

**ARIZONA STATE PERSONNEL BOARD**  
**MEETING MINUTES**  
**MARCH 23, 2016**

The Arizona State Personnel Board meeting was called to order by Chair Joseph Beers at 11:20 a.m. The meeting was held at 1400 West Washington Street, Suite 280, Phoenix, Arizona. Board members in attendance were Joseph Smith, Kevin Donnellan, Mark Ziska and Jim Thompson. Staff members present were Jeff Bernick as Counsel for the Board, Laurie Barcelona, Executive Director and Robin Van Staeyen, Administrative Assistant II.

The board called for comments from the public. There being no public comments, Joseph Beers moved to adopt the minutes from the February 22, 2016 meeting. Mark Ziska seconded the motion which carried unanimously.

Next, the board considered the dismissal appeal of *Charlotte Henderson v. Department of Veterans' Services.*

Gary Henderson, representing Ms. Henderson, stated Ms. Henderson was not able to make it to the board meeting due to the fact that she still suffers from the effects of the attack that occurred at the department that caused her to become disabled. Mr. Henderson stated that he and Ms. Henderson disagree with the fact her job was taken from her even though she had always received good reviews and had no prior discipline. On the date of the verbal attack on June 16, 2015, Mr. Henderson explained that he immediately took his wife to the department's human resources office and filed a complaint, but the Human Resources Officer never followed through with that complaint and basically covered up the department's actions, put Ms. Henderson on family medical leave and eventually removed her from employment. Mr. Henderson explained that the human resources office was provided information that Ms. Henderson was deemed disabled by her caregivers while on family medical leave but the human resources office never followed up with Ms. Henderson. As explained by Mr. Henderson, in his 20 plus years in the military he has never witnessed a group of people who went out of their way to cover up wrong doing and punish an employee who was only trying to get problems addressed. Furthermore, Mr. Henderson addressed the fact that there is no time table for people who have suffered mental injuries or disabilities and due to the fact that Ms. Henderson was not recovered in the 12 weeks allowed under the Family Medical Leave Act, Ms. Henderson lost her job. In summary, Mr. Henderson stated that the department never considered Ms. Henderson's best interest, but was only protecting themselves. Lastly, he stated that Ms. Henderson, to date, had still not received all of her personal items that had been locked in her desk and a locker at the department even though they have repeatedly requested them to be returned.

Robert Sokol, Assistant Attorney General representing the Department of Veterans' Services, stated that Ms. Henderson is disabled and unable to return to work and

currently on long-term disability. The hearing officer was not able to remedy the requests made by the Henderson's at the hearing and the Henderson's ended up leaving the hearing. Mr. Sokol explained that there is no remedy the board can give Ms. Henderson at this point and asked the board to adopt the hearing officer's recommendation.

Kevin Donnellan inquired as to what can be done regarding her personal items. Mr. Sokol stated that he would look into it.

There being no further discussion, Jim Thompson proposed the following motion:

"I move we adopt the hearing officer's Findings of Fact, Conclusions of Law as our own. I move we deny the appellant's appeal as the appellant is unable to return to work, is on long term disability, and the Board does not have jurisdiction to grant the relief requested by the appellant."

Joseph Smith seconded the motion which carried unanimously.

The board then considered scheduling the next board meeting. Joseph Beers proposed the following motion:

"I move we hold our next regularly scheduled open public meeting of the board on May 10, 2016, at 11:00 o'clock a.m. at 1400 West Washington Street, Suite 280, Phoenix, Arizona. I further move we hold an executive session on the same date at the same location at 10:30 a.m."

Jim Thompson seconded the motion which carried unanimously.

There being no further business before the board, Jim Thompson proposed the meeting be adjourned and Mark Ziska seconded the motion. The meeting adjourned at 11:30 a.m.

*(Quotations of board members in these minutes have been reviewed by staff for grammatical content, and certain grammatical changes may have been made by staff administratively. No changes to content have been made by staff administratively or otherwise.)*

Respectfully submitted:

*Robin Van Staeyen*

Robin Van Staeyen, Administrative Assistant II  
Arizona State Personnel Board

*April 26, 2016*

Date Prepared