COMMONWEALTH OF PENNSYLVANIA

Julian J. Halicki	:	State Civil Service Commission
	:	
v.	:	
	:	
Housing Authority of the City of York	:	Appeal No. 31750

Julian J. Halicki	Marc G. Tarlow
Pro Se	Attorney for Appointing Authority

ADJUDICATION

This is an appeal by Julian J. Halicki challenging his eight-day suspension from regular Director of Capital Improvements (Local Government) employment with the Housing Authority of the City of York. A hearing was held May 27, 2026, via video, before Chairwoman Donatucci.

The Commissioners have reviewed the Notes of Testimony and Exhibits introduced at the hearing. The issue before the Commission is whether the appointing authority presented good cause to support the eight-day suspension. For the reasons set forth below, the appeal is dismissed.

FINDINGS OF FACT

1. By email dated January 13, 2026, appellant was notified of his eight-day suspension from Director of Capital Improvements (Local Government) employment. The appointing authority charged appellant with violating:

> Article 16 – Vehicle Policy 16.2 General Rules B. The employee must have a valid Driver's License and furnish a photocopy of or the license to the Authority annually. In the event an employee's license is suspended, the employee must immediately notify his or her supervisor.
>
> As the Executive Director I know that you were driving your vehicle to and from work, off site for your working lunch period, to a conference outside of York County; this placed liability and exposure on the [appointing authority] that could have been catastrophic.
>
> Article 14- Code of Conduct 14.7 Team Concept. The employee shall make the effort to do what needs to be done both within and between departments as follows: A. Be open and honest to co-workers…
>
> Article 3 – Employment Status 3.16 Dismissals An employee who gives unsatisfactory service or who is guilty of substantial violation of regulations shall be subject to dismissal as follows: A. An employee may be dismissed

> immediately without notice, for any serious or repeated violations of rules, procedures, or inappropriate behavior, including but not limited to the following causes: 7. Improper personal conduct….
>
> As well your job description indicates the following, you must possess a valid Pennsylvania driver's license. We worked with you when we were informed that the insurance carrier would not cover you under our coverage. At this time though you are in violation of this because you had a suspended license since March 5, 2025, and did not inform [the appointing authority] of this and you currently have no valid driver's license.

Comm. Ex. A (emphasis in original).

2. The appeal was properly raised before this Commission and was heard under Section 3003(7)(i) of Act 71 of 2018. Comm. Ex. C.

3. On September 11, 2017, appellant began his employment with the appointing authority. N.T. p. 96.

4. Appellant's job duties require possession of a valid Pennsylvania driver's license and that he be insurable under the appointing authority's automobile insurance policy. N.T. p. 31; AA Ex 1.

5. Appellant's job duties require him to travel to and from construction sites and properties throughout York County. N.T. p. 32; AA Ex. 1.

6. Appellant often travels for work during his lunch break and therefore is on duty during his lunch break. N.T. pp. 60-61, 68.

7. The appointing authority runs employee driver's license status reports annually, though not at the same time each year. N.T. pp. 38-44, 69-71; AA Ex. 3.

8. The appointing authority's vehicle policy requires an employee to inform his supervisor if his driver's license is suspended. N.T. p. 90; AA Ex. 6.

9. The requirement to disclose a suspended driver's license is an ongoing obligation. N.T. p. 90; AA Ex. 6.

10. When appellant began employment, he used his personal vehicle for work related travel instead of a fleet vehicle and if any insurance coverage had been necessary it would not have been provided by the appointing authority. N.T. p. 35.

11. On December 18, 2018, the appointing authority was notified that appellant was excluded from coverage under the appointing authority's commercial automobile insurance policy effective December 23, 2018. N.T. p. 34; AA Ex. 2.

12. On February 4, 2020, the appointing authority ran a status report of appellant's driver's license which revealed that appellant's driver's license had expired on January 30, 2020. N.T. p. 40; AA Exs. 2, 3.

13. Effective November 30, 2021, appellant was eligible for coverage under the appointing authority's commercial automobile insurance policy. N.T. p. 35; AA Exs. 2, 3.

14. Appellant's driver's license was suspended for eighteen months, effective September 5, 2023. N.T. pp. 40, 97; AA Ex. 3.

15. Appellant notified the appointing authority of his driver's license suspension. N.T. p. 97.

16. Appellant was not disciplined and received rides to and from work as well as work assignments from other employees. N.T. pp. 19-20, 81, 97.

17. On May 31, 2024, the appointing authority ran appellant's driver's license report which showed his driver's license had expired January 30, 2024, and was still suspended. N.T. p. 41; AA Ex. 3.

18. In June 2024, Executive Director Regina Stone-Mitchell noticed appellant was driving himself to and from work. N.T. pp. 43, 82.

19. When asked, appellant informed Stone-Mitchell his vehicle was equipped with an interlock device that allowed him to "blow and go" in order to operate his vehicle. N.T. pp. 43, 66-67, 82.

20. Appellant did not inform Stone-Mitchell that the interlock device was not operational at that time. N.T. pp. 65, 120.

21. Stone-Mitchell believed appellant had a conditional driver's license, because he had the interlock device installed. N.T. pp. 67, 119-120.

22. Appellant never informed Stone-Mitchell the interlock device should not have been installed and he had received notification from PennDOT stating he was not eligible for the interlock device until December 2025. N.T. p. 65.

23. Appellant did not inform Stone-Mitchell his driver's license was still suspended. N.T. pp. 57, 82.

24. Appellant uninstalled the interlock device and continued to drive with a suspended driver's license. NT. p. 121.

25. Appellant's driver's license was suspended again for eighteen months, effective March 5, 2025. N.T pp. 40-41; AA Ex. 3.

26. On May 27, 2025, appellant attended a work-related conference in Gettysburg. N.T. pp. 59-60; AA Ex. 8.

27. Initially, appellant informed Stone-Mitchell he was driven to and from the seminar. N.T. pp. 59-60; AA Ex. 8.

28. Later, appellant told Stone-Mitchell he drove himself to the work-related seminar and submitted a request for milage reimbursement. N.T. pp. 59-60; AA Ex. 8.

29. On September 5, 2025, appellant was involved in a non-work-related motor vehicle accident. N.T. pp. 45, 83; AA Ex 3.

30. After the accident, Stone-Mitchell learned appellant was driving with a suspended license. N.T. pp. 45, 83.

31. Appellant was off work on approved leave from September 30, 2025, through January 5, 2026. He returned to work on January 6, 2026. N.T. pp. 51, 98; Comm. Ex. A.

32. On January 8, 2026, Human Resources Manager Susan Paiva, Stone-Mitchell, and appellant met to discuss the status of his driver's license. N.T. pp. 64-69, 98.

DISCUSSION

At issue before the Commission is whether the appointing authority had good cause to issue appellant's eight-day suspension from regular status Director of Capital Improvements (Local Government). The appointing authority charged appellant with violating policy because he did not have a valid driver's license and was not open and honest regarding the status of his driver's license, thereby exhibiting improper personal conduct. The appeal is dismissed.

In an appeal challenging the suspension of a regular status employee, the appointing authority has the burden to present sufficient evidence to demonstrate the suspension was for good cause. *White v. Commonwealth, Department of Correction*s, 110 Pa. Commw. 496, 532 A.2d 950 (1987); 71 Pa.C.S.A. §§ 2603(c), 3003(7)(i). Good cause must relate to an employee's competence and ability to perform his job duties, *Department of Corrections v. Ehnot*, 110 Pa. Commw. 608, 532 A.2d 1262 (1987), or must result from conduct which hampers or frustrates the execution of the employee's duties. *McCain v. Department of Education*, 71 Pa. Commw. 165, 454 A.2d 667 (1983).

The appointing authority presented the testimony of Property Manager Nathan Wiley and Executive Director Regina Stone-Mitchell. Appellant testified on his own behalf and presented the testimony of Human Resource Manager Susan Paiva.

The parties do not dispute the following facts. Appellant's job duties require him to have a valid driver's license and be insurable under the appointing authority's automobile insurance policy. N.T. p. 31; AA Ex. 1. Additionally,

appellant is required to travel in order to properly complete his job duties, including travel during his lunch break. N.T. pp. 60-61, 68. Driver's license status reports are run annually, but not at the same time each year. N.T. pp. 38-44; 69-71; AA Ex. 3. Effective September 5, 2023, appellant's driver's license was suspended for eighteen months. N.T. pp. 40, 97; AA Ex. 3. Appellant notified the appointing authority of the driver's license suspension; he received no discipline and was driven to and from work, as well as work assignments, by other employees. N.T. pp. 19-20, 81, 97.

Additional undisputed facts are as follows. On May 31, 2024, when the appointing authority ran appellant's driver's license report, it showed that his license had expired on January 30, 2024 and was also suspended. N.T. p. 41; AA Ex. 3. In June 2024, Stone-Mitchell noticed appellant was driving himself to and from work, and appellant told her his vehicle had an interlock device installed that allowed him to "blow and go" to operate the vehicle. N.T. pp. 43, 66-67, 82. Appellant did not inform Stone-Mitchell that the interlock device was not operational. N.T. pp. 65, 120. Instead, Stone-Mitchell believed appellant had a conditional driver's license, because he had the interlock device installed. N.T. pp. 67, 119-120. Subsequently, appellant never informed Stone-Mitchell the interlock device should not have been installed because he would not be eligible for it until December 2025. N.T. p. 65. He also did not inform Stone-Mitchell that he chose to uninstall the interlock device to continue driving with a suspended license. N.T. pp. 57, 82, 121.

Further undisputed facts are as follows. Effective March 5, 2025, appellant's driver's license was suspended for a period of eighteen months. N.T. pp. 40-41; AA Ex. 3. In May 2025, appellant initially informed Stone-Mitchell he received a ride to and from a work-related conference in Gettysburg. However, he later submitted a request for mileage reimbursement and informed Stone-Mitchell

he had driven himself to and from the conference. N.T. pp. 59-60; AA Ex. 8. On September 5, 2026, appellant was involved in a motor vehicle accident; after the accident, Stone-Mitchell learned appellant was driving with a suspended driver's license. N.T. pp. 45, 83; AA Ex. 3.

Executive Director Stone-Mitchell testified in support of the charges. Specifically, the appointing authority's vehicle policy encourages all employees to be honest about their driver license and driving status. N.T. p. 56; AA Ex. 6. The appointing authority runs annual yearly reports and did so during 2023 and 2024. N.T. pp. 56-57; AA Ex. 3. While they did not run a license report between May 31, 2024, and September 5, 2025, (the date of his motor vehicle accident), they do not run the annual reports at the same time each year. N.T. pp. 56-57. Appellant operated without a valid driver's license from 2023 through 2024 and began driving with a suspended license in 2024. N.T. p. 58; AA Ex. 3.

Mitchell explained that in 2023, when his driver's license was suspended, appellant did not face any disciplinary action because he was honest and open and provided her with all necessary information. N.T. pp. 44-45. However, in 2025, when his driver's license was suspended, appellant was dishonest when he misreported the severity of the accident. N.T. p 46. Appellant was also dishonest because he did not provide all the information regarding the interlock device; specifically, he did not inform her that it was not activated or, later, when he removed it from his vehicle. N.T. pp. 43-44. She explained that appellant is a management level employee responsible for millions of dollars, and she should not have to

question his trustworthiness. N.T. p. 44. For these reasons, he violated policy because he failed to be open and honest with coworkers. N.T. pp. 52-53. Failure to be open and honest regarding the status of his required driver's license constitutes improper employee conduct.

Although presented as appellant's witness, Human Resource Manager Paiva's testimony supports the charges regarding violating the vehicle policy. Specifically, Paiva explained the vehicle policy requires an employee to immediately notify his supervisor if his driver's license is suspended. N.T. p. 89; AA Ex. 6. She added that the disclosure provision is an ongoing mandatory requirement. N.T. p. 90; AA Ex. 6.

In response to the charges, appellant asserts the eight-day suspension is excessive because he was not disciplined in 2023 when his driver's license was suspended and, therefore, should not be disciplined now. N.T. pp. 97, 99. According to appellant, he did not have any additional responsibility after the initial disclosure of his suspended driver's license in 2023. N.T. p. 99. Appellant also testified he had no obligation or directive to either update Stone-Mitchell that the interlock system did not permit him to legally drive or inform her when he removed the interlock device from his vehicle. N.T. pp. 102-105, 107, 109-111, 113-115. However, appellant presents no reason why the appointing authority's previous decision to be lenient and not discipline him prevents them from issuing discipline for this current suspended driver's license. Moreover, as stated above by Executive Director Stone-Mitchell, appellant was forthcoming with the information and details during the previous driver's license suspension and was dishonest and deceptive during this driver's license suspension.

Appellant also asserts the appointing authority knew or should have known his driver's license was suspended because they run the driver's license reports annually. According to appellant the appointing authority knew his driver's license was suspended but chose to wait to discipline him until January 2026. N.T. p. 99.

The appointing authority offered an explanation for the time frame. Specifically, Stone-Mitchell credibly[1] testified the decision to begin a disciplinary process was delayed from September 2025 to January 2026 due to appellant's approved absence from work. N.T. pp. 51, 98.

Further, appellant was dishonest and misled the appointing authority by stating he had a working interlock device that permitted him to drive and never informed them it was inactive and later removed. Appellant also never informed the appointing authority he drove himself to and from the work conference while his driver's license was suspended. Additionally, the appointing authority's decision or indecision to run a driver's license report does not absolve the employee from his ongoing obligation to inform his supervisor about the status of his driver's license.

[1] The Commission has the inherent power to determine the credibility of witnesses and the value of their testimony. *McAndrew v. State Civil Service Commission (Department of Community and Economic Development)*, 736 A.2d 26 (Pa. Commw. Ct. 1999).

In conclusion, upon review of the record, the Commission finds the appointing authority has presented sufficient evidence to support the charges. Stone-Mitchell and Paiva credibly testified regarding the violations of policy and appellant's job description. Additionally, appellant admits he did not have a valid driver's license as required by his job description but continued to drive to and from work. He also admits he never informed the appointing authority that the interlock device was inactive and later removed from his vehicle. Appellant was dishonest about his transportation to and from the work-related conference in May 2025. Thus, appellant was neither open nor honest with his supervisor and displayed improper personal conduct. Appellant's failure to inform his supervisor of his suspended driver's license status and deliberate choice to provide inaccurate information clearly reflects negatively on his competency and ability to perform job duties that require a valid driver's license and insurability under the appointing authority's commercial automobile insurance policy. *See, Ehnot, supra*. Accordingly, we enter the following:

CONCLUSION OF LAW

The appointing authority has presented evidence sufficient to establish good cause for suspension under Section 2603(c) of Act 71 of 2018.

ORDER

AND NOW, the State Civil Service Commission, by agreement of its members, dismisses the appeal of Julian J. Halicki challenging his eight-day suspension from regular Director of Capital Improvements (Local Government) employment with the Housing Authority of the City of York and sustains the action of the Housing Authority of the City of York in the eight-day suspension of Julian J. Halicki from regular Director of Capital Improvements (Local Government) employment.

State Civil Service Commission

Maria P. Donatucci
Chairwoman

Gregory M. Lane
Commissioner

Pamela M. Iovino
Commissioner

Issued: September 22, 2026