more easily.

Ate presented the review as follows:

2 AAC 07.042 Continuous Recruitment. The proposal reinstated the previous article 2 AAC 07.045. When Workplace Alaska began, it was believed that continuous recruitments would no longer be needed. Continuous recruitments are occurring for difficult to fill job classes.

2 AAC 07.046 The article covered a broad variety of information: reassignment under AFLA, transfer rights, layoff rights, and injured worker. The variety made the article very complex and difficult to use. The article was deleted and the information broken into more usable pieces and moved to more appropriate locations in the regulations.

The board decided to wait to ask questions under the newly proposed location.

2 AAC 07.051 Without Public Notice Nonpreferential Rights. The article was deleted and the information moved to a different section of the personnel rules, 2AAC 07.235..

2 AAC 07.056 Scope of Recruitment. The proposed change shifted authority for determining the scope of recruitment from the director to the appointing authority.

2 AAC 07.076 DEADLINED. The proposed change corrected a typographical error, changing “Deadlined” to read “Deadlines.”

2 AAC 07.091 EVALUATIONS OF CONVICTIONS. The proposed language changes clarified the current language and renumbered sections to make the provisions easier to follow.

2 AAC 07.103 ACCESS TO ASSESSMENT RESULTS was modified to reflect changes that occurred in the transition from paper examinations to the new electronic recruitment process. The word “selection” was inserted in the place of “examinations”.

2 AAC 07.112 Disqualifications. The proposed change altered the article title, renaming it “Loss of Eligibility.” “Loss of Eligibility” clarified the distinction between disqualification from a

single recruitment and from all recruitment. Failure to earn rehire rights was included as a reason for loss of eligibility. The section was renumbered and reordered to make the language easier to follow.

2 AAC 07.170 Selection for Appointment was modified to reflect changes that occurred in the transition from paper examinations to the new electronic recruitment process. The proposed change altered the language from “the top five ranks” to read “among the most qualified applicants.”

2 AAC 07.175 Affirmative Action. was modified to reflect changes that occurred in the transition from paper examinations to the new electronic recruitment process The proposed change altered the language from “the top five ranks” to read “among the most qualified applicants.” At the Board’s recommendation, “sex” groups was changed to read “gender” groups.

2 AAC 07.185 Subfilling Positions. The proposed change altered the language from “five applicants” to read “three applicants.”

2 AAC 07.210 Transfer Appointments. The proposed change moved the language to 2 AAC 07.235(a), consolidating the language on non-preferential appointments without public notice.

2 AAC 07.225 Rehire was repealed. The language was incorporated into the new 2 AAC 07.235

2 AAC 07.226 Preferential rights due to a request from a pregnant employee was added. A new provision was established that contains the language previously contained in the section 2 AAC 07.046.

2 AAC 07.227 Preferential rights due to layoff. A new provision was established that contains the language previously contained in the section 2 AAC 07.046.

2 AAC 07.228 Preferential rights of injured state employees. A new provision was established that contains the language previously contained in the section 2 AAC 07.046. The old language was further clarified and tailored to more closely follow the statutory requirements.

2 AAC 07.230 Order of Preferential Rights. A new provision was established that contains the language previously contained in the section 2 AAC 07.046

2 AAC 07.235 Non-Preferential Appointment Rights Without Public Notice. The proposed change added language in support of the WorkFirst Initiative. Through discussion Board members decided the language did not adequately reflect the goals of the initiative and should reference the statutes on disability retirement and Workers’ Compensation. This article will be readdressed at the upcoming Board meeting. The proposal removed duplicate and extraneous language, defined transfer as a nonpreferential action, moved rehires from 2 AAC 07.225; and added language for reassignment or return to work employees under the WorkFirst initiative.

2 AAC 07.450 Applicant Complaints. The proposed change deleted the reference to the Human Resource Manager job class and streamlined the complaint process.

The Board members all agreed to the new wording and agreed that no further discussion was needed, with the exception of AAC 07.235. The Personnel Rule proposal was approved as amended.

#### 10. EXPANSION OF THE PARTIALLY EXEMPT SERVICE:

Corso indicated there were no current proposed expansions on the agenda. She made note that there may be an expansion of the partially exempt service at the next Personnel Board meeting to add a third special assistant in some agencies.

#### 11. UPDATE FROM DIRECTOR OF PERSONNEL:

Corso updated the Board on the movement of all the recruitment staff members from Technical Service into Employee Services under Pam Day's direction. This will centrally locate recruitment staff, increase efficiency, allow for standardization of recruitment practices, and allow for the better management of documents. The move will be effective as soon as arrangements can be made. The recruitment staff members are overall very excited to be working together.

Corso gave an overview of the new WorkFirst program that started last summer. The program is a joint effort between the Divisions of Personnel, Risk Management, and Retirement and Benefits. The program focuses on getting people on Workers' Compensation and disability retirement back into useful service, therefore, limiting liability.

#### 12. OTHER MATTERS THAT MAY COME BEFORE THE BOARD

##### A. NEXT MEETING

Corso proposed the next meeting of the Personnel Board to be within five to six weeks. She indicated the expansion of the partially exempt service would need to be addressed in an expedient manner. The Board members agreed to schedule the next two Personnel Board Meeting for May 5, 2004 and June 15, 2004.

##### B. OTHER

There were no other matters to come before the Board.

#### 13. ADJOURNMENT:

Having completed the business of the agenda, Member Otte made a motion to adjourn the meeting; Chairperson English seconded the motion. The meeting adjourned at approximately 10:50 a.m.

