

ARIZONA STATE PERSONNEL BOARD

DAVID DEEM,)
)
Appellant,)
)
vs.)
)
DEPARTMENT OF CORRECTIONS,)
)
Respondent.)
_____)

ORDER

HAVING CONSIDERED THE ENTIRE RECORD, IT IS ORDERED:

Finding that the Department of Corrections has proven by a preponderance of the evidence that the material facts on which the dismissal was based and that the dismissal was not arbitrary and capricious, the Hearing Officer's Findings of Fact and Conclusions of Law are adopted as the Board's own except Conclusions of Law 5, 6 and 7 which are rejected; we find that just cause existed for termination and uphold the agency's action to dismiss. This is based on the totality of the appellant's disciplinary history, 14 past disciplinary actions, including 3 specific disciplinary actions related to the use of profanity. The appellant's appeal is denied and the agency's action of dismissal is upheld.



Joe Beers, Chair
Arizona State Personnel Board

RECORDED this 15th day of September, 2016.

Copies of the foregoing mailed this 16th day of September, 2016 to:

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