

To: Dennis Taylor, Secretary, Department of Administration  
Tracy Diel, Director, Office of Administrative Hearings  
James E. Lowther, Chairperson, Civil Service Board

From: Michele L. Tunnell, Secretary, Civil Service Board

Date: July 19, 2011

Re: Quarterly Update

The following reflects the Civil Service Board cases in which action was taken since the April 18, 2011 quarterly report:

A. Cases Decided and/or Disposed Of:

**Dismissal**

*dismissed*

Department of Corrections/Lansing Correctional Facility  
Correction Officer I. Appellant was dismissed for participating in a monetary transaction with an absconded offender and failing to report her relationship with the offender to her supervisor. Prior to the hearing, the parties agreed to a voluntary dismissal of the appeal.

**10-day suspension**

*affirmed*

Department of Corrections/Lansing Correctional Facility  
Correction Officer I. Appellant received a 10-day suspension for habitually reporting late for duty. The agency filed a motion for summary judgment to which the appellant failed to respond. The Board granted the motion as unopposed.

**4-day suspension**

*withdrawn*

Department of Revenue/Bureau of Alcohol Beverage Control  
Enforcement Agent. Appellant received a 4-day suspension for abuse of his authority in that he conducted an unauthorized investigation of a co-worker. Appellant withdrew his appeal.

**2-day suspension**

*affirmed*

Juvenile Justice Authority/Kansas Juvenile Correctional Facility  
Correction Officer II. Appellant received a two day suspension for failing to take the appropriate action when finding an officer in the control room unresponsive to a beeping from the control panel. Appellant also made unprofessional comments during a meeting with her supervisor. The Board affirmed the decision of the appointing authority.

**Dismissal**

*affirmed*

Juvenile Justice Authority/Larned Juvenile Correctional Facility  
Correction Officer I. Appellant was dismissed for failure to maintain authority, order and control of the youth in her care and for failing to immediately report the trafficking in contraband and inappropriate conduct by a fellow officer. The Board affirmed the decision of the appointing authority.

**Dismissal**

*withdrawn*

Department of Transportation

Equipment Operator. Appellant was dismissed due to a confirmed positive result on a follow-up drug test. Appellant withdrew his appeal.

**14-day suspension**

*withdrawn*

Department of Aging

Public Health Nurse II. Appellant received a fourteen day suspension for insubordination and failure to accept reasonable assignments. Appellant withdrew his appeal.

**Dismissal**

*affirmed*

Department of Corrections/Lansing Correctional Facility

Corrections Specialist I. Appellant was dismissed for excessive and habitual absenteeism. The Board affirmed the decision of the appointing authority.

B. Cases Filed Between April 16, 2011 and July 15, 2011:

Dismissal, Rainbow Mental Health, filed April 26, 2011

Demotion/whistleblower, Department of Labor, filed April 27, 2011

4-day suspension, Department of Revenue, filed May 16, 2011

Dismissal, Larned Juvenile Correctional Facility, filed May 18, 2011

Dismissal, Department of Transportation, filed June 2, 2011

Dismissal, Department of Social and Rehabilitation Services, filed June 8, 2011

14-day suspension, Department of Aging, filed June 20, 2011

Dismissal, University of Kansas Medical Center, filed June 23, 2011

Dismissal, Department of Social and Rehabilitation Services, filed July 5, 2011

Dismissal, Kansas Historical Society, filed July 11, 2011

C. Cases To Be Heard:

Dismissal, Department of Administration, set August 24-25, 2011

Dismissal, Department of Social and Rehabilitation Services, motion to dismiss pending

Dismissal, Rainbow Mental Health Facility, stayed

Dismissal, Osawatomie State Hospital, motion to dismiss pending

Dismissal, Rainbow Mental Health, stayed

Demotion/whistleblower, Department of Labor, motion to dismiss pending

Dismissal, Department of Social and Rehabilitation Services, set October 4, 2011

Dismissal, University of Kansas Medical Center, set September 8, 2011

Dismissal, Department of Social and Rehabilitation Services, set August 8, 2011

Dismissal, Kansas Historical Society, set August 11, 2011

D. Statistics for Completed Cases:

Dismissals: 4

Demotions: 0

Suspensions: 4

Affirmed: 4  
Reversed: 0  
Modified: 0  
Dismissed: 1  
Withdrawn: 3

Department of Corrections: 3  
Department of Revenue: 1  
Department of Aging: 1  
Department of Transportation: 1  
Kansas Juvenile Justice Authority: 2