

**BEFORE THE
STATE EMPLOYEES' APPEALS COMMISSION**

IN THE MATTER OF:

ISSUED

JONATHAN BENCHIK)
Petitioner,)
) SEAC No. 11-18-078
vs.)
)
INDIANA FAMILY AND SOCIAL)
SERVICES ADMINISTRATION)
Respondent.)

JAN 05 2021
**STATE EMPLOYEES'
APPEALS COMMISSION**

**AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL
ORDER OF THE STATE EMPLOYEES' APPEALS COMMISSION**

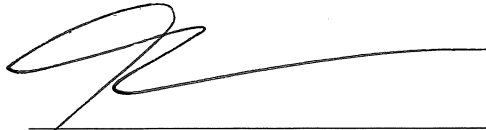
On September 30, 2020, the assigned Administrative Law Judge (ALJ) issued notice and a copy of his "Findings of Fact, Conclusions of Law and Non-Final Order" in this matter, granting judgment to Respondent, Indiana Family and Social Services Administration ("Respondent") ("the ALJ's Order"), which is hereby incorporated by reference as if fully set forth in this document. Petitioner timely filed objections, to which Respondent replied.

Thereafter, on December 8, 2020, the Commission held a remote oral argument on this matter during its regular meeting. Petitioner appeared by counsel, Ms. Carla Pyle. Respondent appeared by counsel, Mr. Matt Brown. Upon deliberation, motion and a 5-0 (unanimous) vote at that meeting, the Commission **UPHELD/AFFIRMED** the ALJ's Order but moved to amend the ALJ's Order with respect to the ALJ's Conclusion of Law No. 18, which states, "Therefore, the ALJ finds that Petitioner's working test ended on June 2, 2018, after which time he was a fully classified employee."

After the close of the Commission meeting, the Commission wished to further discuss the language of Conclusion of Law No. 18. Upon further deliberation, the Commission hereby unanimously amends the ALJ's Conclusion of Law No. 18 to state, "**Therefore, the ALJ finds that Petitioner's working test ended on June 2, 2018, after which time he could be dismissed only for just cause.**"

All other aspects of the ALJ's original Findings of Fact and Conclusions of Law remain unchanged. Accordingly, this Order constitutes the Final Order of the Commission under I.C. § 4-15-2.2-42(h). The Commission is the ultimate authority, and the action is its Final Order and determination in this matter. A person who wishes to seek judicial review must file a petition with an appropriate court within thirty (30) days and must otherwise comply with I.C. § 4-21.5-5.

DATED: January 5, 2021



Hon. Gabriel Paul
Chief Administrative Law Judge
State Employees' Appeals Commission
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