

ALASKA STATE PERSONNEL BOARD MEETING

May 22, 2024

2:30 P.M.

Atwood Building

550 W 7<sup>th</sup> Avenue, Suite 1970

Anchorage, Alaska

In person:

- Dr. Keith Hamilton, Chairperson
- Donald Handeland, Board Member
- Camille Brill, Human Resource Consultant 6, Division of Personnel & Labor Relations (DOPLR), on behalf of Kate Sheehan, Personnel Director and Board Secretary

Present by teleconference:

- Jennifer Williams, Paralegal 2, Department of Law
- Matt Stinson, Assistant Attorney General, Department of Law
- Morgan Griffin, Senior Assistant Attorney General, on behalf of AAG Andy Miller, Department of Law
- Jeff Hahnen, Human Resource Consultant 2, DOPLR
- Jay Ribao, Human Resource Consultant 1, DOPLR
- Andrée McLeod, Member of the Public

1. CALL TO ORDER

Camille Brill, DOPLR Deputy Director, called the meeting to order at 2:37 p.m.

2. Deputy Director Brill stated that the first order of business was to elect a chairperson to the Personnel Board. Board Member Handeland nominated Dr. Keith Hamilton to be the chair. Board Member Hamilton seconds that motion.

It was put to vote and was approved.

Chairperson Hamilton explained that they did not have a third person currently on the board because Al Tamagni retired from his service. They are grateful for his over decade of service to the State and knows that the Governor extended a thank you to him. They are in search of a third candidate and the boards and commissions are taking applications and looking for people that would be able to fit the requirements based on statute for who can be the third member.

3. APPROVAL OF AGENDA

The agenda was moved and approved.

4. APPROVAL OF MINUTES

The minutes of the February 12, 2024, meeting was moved and approved.

5. ETHICS DISCLOSURE – PERSONNEL BOARD MEMBERS

The board members had no disclosures or conflicts of interest of which they were aware.

6. DEPARTMENT OF LAW REGARDING THE REPORT PROCESS

Chairperson Hamilton wanted to take some time to discuss the Personnel Board's responsibility when it comes to the ethics report process and asked if anyone from the Department of Law would like to share anything with the board before they start asking specific questions.

Morgan Griffin, with the Department of Law, stated that she would defer to their ethics attorney Matt Stinson, Assistant Attorney General (AAG), regarding this process.

AAG Stinson stated their Paralegal, Jennifer Williams, was on the phone line, and she could help address questions as they come up.

7. REVIEW OF QUARTERLY ETHICS REPORTS AND SUBMITTAL COMPLIANCE

Chairperson Hamilton stated that whoever added the missing quarters to the ethics reports that are highlighted in yellow under the summary table made it super helpful to see who is deficient each quarter. The Permanent Fund Dividend (PFD) group has missed the entire year of ethics reports. Chairperson Hamilton asked what can be said or done at this point, as a year is a long time to be completely without a report.

AAG Stinson stated that he believes there has been a lot of turnovers with a lot of designated ethics supervisors at the PFD, and Department of Law paralegal Ms. Williams has done a great job of tracking down people who should be reporting. Part of it is educating people on how they should report their different disclosures. AAG Stinson said he would do research and provide the board with possible actions it could take to enforce compliance. He said he would provide this to the board prior to the next meeting.

Chairperson Hamilton stated that a lot of these are just missing one quarter, and those don't concern him; but something as large and as critical as the Permanent Fund Corporation Board of Trustees needs to submit reports. Ms. Williams stated that she was finally able to get ahold of them and learned the Permanent Fund Board had lost their chairperson and their reporting person, which is why reports have not been submitted. They have been working with her to turn in some of the late reports, but she didn't expect to receive all the late ones. Ms. Williams stated

PFD should be up to date when she turns in the first quarter report. Chairperson Hamilton thanked Ms. Williams for her work.

Chairperson Hamilton pointed out that the Occupational Safety and Review Board missed three quarters of reporting. Ms. Williams explained that they also lost their chairperson and their main people who do the reporting, and when there is turnover within these boards, the new people are not told what is required of them, and that she is in the process of training around 50 people right now. Ms. Williams has spent weeks sending emails and getting updates, and she is close to having everybody accounted for. The common complaint is that there is a lack of training when new board members are appointed, and they don't know that they are required to provide quarterly ethics reports to the Department of Law.

Chairperson Hamilton asked if there is anything on the Suicide Prevention Council as they missed three reports, or the Workforce Investment Board as they have missed four. Ms. Williams stated that it is the same issue and that she is trying to find out who their chairpersons and Executive Directors are due to turnover. It requires a lot of tracking down and re-training because none of the information gets transferred when the person before them leaves the position.

Board Member Handeland pointed out that the Occupational Safety and Health Review Board missed their quarterly report submission, then the following quarter they submitted their report, but the very next quarter they missed submitting their report again. Ms. Williams explained that a lot of times it is because someone was on vacation and didn't get the emails, or they may have ignored her emails, or they may have said they would complete them and never did. Regarding this situation, for the first quarter, they didn't have anyone in the position to complete the report, with the next report they had someone step in just to help, but by the next quarter they again didn't have anyone to complete it.

Board Member Handeland expressed concern over gaps in report submissions; and by not requiring that all quarterly reports be completed, there may be important situations that are not being brought to the Personnel Board's attention. Ms. Williams stated that she could go back and ask for all 2023 reports, but that a lot of these boards only meet once or twice a year, and they usually don't have anything to report.

Andréa McLeod, Member of the Public, asked for Board Member Handeland to identify himself for the record.

Chairperson Hamilton stated that by letting them remain noncompliant, it sends the message to the other boards and commissions that if they don't submit their reports, it will be let go with no consequences. Ms. Williams stated that beyond emailing and calling to request the missing reports, there isn't anything more that is within her authority to force them comply. She sends email reminders each quarter explaining the process, which includes when the report is due, so she can

ensure to meet her deadline. When they don't meet the deadline, she follows up in writing and with phone calls to try and get them to comply. Chairperson Hamilton acknowledged the difficult job Ms. Williams has in getting other people to fulfil their oath of office.

#### 8. EXECUTIVE SESSION UNDER AS 44.62.310(c)(3)

The Personnel Board went to executive session to review the confidential ethics case logs.

#### 9. UPDATE FROM THE DIRECTOR OF PERSONNEL & LABOR RELATIONS

Deputy Director Brill spoke on behalf of Personnel Director Kate Sheehan stating that two of the three bargaining units have reached an agreement; the Alaska Public Employees Association and the Labor, Trades and Crafts union. Each union is working with their membership to ratify their agreements. The third contract did not reach agreement which was the Alaska Correctional Officers Association, so that is still in process. Everything was conveyed to the Legislature, which voted to fund the contracts. We are waiting to see if the unions' membership ratifies the new contracts.

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

Chairperson Hamilton reiterated that as chair he wanted to follow the decorum of other State boards that he sits on: If an individual wishes to speak, there is a 3-minute time limit; and if it's an organization, there is a 5-minute time limit. Comments are gladly accepted from all community members, and no one that is a member of the State Personnel Board needs to respond. This may not be something that people here are used to, but that decorum works well for other boards, and he plans to follow that same protocol.

There were no public comments.

The Board tentatively set their next meeting for September 19, 2024.

Chairperson Hamilton asked about Senate Bill 165 that Director Sheehan had reported on regarding the Department of Law not representing public officers who are the subject of an ethics complaint. He asked if SB 165 passed; and if so, is there anything that the board needs to know?

AAG Stinson stated that, from what he understands, it's still going through the process, and it hasn't been adopted or became law.

Chairperson Hamilton asked AAG Stinson about the Governor's intent to delete or remove some of the State commissions, and if there was any information about

that decision. AAG Stinson responded that he is not aware of any, but he and Ms. Williams can work on providing an update to the board on which commissions are remaining or are being modified.

Chairperson Hamilton stated that he serves on another board, and they get updates when bills are in process that might impact their specific board. It is super helpful when Director Sheehan provides these types of updates, and that the Personnel Board needs to be apprised of anything that might impact or affect them.

Member of the Public, Ms. McLeod, commented that SB 165 was stuck in committee and ultimately was not passed. She stated that SB 165 was designed to provide a special benefit to the Attorney General, Governor, and Lieutenant Governor that no other state official, elective official, board and commission members, or legislative staffers have. She stated there is a two-tier system of justice that AKPIRG is on record opposing, and she would hope that the Personnel Board would question why this did not go through them because it deals with conflicts of interest. Whenever it deals with the Attorney General, Lieutenant Governor, or Governor, it should have been under the purview of the Personnel Board and that did not happen. Ms. McLeod stated the AG decided they wanted to give themselves special privileges and special monetary benefits. As of now, SB 165 did not get passed.

#### 11. ADJOURNMENT

The meeting adjourned at approximately 3:16 p.m.