

**Hilo, Hawai'i
Tuesday, March 17, 2009**

The regular meeting of the Merit Appeals Board, County of Hawai'i, was held in the conference room of the Department of Human Resources, 101 Pauahi Street, Suite 2, Hilo, Hawai'i, on Tuesday, March 17, 2009.

Present:

**Mr. G. Rick Robinson, Chair
Mr. Joel Cohen, Member
Mr. Henry "Hank" Silva, Member
Mr. Gary Yoshiyama, Member
Mr. Michael R. Ben, Director of Human Resources
Ms. Diane A. Noda, Deputy Corporation Counsel
Ms. Velma Y. Menezes, Secretary-Reporter**

Chair Robinson called the meeting to order at 9:31 a.m.

MINUTES OF JANUARY 20, 2009

MOTION: Mr. Silva moved that the minutes of January 20, 2009 be approved as circulated. The motion was seconded by Mr. Yoshiyama and unanimously carried.

UNFINISHED BUSINESS

Reschedule Troy DeVera's Appeal Hearing

Mr. DeVera's appeal hearing was rescheduled from March 17, 2009 to April 21, 2009 at 10:00 a.m.

**Appropriate Action on Christine Sipe's Appeal
Held in Abeyance From May 24, 2007**

Ms. Menezes reported that Ms. Sipes' appeal had been held in abeyance from 2007. She was supposed to have contacted the Board when she was ready to re-file her appeal but hadn't, and attempts to contact her through follow-up letters and telephone calls were unsuccessful.

Ms. Noda reported not having heard from Ms. Sipes either. She believed that the County had previously requested that Ms. Sipes' appeal be dismissed since she had not appeared for the hearing as initially scheduled.

MOTION: Mr. Cohen moved that Ms. Sipes' appeal be dismissed. The motion was seconded by Mr. Yoshiyama and unanimously carried.

Chair Robinson requested that Ms. Menezes send Ms. Sipes a letter informing her of the Board's action.

DIRECTOR'S REPORT

Mr. Ben reported the following:

1) The department submitted its budget for the next fiscal year, and after submitting it reduced it by \$60,000, as instructed by Finance. The reduction represents a 10% cut from operating costs.

2) The County has an Expense Review Committee that basically reviews requests to fill positions and requests for reallocations and reorganizations that affect monies. For the first time in 19 years, there have been no promotions to report in the next issue of the County newsletter. Mr. Ben believes it's because the departments are not being allowed to fill certain vacant positions.

3) Normally at this time of the year, Mr. Ben is in intensive negotiations and in arbitration, but there's been nothing going on in terms of negotiations.

4) As requested by Finance, Mr. Ben was able to designate a 5% reduction from the current budget with a huge chunk of it coming from travel.

5) Another worrisome issue is the employees' medical plans. The Employer-Union Trust Fund (EUTF) still hasn't decided on the plan it'll offer come July 1. The current plan, if continued, will increase the employee's cost by 29% and will increase the retiree's cost by 17%. The budget we submitted assumes the worst-case scenario, so our balanced budget assumes a 29% or 17% loss, but EUTF is not taking any positive steps toward adopting a plan. Meanwhile the Governor is telling everyone that the employer's share of the pie will be reduced from 60-40 to 55-45 although she knows it has to be done by negotiations. The Governor's plan is to meet with the mayors.

The contracts expire on June 30, so Mr. Ben has already suggested to Corporation Counsel that they look into the issue of what they would do when there's no contract. Mr. Ben's belief is that they carry on the provisions of the contract, but the Attorney General has rendered a different opinion; and the Governor may be relying on that opinion, which basically says that they can implement the last position they held at impasse. However, that brings them back to the problem of what is their last position, as they haven't yet talked.

6) Mr. Ben noticed that the activities report provided to Board members has gotten increasingly long and detailed. When the assignment was first given to the division heads many years ago, it was to apprise the Board (or Civil Service Commission, as it was named at that time) of general information that members might be asked about by the public as a Commission member.

Mr. Cohen stated that what he looks for is information on the police officer situation and how those recruitments are going. Members were in agreement that the report can be pared down.

NEXT MEETING DATE

The next meeting was scheduled for April 21, 2009 at 9:30 a.m. followed by Troy DeVera's appeal hearing at 10:00 a.m.

The meeting recessed at 9:43 a.m.

Hilo, Hawai'i
Tuesday, March 17, 2009

APPEAL HEARING – CONTINUED FROM JANUARY 20, 2009 - TERI J. BOTELHO – WERE ANY CIVIL SERVICE LAWS, RULES, OR REGULATIONS VIOLATED IN THE APPELLANT’S TERMINATION FROM EMPLOYMENT WITH THE OFFICE OF THE PROSECUTING ATTORNEY?

Present:

**Mr. G. Rick Robinson, Chair
Mr. Joel Cohen, Member
Mr. Henry “Hank” Silva, Member
Mr. Gary Yoshiyama, Member
Mr. Julian White, Deputy Attorney General
Ms. Suellen Tanouye, Clerk III
Ms. Velma Y. Menezes, Secretary-Reporter**

Others Present:

**Ms. Teri J. Botelho, Appellant
Mr. William Reece, Appellant’s Attorney
Ms. Diane Noda, Deputy Corporation Counsel**

The following witnesses were sworn in and testified:

**Ms. Teri J. Botelho, Appellant
Mr. Lazaro Ruiz, Investigator III
Mr. Glenn Taka, Investigator V**

The following exhibits were entered into the record:

**Appellant’s Exhibit D - Memo to Dale Ross
Appellant’s Exhibit E - Email re Flights for Kaiser Alo
Employer’s Exhibit 17 - Pretrial Meeting Notes**

Chair Robinson called the hearing to order at 10:10 a.m.

Ms. Noda recalled the County's witness, Mr. Lazaro Ruiz, who testified on trial preparation assignments for the Landon Hill case, including the breezeway measurement task. Mr. Ruiz was also questioned by the Board. Refer to recording for testimony.

Ms. Noda called upon Mr. Glenn Taka, who testified on his background and experience, trial preparation for the Landon Hill case, investigator assignments and assignments not completed in the Landon Hill case; areas of Ms. Botelho's performance that were not up to par; the working relationship with Ms. Botelho; attorneys assignments and caseload comparisons. Mr. Taka was cross-examined by Mr. Reece and questioned by the Board. Refer to recording for further testimony.

The Board recessed at 1:04 p.m. for lunch and reconvened at 1:39 p.m.

Mr. Reece recalled Ms. Botelho to provide further testimony regarding the diagram; the pretrial meeting; investigation of witnesses in the Landon Hill case; her evaluation; office "politics;" her sick leave and phone call from Mr. Rick Hartswell; and the internal complaint procedure meeting with Ms. Charlene Iboshi. Ms. Botelho was cross-examined by Ms. Noda and questioned by the Board. Refer to recording for further testimony.

In closing, Mr. Reece stated that the following:

They have gotten into a lot of issues here, but there are policies and procedures that are in place for civil service employees, and that's what he would ask the Board to focus their attention on.

Ms. Botelho did not receive a six-month evaluation. The first letter she got was on May 15, and Mr. Reece is suggesting that her probationary period was over on midnight of the 14th. However, even if it was not over, the first evaluation that she ever got after that was in the form of basically a "cover-your-butt" letter by a level III investigator and the other from a co-worker, a level V employee. It was a very detailed letter which contradicts what Mr. Taka indicated on March 31; and Mr. Reece is sure the pressure was put on him, because he said that this letter was written at the request of Mr. Dean Sumida.

Mr. Reece believes that at some point, the Prosecutor's Office realized internally that procedures were not followed.

This is an employee who had a legitimate medical excuse for being out, indicated that she was under stress, and provided documentation for being out sick. This is somebody who received a satisfactory and above satisfactory three-month evaluation, who excelled in several areas. This is somebody who received glowing recommendations from the attorneys that she worked for, one of them Ms. Kimberly Taniyama. This is somebody who was, Mr. Reece believes, mischaracterized and misunderstood. There are some people in life who take credit for what they do, who are always talking about what they do, always trying to call attention to themselves; and sometimes the reality of human nature is that it seems to get people ahead in life. It goes without saying who he's talking about here. Ms. Botelho is a person who quietly did her work.

There was something presented regarding Ms. Botelho not making travel arrangements, but she brought the Board information that she did. She's had years of experience in law enforcement, and with that kind of experience and intuitive skills as an investigator, she knew right off that this mainland witness that they spent all this money to bring back was not going to be useful. In fact, much later, they finally discovered that he wasn't.

Ms. Botelho did her job quietly; she didn't call attention to herself. She has contacts based upon relationships from spending a number of years on this island. She grew up here, lived here all of her life until she went to Oahu. She's respected in the law enforcement community.

The real problem in the Kona Prosecutor's Office is that there is no onsite supervision. Procedures are not in place, but the Kona-Hilo problem extends to all areas, everything from roads to money, and in the Prosecutor's Office where there wasn't anybody there to supervise (the investigators). The Prosecutor's Office is busy; they're short-staffed; and this is a situation where, as Mr. Cohen remarked, there is a communication issue.

Mr. Reece wishes that it had been handled differently, but the bottom line is the County of Hawai'i has very, very clear standards for personnel practices, including a six-month evaluation, which was never done. The personnel practices mention notifying the employee in writing that they didn't complete probation; and Ms. Botelho did not get this letter. Mr. Reece is submitting that she was already off probation on midnight of the 14th, but even if it was the 15th,

she didn't get the letter. It just came out of the blue when they told her she was out.

He's sorry this whole situation occurred and thinks it's an unfortunate situation. He thinks Ms. Botelho is a good person, and everybody, with one exception, meant well at the Prosecutor's Office. He believes this whole situation was manipulated by Mr. Ruiz for his personal agenda. Whatever his ambitions are, it shouldn't be allowed toward Ms. Botelho's detriment. This is somebody who is a real loss to the Prosecutor's Office, somebody that could get things done.

Even Glenn Taka, who was very honest and candid, said that he had not been able to locate that witness on the mainland; and Ms. Botelho did it very quickly. He believes Mr. Taka is a fair man and was victimized and influenced by what Mr. Ruiz was reporting to him. Mr. Ruiz does have his eyes set on higher ambitions, and the whole situation just doesn't seem fair to Mr. Reece.

The civil service protections of evaluations and written notices, all kinds of things that could've been followed, that should've been followed, that weren't followed, are what this is designed to protect. After all this, it's not really clear who the supervisor is. It seems that Mr. Sumida is the supervisor, yet a decision was made to terminate her while he was on vacation. Mr. Reece would implore that they commit to letting Ms. Botelho go back to her job and to find the appeal in her favor.

Ms. Noda stated the following in her closing statement:

First of all, for this administrative hearing, the burden of proof is on Teri Botelho, pursuant to state law, HRS 91-10. She has a burden of proof and a burden of persuasion that the employer, County of Hawai'i Prosecutor's Office, violated a civil service rule, law, or procedure. In this case the County's position is that the Prosecutor's Office did not violate any law or procedure.

As Ms. Noda had already addressed in her motion to dismiss at the last hearing, Ms. Botelho's first day of work was November 16, 2007. Her probation expired six months later on May 15, 2008. Ms. Botelho admitted during her testimony that she received the email with Jay Kimura's letter. Just because she didn't receive it in the U.S. mail does not mean that she did not receive it and she was not given notice. In addition, she already had notice when Mr. Sumida had met with her in April, at which time, she signed off on the paper pointing out

areas of concern. Mr. Sumida then met with her again before she got Mr. Kimura's letter extending her probation, so she definitely had notice—two meetings first and then the written notice extending her probation.

Ms. Botelho is trying to hold the County to a standard of performance evaluation for a civil service employee. Ms. Botelho was not a civil service employee. There are civil service rules that clarify the probationary period. Also the performance appraisal system that's set forth in state law, HRS 76-41, says there shall be an established and maintained performance appraisal system for purposes of evaluating the performance of employees in the civil service. There are also rules that clarify that an employee is not a civil service employee until the employee passes probation, which was her position at the time the Prosecutor's Office decided not to continue her probation. She was not a civil service employee; she was not held to the standard of the performance appraisal system in HRS 76-41. However, even if the guidelines of the performance appraisal system were used in evaluating the Prosecutor's Office's behaviors, they actually fulfilled what is required to give the employee a fair chance.

In deliberations, as Mr. Cohen pointed out, the Board is assessing the credibility of the documents that are moved into evidence as well as all the witnesses that testify. All the witnesses' testimony sets forth that they expected and wanted Ms. Botelho to succeed. Ms. Botelho alleges that Dale Ross had a personality conflict with her and had it in for her, but Mr. Sumida testified that Dale Ross was on the interview committee and that Dale Ross's first choice for the job was Ms. Botelho. That washes that allegation that she made.

Also, regarding the allegation that Mr. Ruiz had it in for her, Mr. Ruiz actually spoke to her informally too telling her that he noticed these behaviors, it doesn't look that good, maybe you need to address it. Even Mr. Taka himself, as a friend and as a peer, put it in writing first then went to talk to her. They were already bringing it to her attention. Mr. Taka's was in January before her evaluation. Mr. Sumida testified that he did not have much input at all when he did the March evaluation, and she had a passing evaluation at the time. Shortly after that, these behaviors were brought to his attention, and he started to get further input, which is when they met and pointed out the areas of concern, telling her let's work on it. Ms. Botelho maintains that because she didn't get a written plan of action from Mr. Sumida, she didn't have to improve.

As Mr. Sumida pointed out during his testimony, these were not difficult areas to fix. The areas of concern that are in one of the County's exhibits that

Ms. Botelho signed off is: 1) come to work on time. That doesn't have to be in a written plan of action for an adult to understand and to be able to modify and change behaviors to meet that standard. 2) Stop using your personal cell phone and making so many personal calls during work hours. That is an instruction that is not hard to understand and not hard to follow.

Regarding the closed door, Mr. Ruiz had testified that on occasion it was also a locked door which then denied him access to the investigator's only color printer. That also is not an instruction that's difficult to follow or difficult to understand.

Mr. Sumida had testified that even after their April meeting, when they brought these areas of concern up to Ms. Botelho, he made a personal observation right after he met with her. Ms. Botelho left the meeting, went into the office, closed the door, and used her personal cell phone. That's what made him aware of failure to follow instruction, failure to abide by input, resistance to modified behaviors, and, basically, insubordination.

When assessing the credibility of the witnesses, the Board needs to look into their motive, interest, bias, and what they have at stake for giving the testimony that they did. Ms. Noda would urge this Board to question the motives behind the testimonies of the Prosecutor's witnesses—are they really all part of a big band vendetta out to victimize and persecute Teri Botelho? Or are they part of a smaller branch of this team that has an extremely heavy workload, extremely high stress, extremely high responsibilities that depends on reliable, timely, responsible people on the team to get the work done, get the work out, get the work produced in a timely manner so that the case can go forward in a timely manner?

To address one of Mr. Silva's questions, even if Ms. Botelho had come back after one day out (out on May 19, back on May 20), and had four workdays to do get her assignments completed, could she have burned the midnight oil, spit out everything, produced mountains of photos, enlarged the diagram in time? Mr. Taka couldn't say for sure that she could do that. He did say if she couldn't, they would have pitched in to help her, which then means her procrastination affected the other investigators in that office.

Also, the point is not whether she can whip things out at the eleventh hour, burning the midnight oil. Those items needed to be done ahead of time in a timely manner so that they were available for Joyce Seelen, the assigned

prosecutor, when she met with witnesses, or when she wanted to have all her exhibits labeled and lined up, or if she needed to do other case preparation by herself. These were not available to her, and Mr. Taka had said that this was a continued trial, which had been postponed several times.

Even if the Board finds credence in Ms. Botelho's statement that it was Mr. Ruiz's fault ("Mr. Ruiz volunteered to do it, but Mr. Ruiz didn't do it; Mr. Ruiz dumped it back on my desk to do"), Ms. Botelho still had seven work days to complete those tasks before she was out on sick leave. Yet, on May 19, the first day she was out sick (Mr. Ruiz was still on vacation), these items were not produced or found.

The County urges the Board to not find credible the proposition that somebody at the Kona Prosecutor's Office, possibly Mr. Ruiz, destroyed the diagram just to thwart and taint Ms. Botelho. Mr. Ruiz himself, as well as Mr. Sumida, when they testified, questioned why they would do that when they have such a heavy workload and are under such high pressure with many rush assignments. To do that really just thwarts them because it adds to their workload to have to re-do it.

What became evident to the Prosecutor's Office at the time Ms. Botelho was out on leave during the eleventh hour of the Landon Hill trial preparation is that she was unable to handle her less-than-normal workload. Mr. Taka was aware of it, as she had made statements to him, so he held back work and did some of her work for her. She had stated to both Mr. Taka and Mr. Ruiz that she was stressed, distressed, and unable to handle the reduced workload. With the Landon Hill case, it became apparent that if she couldn't produce what was expected of her in a timely manner with a reduced workload, how could she handle it if and when she got a full workload?

Regarding Rick Hartsell's call to her when he was the "T/A" supervisor while Mr. Sumida was on vacation, Ms. Botelho said that she didn't like his tone; and she became defensive. There is a limited amount of inquiry that an employer can do into an employee's health condition without overstepping what is appropriate, or being intrusive or violating laws. When Rick Hartsell inquired, his concern, as with any good supervisor, was that she had a gun. The Prosecutor's Office would not be doing good risk management if they didn't attempt to inquire into the situation, and if it was determined to be a safety issue, regain the gun, not just for Ms. Botelho, but for the community.

Also, they tried to point a finger at Mr. Sumida for not contacting Ms. Botelho during her leave. There's no requirement that he do so, and the Prosecutor's Office through Rick Hartsell already contacted her. Just because the contact from the Prosecutor's Office wasn't from somebody that Ms. Botelho wanted it to be, doesn't mean that the Prosecutor's Office didn't do their job and didn't do what they were responsible for. They did place a call, they did do an outreach, and Mr. Sumida, having received Rick Hartsell's email upon his return, which is Exhibit 13, did not exacerbate the situation when he already knew that Ms. Botelho's response had been that she did not want to talk about her health problems, there was nothing to worry about, and she'd be communicating with the office after her next doctor's appointment.

The other point that Ms. Noda would like to remind the Board about is that the Board cannot and should not consider Ms. Botelho's father's health issues. At that time, she chose not to disclose any of it. She did not bring it to the employer's attention, so they did not take it into consideration at all; and the Board cannot use it at this point in time as an excuse for her behaviors.

Timeline wise, Ms. Botelho gets a good evaluation in March. Concerns are brought up, and they start meeting with her in April. She made the personal decision to move away from her parents' house in Kohala to Pa'auilo in March thus adding to her long commute.

Frankly, based on Ms. Botelho's communications with the Prosecutor's Office and what she presented to the Board, it appears that Ms. Botelho is relying on and resting on her past laurels. She's also relying on a pattern of past practices that worked for her and was acceptable to her prior employer. However, she was not working for the State AG's office anymore, she was working for the Kona Prosecutor's Office. When they made clear to her what their expectations were as far as behaviors or timeliness or knowing where she was at, she needed to conform and adapt her behaviors to those expectations. That's one of the things that Mr. Ruiz pointed out to her early on. She is an adult, she made her decisions, she chose to continue to be tardy occasionally, to close her door, and those decisions then impacted her behaviors, her performance, and her evaluation.

One of the things that was pointed out by Mr. Sumida is that in line with his conclusion of Ms. Botelho's failure to abide, follow rules or instructions, and insubordination, she was clearly told to not ask the Kona staff who was complaining about her, yet she continued to do that after that clear instruction.

The decision of the Prosecutor's Office to terminate Ms. Botelho's probation was a logical consequence from their assessment and evaluation, which is appropriate and the employer's right during the probation period. The County points out that the Prosecutor's Office did not violate any rules, laws, or procedures of civil service; and the Prosecutor's Office to terminate her probation was appropriate and should be upheld.

In rebuttal, Mr. Reece stated the following:

He wants to bring up about three points. The first is that initially Corporation Counsel talked about Teri Botelho making personal phone calls. As the Board will recall, Ms. Botelho's testimony was that she was doing business. Mr. Taka said he didn't hear what the conversations were, and he doesn't think Mr. Ruiz did either. Mr. Reece submits she was doing business.

Second of all, he doesn't know why it's relevant that Ms. Botelho moved to Pa'auilo on March 31. Mr. Taka said that he had some concerns about her getting to work on time, but when he was shown Mr. Ruiz's documentation, he agreed that there was only one time that she came in at 9:00.

However, he thinks Ms. Noda brought up an interesting point. She said there was no requirement that Dean Sumida call Ms. Botelho. Mr. Sumida couldn't have because he was on vacation.

If Ms. Noda wants to talk about requirements, he'd like to talk about requirements too and would direct the Board's attention to Exhibit No. 2 in the appellant's response to the motion to dismiss, which is a letter from Michael Ben, Director of Personnel, directed to all department and agency heads, of which Mr. Kimura is a department head for the Prosecutor's Office. Paragraph 1 says: Established performance appraisal procedures require—not "should"—require appraisals at the end of each three-month period for employees serving a probation period whether it be initial probation or new probation period.

Mr. Ben has required of all departments, and the Prosecuting Attorney's Office is no exception, to submit a six-month review. Ms. Botelho is required to have a review every three months. What happens if they don't? He goes on to say that effective immediately a copy of employee's performance appraisal must be attached; if not, they will return it (sic). In addition, they will not process

subsequent transactions for the employee until the Form 13 changing the employee's probationary status is resubmitted with the appraisal report attached. To this day, there has not been a performance appraisal report on the Form 13 or any other form.

This is something that was mandated and was sent out on June 6, 2006. They are established procedures that are done in conformance and in compliance with civil service laws. Yes, Ms. Botelho was not a civil service employee yet, but this talks about procedures for probationary periods. It could not be any clearer, and it was not done.

The Prosecutor's Office has done an excellent job prosecuting criminals, and they do a good job serving the people in Hawai'i, but somewhere along the line, the human resources aspect of this department failed Ms. Botelho and failed itself in this particular case.

Mr. Reece would ask that the Board do the right thing and reinstate Ms. Botelho. If there's to be any meaningful procedures for civil service in the County of Hawai'i, if there's to be established uniform procedures that are the same for the Prosecutor's Office as they are for any other department in the County of Hawai'i, and especially when their head mandates a letter informing the departments of what need to be followed, then they need to hold the County to what they should have done in this case and didn't do.

The Board entered into deliberations.

MOTION: Mr. Yoshiyama moved to convene into an executive session to consult with counsel. The motion was seconded by Mr. Silva and unanimously carried.

The Board convened into an executive session at 2:50 p.m. and reconvened into the hearing at 3:30 p.m.

Ms. Noda requested to put on the record the references in the state law and the civil service rule regarding initial probation. The state law is HRS §76-27, and the civil service rule is 3-38.

Mr. Cohen stated that it is his opinion that Ms. Botelho does not have civil service status. He also feels that she should be reinstated and that she be under a three-month additional probation. Within that three month process, there

should be some written documentation of meetings with the supervisor, not only of the evaluation but a discussion of what areas of improvement are necessary. Mr. Cohen would also recommend that the Office of the Prosecuting Attorney consult with the Department of Human Resources on organizational issues, which are of a concern to him. He believes that organizational issues may be a root cause of the communication problems and other problems that were brought up. He asked that the parties work closely together to resolve issues and that both parties give and take a little bit and understand each other's point of view.

MOTION: Mr. Cohen moved that Ms. Botelho be reinstated, in an improved work environment, to her former position effective April 1, 2009, with a three-month probationary period and reviews every 30 days. The motion was seconded by Mr. Yoshiyama.

Discussion:

Ms. Noda asked what the basis of granting the appeal would be—on what violation of civil service rule, procedure, or regulation.

Mr. White noted that the Board had some concerns with §76-41(b) of the HRS, that the evaluation procedures were not properly observed in this case. The Board had concerns about the evaluation being less than fair and objective.

In subparagraphs 3, 4, and 5, the Board had some concerns about the Appellant being provided performance feedback during the evaluation period, and, as appropriate, whether the employee was offered inservice remedial training in order for the employee to improve and meet performance requirements.

Ms. Noda raised an objection, stating that this section only applies to civil service employees.

Mr. White noted that §76-14 references that the Board can look at those matters raised by 76-41(b), so that's what the Board considered in making its decision.

The motion was voted on and unanimously carried, and the hearing ended.

The Board returned to its regular session at 3:38 p.m. to discuss the date scheduled for Mr. DeVera's appeal hearing.

Ms. Noda informed the Board that she has a UPW hearing in Honolulu on April 21 and asked whether the Board would be willing to consider an alternate date. She would request the following Tuesday, April 28, or resetting it to the May meeting.

The hearing was rescheduled to April 28, at 10:00 a.m.

Ms. Noda stated that she would check with Mr. Nosaka on the date and will let Ms. Menezes know if it's all right with him and Mr. DeVera.

ADJOURNMENT

The meeting adjourned at 3:40 p.m.

Respectfully submitted,

Secretary, Merit Appeals Board

APPROVED:

**G. Rick Robinson
Chair**

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