



PERSONNEL MERIT COMMISSION

MINUTES

April 26, 2021 at 5:00 p.m.

Google Hangouts/Phone dial in

Agenda from April 26, 2021:

1. Roll Call/Introductions
2. *Regular Business*
 - Election of Chair and Vice Chair
3. Other Business
4. Adjournment

Minutes

1. Roll Call/Introductions

Commissioners in Attendance: Velveta Golightly Howell, Peter Navarro, Kirsty Lockhart, Nathan Westfeldt, Tammy Thomas, Caroline Hatfield

Absent: None

Others Present: Director of Human Resources Niki Macklin, Deputy Director Amy Collins and Human Resources Manager, Nicole Williamson

2. Regular Business

- Election of Chair and Vice Chair - Ms. GoLightly Howell made a motion to fulfill the chairperson role. The nomination was unanimously approved by the commissioners. Ms. Hatfield made a motion to fulfill the vice chair. The motion was unanimously approved by the commissioners.



Ms. Smith explained the roles and responsibilities of the Commission with regard to disciplinary action appeals.

Employees may appeal a disciplinary action (suspension without pay, demotion, termination) to the Commission within 10 work days of receipt of the decision notice from the appointing authority. Human Resources provides the Commissioners with a copy of the appeal form within five days of receipt of the appeal form. Ms. Smith explained the provisions within the Personnel Merit System relating to disciplinary action including the types of offenses for which an employee can receive discipline. Broomfield uses the concept of appropriate action rather than progressive action. Steps will vary depending on the circumstances and any mitigating factors. The supervisor considers the severity of the situation and/or actions taken previously to address conduct and performance issues.

The Commission determines if appeals are within the purview of the Commission and if the appeals are properly before the Commission. The Commission conducts a hearing similar to a civil court proceeding. The City and County has the burden of proof by any competent evidence for the imposition of a disciplinary action against an employee. The Commission determines if the discipline imposed was unjust or inappropriate in light of the severity of the offense, the employee's prior corrective or disciplinary action records, or mitigating factors. The Commission may sustain or overturn the decision and the Commission's decision is final and binding.

The hearing is conducted within 30 calendar days of receipt of the appeal form unless the Commission extends the deadline. The hearing is subject to Colorado's Open meeting law. The employee and/or the City may issue subpoenas and the hearing is recorded.

The Commission may receive all or part of the evidence in written format and the rules of evidence and requirements of proof generally conform to those used in civil non-jury cases. The Commission may exclude incompetent and unduly repetitious evidence. The Commission prepares a written decision within 30 days of the close of the hearing. If the discipline is overturned, relief is limited to back pay. Relief does not include attorney's fees, punitive costs and other costs.

3. Other Business

There was no other business.

4. Adjournment - The meeting adjourned at 5:20 p.m.