

MINUTES OF THE STATE PERSONNEL BOARD
May 21, 2009
Charleston, West Virginia

The State Personnel Board met on May 21, 2009, at 2:00 p.m. to conduct business and to consider other administrative matters. Present at the meeting were Robert W. Ferguson, Jr., Chairman, and members, Jack Canfield, Mark Carbone, Sharon Lynch, Eugene Stump and Beth Walker. Others in attendance included: Tari McClintock Crouse, Acting Director of the Division of Personnel and Assistant Director of Employee Communications and Information; John Bowyer, Assistant Director of the Employee Relations Section; Mike Campbell, Assistant Director of the Staffing Services Section; Evelyn Davis, Assistant Director of the Organization and Human Resource Development Section; Lisa Dalporto, Assistant Director of the Classification & Compensation Section; Yvonne Wilhelm, Manager of the Internal Employee Placement Unit of Staffing Services; Barbara Jarrell, Senior Personnel Specialist for the Classification and Compensation Section; and, Shelly Lowery, Secretary to the Board.

APPROVAL OF MINUTES

The members of the Board received the minutes from the April 16, 2009 meeting prior to this meeting. Chairman Ferguson asked for any additions or corrections. There being none, Mr. Stump moved to accept the minutes for the April 16, 2009 meeting. Ms. Walker seconded the motion. The Board approved the April 16, 2009 minutes by unanimous consent.

CONSIDERATION OF PROPOSALS

DIVISION OF REHABILITATION SERVICES

Upon motion of Ms. Walker, seconded by Mr. Carbone, the State Personnel Board approved proposal #2502, designating the Deaf and Hearing Impaired Unit of the State Office of the Division of Rehabilitation Services as the organizational unit for a reduction in force due to material changes in the organization and lack of work. The reduction in force is effective no sooner than July 1, 2009, allowing at least fifteen days of notice to the affected employee.

Tari Crouse, Acting Director of the Division of Personnel and Assistant Director of Employee Communications and Information presented the proposal.

NICHOLAS COUNTY BOARD OF HEALTH

Upon motion of Ms. Lynch, seconded by Mr. Stump, the State Personnel Board approved proposal #2510, designating the Home Health Unit of the Nicholas County Health Department as the organizational unit for a reduction in force due to lack of funds and a potential material change in the organization. The reduction in force is effective no sooner than the close of business on May 21, 2009. The affected employees were advised of the Board of Health's decision to eliminate the unit after the March 25, 2009 meeting and again after the April 13,

2009 meeting, allowing at least fifteen days of notice to the affected employees. Tari McClintock Crouse, Acting Director of the Division of Personnel and Assistant Director for Employee Communications and Information, presented the proposal.

DIVISION OF CULTURE & HISTORY

Upon motion of Ms. Lynch, seconded by Ms. Walker, the State Personnel Board approved proposal #2511, designating the Division of Culture & History as the organizational unit for a reduction in force due to lack of funds. The reduction in force is effective no sooner than July 1, 2009, allowing at least fifteen days of notice to the affected employee. Tari McClintock Crouse, Acting Director of the Division of Personnel and Assistant Director for Employee Communications and Information, presented the proposal.

DEPARTMENT OF ADMINISTRATION

Division of Personnel

Upon motion of Ms. Walker, seconded by Mr. Carbone, the State Personnel Board approved proposal #2499, establishing the classification of Training and Development Consultant, Senior in pay grade 16 (\$33,036 - 61,128). The Board also approved a special plan of implementation for current Training and Development Consultant employees who are reclassified to the newly established Training and Development Consultant, Senior classification, in accordance with Section 5.4 (f) 2 c, of the *Division of Personnel Administrative Rule* which allows a special plan of implementation based on recruitment and/or retention difficulties or consideration of equal treatment in terms of pay for reclassified employees. The special plan of implementation grants current employees who are reclassified to the Training and Development Consultant, Senior classification a 5% salary adjustment. The special plan of implementation is contingent upon approval by the Governor's Office. This action is effective July 1, 2009. Mr. Canfield voted against the proposal. Lisa Dalporto, Assistant Director of the Classification & Compensation Section, presented the proposal.

OTHER BUSINESS

Notice of Public Comment Period for Proposed Amendments to the *Administrative Rule of the West Virginia Division of Personnel, 143CSR1*

Upon motion of Mr. Canfield, seconded by Ms. Walker, the State Personnel Board approved the request for filing a notice of public comment on proposed amendments to the *Administrative Rule of the West Virginia Division of Personnel, 143CSR1*, with the Legislative Rule-Making Review Committee and the Secretary of State's Office in accordance with the provisions of W.V. Code

Revision of Job Posting Policy

Upon motion of Mr. Stump, seconded by Ms. Lynch, the State Personnel Board approved revisions to the *Posting of Job Openings* policy incorporating the provisions of Senate Bill 473, which was passed on April 7, 2009, to be effective ninety (90) days from passage. In addition, the policy was revised to update definitions and terminology as well as the requirement to post positions to be filled by reallocation consistent with 2007 revisions to the *Administrative Rule of the West Virginia Division of Personnel*. The revisions addressed the following:

- The requirement to post notices of job vacancies is changed from ten (10) working days before making an appointment to ten (10) calendar days.
- Statutory language is incorporated providing that if an individual selected for a posted vacancy refuses the offer of employment, fails to report to work, or resigns or otherwise separates from employment within ten work days, the appointing authority is not required to repost the vacancy prior to making another appointment to the position. The subsequent appointment must be made within thirty (30) days of the date the position again becomes vacant and the selection must be made from the pool of eligible applicants from which the first employee was hired.
- Requirements adopted in 2007 amendments to subsection 9.5(a) of the *Administrative Rule* have been added. These provide that positions to be filled by reallocation must be posted but may be limited to the organizational unit in which the position exists.
- Definitions and terminology have been updated to be consistent with the *Administrative Rule*.
- Language regarding the processing of posting requests through the Division of Personnel's Classification and Compensation section has been updated.

With no further business, the meeting adjourned.

NEXT BOARD MEETING

The next state Personnel Board meeting is scheduled for June 18, 2009, at 2:00 p.m. in Building 6, Room 425, State Capitol Complex, Charleston, West Virginia.

Robert Ferguson, Jr., Chairman
State Personnel Board

Shelly R. Lowery, Secretary
State Personnel Board