

**MINUTES
METROPOLITAN CIVIL SERVICE COMMISSION**

OCTOBER 12, 2004

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on October 12, 2004 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 8:35.m.

Commission Members present: Chairman William H. Farmer, Vice-Chairman R. Steve Corbitt, Mr. C. Michael Allen, Greg Rodriguez and Ms. Ervina S. Jarrett.

Other Members present: Ms. Veronica Frazier, Assistant Director of Human Resources, and Mr. Michael Safley, Metro Legal Department - Attorney.

SEPTEMBER 14, 2004 MINUTES: Chairman Farmer called the meeting to order and said the first order of business was to determine if there were any amendments, corrections or questions of the minutes from the last regular meeting. ***With nothing further, Vice-Chairman Corbitt moved for approval. Commissioner Jarrett seconded the motion and the Commission approved without objection.***

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>CARING FOR CHILDREN</u>			
Harris, Fonda M	Program Manager 1	Promotion	9/01/04
*Copeland, Tyran T.	Program Spec 3	Dept Transfer/Transition to CS	9/16/04
^Ramsey, Terry P.	Program Spec 3	Department Transfer/Lateral	9/16/04

*Department Transfer from Juvenile Court (Probation Officer 1, SR8, Non CS) to Caring for Children (Program Specialist, SR10)

^Department Transfer from Social Services (SR10) to Caring for Children (Program Spec 3, SR10)

FINANCE

West, Cathy J	Finance Admin	Promotion	9/16/04
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FIRE

*Binkley, Dana W	Emerg Medical Tech 1	Department Transfer/Lateral	9/01/04
Bratcher, John A.	Emerg Medical Tech 1	New Hire	9/01/04
*Phillips, Frank A	Emerg Medical Tech 1	Department Transfer/Lateral	9/01/04
Seay, David R.	Emerg Medical Tech 1	New Hire	9/16/04
Whitley, Gary A.	Emerg Medical Tech 1	New Hire	9/01/04
^Taylor, Ricky C.	Fire Fighter 1	Class Change	9/16/04

*Department Transfer from General Services (Emergency Vehicle Tech 1, TG12) to Fire (EMT 1, PS3)

^Class Change from Fire Recruit to Fire Fighter 1

GENERAL SERVICES

Hampton, Erin L	Human Resources Admin	Promotion	9/01/04
*Hooper, Kevin J	Technical Specialist 1	Department Transfer	8/23/04
^Beadles, Edwin Lee	Finance Officer 1	Department Transfer	9/16/04

*Department Transfer from Finance (Technical Specialist 1, SR11) to General Services, same classification

^Department Transfer from Finance (Finance Officer 1, SR8) to General Services, same classification

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>HUMAN RESOURCES</u>			
O'Dowd, Colleen Marie	Human Resources Analyst 2	Promotion	9/01/04
<u>INFORMATION TECHNOLOGY</u>			
Kennie, Heather	Systems Advisor 1	Promotion	9/01/04
Carter, Melanie L.	Info Systems Analyst 1	Promotion	9/16/04
Harris, Samuel C.	Info Systems Analyst 1	Promotion	9/16/04
Johns, James D.	Info Systems Analyst 1	Promotion	9/16/04
Martin, Evans L.	Info Systems Analyst 1	New Hire	9/21/04
Adams, Matthew J	Info Systems Analyst 2	Promotion	9/16/04
Collingwood II, Bradley Y	Info Systems Manager	Promotion	9/16/04
Gilbert, Marsha V.	Info Systems Manager	Promotion	9/01/04
Hall, Reginald G.	Info Systems Manager	Promotion	9/16/04
Stone Jr., John M.	Info Systems Manager	Promotion	9/16/04
Talley, Betsy A.	Info Systems Manager	Promotion	9/16/04
Parish, Denise C.	Info Systems Spec	New Hire	9/16/04
*Campbell, Debra J	Info Systems Tech 1	Department Transfer/Promotion	9/01/04

*Department Transfer from Police (Police Operations Coordinator 1, SR7) to ITS (IS Tech 1, SR8)

JUVENILE COURT

Hudson, Shelley P	Probation Officer 2	Promotion	8/16/04
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PARKS

Patrick, Kim J.	Custodian 1	Re-Hire	8/16/04
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POLICE

Ragan, Christine T.	Police Exec Admin	New Hire	9/03/04
*Durham, Timothy E.	Police Lieutenant	Return from Pension	9/13/04
*Whitehouse, Gary W.	Police Lieutenant	Return from Pension	9/13/04
*Deberry Jr., Robert J.	Police Officer 2	Return from Pension	9/13/04
King, Richard C.	Police Officer 2	Re-Employment	9/15/04
*Nipper, Gigger L.	Police Officer 2	Return from Pension	9/13/04
*Stewart Jr., Henry B.	Police Officer 2	Return From Pension	9/13/04
Donegan, Troy G.	Police Sergeant	Promotion	8/16/04
Cardinal, Eric	Research Analyst 2	Promotion	9/01/04
Zeller, Clayton C	Technical Specialist 2	Promotion	9/01/04
Shrum Jr., Paul A.	Info Systems Spec	Promotion	9/01/04

*Return from IOD pension to same classification

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>PUBLIC LIBRARY</u>			
*Helmick, John T.	Circulation Assistant 1	Transition to Civil Service	9/01/04
*Transition to Civil Service from Part Time status			
<u>PUBLIC WORKS</u>			
Clouse, Jonathan F.	Maint & Repair Worker 1	Re-Hire	9/16/04
*McKay Jr., Danny E	Maint & Repair Worker 1	Department Transfer	9/01/04
Moore, Titus E.	Maint & Repair Worker 1	New Hire	9/01/04
Weatherly, Ricky G.	Maint & Repair Worker 1	New Hire	9/01/04
White, Brent J.	Maint & Repair Worker 1	New Hire	9/16/04
Wilson, John A.	Maint & Repair Worker 1	New Hire	9/01/04
^Holzmer, Joseph M.	Finance Manager	Voluntary Reduction In Grade	9/01/04
Elliott, Joshua R.	Maint & Repair Worker 3	Promotion	9/01/04
Shirey, Gerrod D.	Maint & Repair Worker 3	New Hire	9/01/04
**Runyon, Christopher T.	Compliance Inspector 1	Voluntary Reduction In Grade	9/01/04
^Smith, Tammy D	Office Support Rep 2	Department Transfer/Lateral	9/01/04

*Department Transfer from Parks (M&R Worker 1)

^Voluntary Reduction in Salary Grade from Public Works Assistant Director-Finance and Adm (SR15) to Finance Manager (SR14)

**Voluntary Reduction In Salary Grade from HR Analyst 1 (SR8) to Compliance Insp (SR7)

^Department Transfer from Social Services (Group Care Worker, SR5) to Public Works (Office Support Rep 2, SR5)

SHERIFF

Gleaves, Derrick L.	Correctional Officer Sergeant	Promotion	9/01/04
Hudson, Glenn E	Correctional Officer Sergeant	Promotion	9/01/04
McCutcheon, Cristofer D	Correctional Officer Sergeant	Promotion	9/01/04
Quintal, Kristina B.	Correctional Officer Sergeant	Promotion	9/01/04
Roberts Jr., Paul R	Correctional Officer Sergeant	Promotion	9/01/04
Rutledge, Pamela L	Correctional Officer Sergeant	Promotion	9/01/04
Gant, Jermame D.	Correctional Officer 2	Promotion	9/01/04
Gise, William J.	Correctional Officer 2	Promotion	9/01/04
Harrison II, Ricci L.	Correctional Officer 2	Promotion	9/01/04
Hodge, David K.	Correctional Officer 2	Promotion	9/01/04
Moore, Tabitha C	Correctional Officer 2	Promotion	9/01/04
Pierce, Velika T.	Correctional Officer 2	Promotion	9/01/04
*Acevedo, Jonathan G.	Correctional Officer 1	Dept Transfer/Transition to CS	9/01/04
Ashmead, Robert B.	Correctional Officer 1	New Hire	9/01/04
Blake, Monica S.	Correctional Officer 1	New Hire	9/01/04
Boerema, Elizabeth A.	Correctional Officer 1	New Hire	9/01/04
Bowdoin III, Stuart H.	Correctional Officer 1	New Hire	9/01/04
Cathey, Michael D.	Correctional Officer 1	New Hire	9/01/04
Croux, Jason C.	Correctional Officer 1	New Hire	9/01/04
Dautreuil, Darren M.	Correctional Officer 1	New Hire	9/01/04
Davidson, Jeffrey S.	Correctional Officer 1	New Hire	9/01/04
Duke, Russell G.	Correctional Officer 1	New Hire	9/01/04
Evitts, Larry S.	Correctional Officer 1	New Hire	9/01/04

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>SHERIFF</u>			
Freeman, Barbara I.	Correctional Officer 1	New Hire	9/01/04
Frontz, Casey T.	Correctional Officer 1	New Hire	9/01/04
Ganaway, Tametha R.	Correctional Officer 1	New Hire	9/01/04
Groce, Norma J.	Correctional Officer 1	New Hire	9/01/04
Guth, Matthew T.	Correctional Officer 1	New Hire	9/01/04
Hall, Daryl L.	Correctional Officer 1	New Hire	9/01/04
Harris, Paul E.	Correctional Officer 1	Re-Hire	9/01/04
Haymer, Tremayne D.	Correctional Officer 1	New Hire	9/01/04
Hollins, Joseph B.	Correctional Officer 1	New Hire	9/01/04
Houser, Jase	Correctional Officer 1	Re-Hire	9/01/04
Kellogg, William K.	Correctional Officer 1	New Hire	9/01/04
Lavender, Bryan J.	Correctional Officer 1	New Hire	9/01/04
Linder, Adam M.	Correctional Officer 1	New Hire	9/01/04
MacKey, Stacey E.	Correctional Officer 1	New Hire	9/01/04
McCollum, Daniel W.	Correctional Officer 1	New Hire	9/01/04
Metzger, Keith G.	Correctional Officer 1	New Hire	9/01/04
Millen III, Tommy L.	Correctional Officer 1	New Hire	9/01/04
Noel, Vonda K.	Correctional Officer 1	New Hire	9/01/04
Pelfrey, Jeanette M.	Correctional Officer 1	New Hire	9/01/04
Pickel, Amanda K.	Correctional Officer 1	New Hire	9/01/04
Redmond, Bradley S.	Correctional Officer 1	New Hire	9/01/04
Robinson, Phillip E.	Correctional Officer 1	New Hire	9/01/04
Smith, Timika R.	Correctional Officer 1	New Hire	9/01/04
Steely, Daniel L.	Correctional Officer 1	New Hire	9/01/04
Sutton Jr., Toney R.	Correctional Officer 1	New Hire	9/01/04
Terry, Charles N.	Correctional Officer 1	New Hire	9/01/04
Thompson, Brian A.	Correctional Officer 1	New Hire	9/01/04
Tippins, Orlando	Correctional Officer 1	New Hire	9/01/04
Washington, David A.	Correctional Officer 1	New Hire	9/01/04

*Department Transfer from Criminal Court Clerk to the Sheriff's Office (Correctional Officer 1, CO01)

SOCIAL SERVICES

*Boseman, Trista U.	Social Work Associate	Voluntary Reduction In Grade	8/16/04
**Benton, Tracey M.	Group Care Worker	Voluntary Reduction In Grade	9/01/04
**Knox, Delores A.	Group Care Worker	Voluntary Reduction In Grade	8/16/04
Aldridge, Tameka D.	Homemaker	Promotion	9/01/04
Hill, Brandy Yvonne	Homemaker	Promotion	9/16/04
Martin, Toya N.	Homemaker	Promotion	9/16/04
Tyler, Marian D.	Homemaker	Promotion	9/01/04
Webster, Frankie R	Homemaker	Promotion	9/16/04
^Falls, Tracey L	Van Driver	Voluntary Reduction In Grade	9/16/04

*Voluntary Reduction from Day Care Center Teacher (SR8) to Social Work Assoc (SR7)

**Voluntary Reduction from Day Care Center Assistant Teacher (SR6) to Group Care Worker (SR5)

^Voluntary Reduction from Homemaker (SR5) to Van Driver (TG5)

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>SOIL AND WATER</u>			
Edwards, Carol M.	Administrative Assistant	New Hire	9/01/04
<u>WATER SERVICES</u>			
Baskette, Bradley E.	Indust Mechanic 1	Promotion	9/01/04
Malone, Christopher B	Indust Mechanic 1	Promotion	9/01/04
Perry, Robert W	Indust Mechanic 1	Promotion	9/01/04
*Green, Linda J.	Admin Services Manager	Class Change/Lateral	9/01/04
Murphy, Bobby R	Maint & Repair Leader 2	Promotion	9/01/04
**Henson, Joseph P.	Customer Svc Field Rep 1	Demotion	8/16/04
Searcy, Charlene L.	Info Systems Spec	Promotion	9/16/04
^Jobe Jr., Mose A	Security Officer Coordinator	Class Change/Lateral	9/01/04
^^Minton, Kimberly D	Office Support Spec 1	Class Change/Lateral	9/01/04
^^^Haynes, Thomas E.	Water Maint Tech 1	Demotion	8/18/04

*Class Change from Treatment Plant Manager (SR13) to Administrative Services Manager (SR13)

**Demotion from Customer Services Field Rep 2 (SR6) to Customer Services Field Rep 1 (SR5)

^Class Change from Treatment Plant Tech 3 (TI11) to Security Officer Coordinator. (SR9)

^^Class Change from HR Assistant 2 (SR7) to Office Support Spec 1 (SR7)

^^^Demotion from Customer Services Field Rep 1 (SR5) to Water Maintenance Tech 1 (TG3)

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval of the appointments as listed above. Seconded by Commissioner Rodriguez and the Commission approved without objection.*

TERMINATIONS/ PENSIONS

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Parrish, Gayle B.	Office Support Manager	Pensioned	Beer Board	9/02/04
White, Betty A	Office Support Rep 3	Pensioned	Codes Administration	8/26/04
Dicks Jr., Thomas H.	Emerg Telecommunicator 1	Dismissal	Emergency Communication	9/03/04
Kolczynski, Michelle A.	Emerg Telecommunicator 1	Dismissal	Emergency Communication	8/19/04
Miller, Lanie M.	Emerg Telecommunicator 1	Resignation	Emergency Communication	8/20/04
Pierson, Charlene M.	Emerg Telecommunicator 1	Resignation	Emergency Communication	9/02/04
Grigsby, Shirley A.	Office Support Spec 2	Pensioned	Finance	8/26/04
Mooy, Hans J.	Technical Specialist 1	Resignation	Finance	8/31/04
Pierce, Catherine I	Finance Officer 2	Resignation	Finance	9/09/04
Potts, Tommy G	Fire Captain	Pensioned	Fire	9/05/04
Shiple Jr., William T.	Program Spec 3	Resignation	Information Technology	9/09/04
Graves, Gayle S.	Administrative Assistant	Pensioned	Legal	8/31/04
Tucker, Julia M	Legal Secretary 2	Pensioned	Legal	8/30/04
Cook, Allen L.	Maint & Repair Worker 3	Resignation	Parks	8/27/04
Key, Rachel R.	Recreation Leader	Resignation	Parks	8/17/04
Parham, Ronald	Recreation Center Manager	Pensioned	Parks	9/15/04
Sisk, Bingham S.	Special Programs Coord	Pensioned	Parks	9/15/04
Cunningham, Madelyn K.	Police Sergeant	Pensioned	Police	8/31/04
Dillingham, Kimberly R.	Police Lieutenant	Pensioned	Police	8/19/04
Gillespie Sr., Donald D.	Police Sergeant	Pensioned	Police	8/18/04
Gooch, Kimberly L.	Police Sergeant	Resignation	Police	8/31/04
Keen, Eudora F	Police Operations Coord 2	Pensioned	Police	8/18/04
Meece, Valerie J.	Police Assistant Chief	Pensioned	Police	8/20/04
Mitchell, Shirley A.	Police Operations Asst 2	Resignation	Police	9/20/04

TERMINATIONS/ PENSIONS

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Pence, Kenneth R.	Police Captain	Pensioned	Police	8/31/04
Leach, Connie L.	Library Associate 1	Pensioned	Public Library	8/31/04
Woodard, Joseph G.	Library Associate 1	Resignation	Public Library	8/28/04
Gaddes, Vincent R.	Equipment Operator 1	Dismissal	Public Works	9/15/04
Harris, Samuel D.	Maint & Repair Worker 1	Resignation	Public Works	8/31/04
Kestner, Brandon S.	Maint & Repair Worker 1	Resignation	Public Works	9/15/04
Place, Marcus A.	Maint & Repair Worker 1	Resignation	Public Works	8/31/04
Washburn, Jerry C.	Signal Tech 1	Resignation	Public Works	9/15/04
Downey Jr., Carey W	Correctional Officer 1	Pensioned	Sheriff	9/15/04
Jenkins, Henry E.	Correctional Officer 1	Resignation	Sheriff	8/24/04
Kring, IV, Peter M.	Correctional Officer 1	Resignation	Sheriff	8/31/04
Martin, Charles L.	Correctional Officer 1	Dismissal	Sheriff	9/04/04
Spivey, Jackson W.	Correctional Officer 1	Dismissal	Sheriff	8/18/04
Cannon, Joan M.	Social Worker 2	Pensioned	Social Services	8/26/04
Minnis, Freda J	Homemaker	Pensioned	Social Services	8/25/04
Peet, Joyce A	Social Work Tech	Pensioned	Social Services	8/25/04
Williams, Gail M	Social Worker 1	Pensioned	Social Services	8/21/04
Davis, Rachel L.	Office Support Rep 1	Dismissal	Water Services	9/13/04
Woodson, Christopher R.	Water Maint Tech 1	Dismissal	Water Services	9/13/04

MOTION: *After some discussion, Vice-Chairman Corbitt moved to accept the Termination/ Pension report for the dates and reasons stated. Seconded by Commissioner Rodriguez and the Commission approved without objection.*

ELIGIBILITY REGISTERS ESTABLISHED

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Finance Administrator - Fixed Accts	Dept	Finance
Finance Officer 2 - Treasury	Open	Finance
Fire Marshal	Dept	Fire
Info Systems Division Manager	Dept	I.T.S.
Planning Technician 2	Open	Planning
Administrative Service Officer 2	Open	Police
Systems Advisor 2	Dept	Police
Equipment Operator 1	Dept	Public Works
Maintenance & Repair Leader 2	Dept	Public Works
Administrative Assistant	Open	Soil & Conservation

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
01/23/04	Technical Spec 1 - Architecture	13	Open
09/11/03	Technical Spec 2 - Architecture	14	Open
10/04/02	Engineer 1 - Capital Improvement	08	Open
10/03/03	Correctional Officer 2	06	Dept
03/10/04	Office Support Rep 3	01	Dept
03/02/04	Planning Technician 1	60	Open

MOTION: *After some discussion, Vice-Chairman Corbitt moved to accept the Register Report as submitted. Seconded by Commissioner Rodriguez and the Commission approved without objection.*

DEPARTMENTAL ITEMS

LATE ITEM **BEER BOARD**

REQUEST: Approval of leave from Civil Service for Ms. Jackie Eslick.

Jim Lynch said that Ms. Eslick serves as an Administrative Support Specialist in the Beer Board. She was recently appointed by the Board to the position of Executive Director. This Director level position is a non-Civil Service position, therefore, Ms. Eslick is requesting leave from her Civil Service position for one year.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval of Leave from Civil Service for Jackie Eslick. Seconded by Commissioner Allen and the Commission approved without objection.*

FIRE

REQUEST: Chief Halford, represented by Tony Dye, requested approval for a Two Step Increment Advance in addition to a lateral classification change for Larry Stewart, from Firefighter III (PSO508) to Fire Engineer (PS0510).

Chief Dye said this employee applied, qualified, and was selected through the promotional process for Fire Engineer PS05, however, this cannot be treated as a promotion due to the classes being the same grade level. This request is being made to reward the employee for obtaining the skills to qualify as a Fire Engineer,

MOTION: *After some discussion, Commissioner Rodriguez moved for approval of the request as listed. Seconded by Vice-Chairman Corbitt and the Commission approved without objection.*

GENERAL SERVICES

REQUEST: Nancy Whittemore, Director, represented by Velvet Hunter, requested to extend Out-of-Class pay beyond 100 days for Kelly Coltrin, as Interim Manager of Fleet Operations.

Velvet Hunter said that due to the extended recruitment and hiring process for the Manager of Fleet Operations, Nancy Whittemore, Director of General Services, now requests approval to again extend Out of Class Pay beyond the 100 days limit for Kelly Coltrin. He has been paid out of class as Interim Manager of Fleet Operations *since January 1, 2004*. She said that salary negotiations were incomplete and that the interview process would need to continue. *The department also requests that out of class pay be granted retroactive from September 14 through October 12, 2004*

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to extend Out-of-Class for Kelly Coltrin until November 9, 2004. Seconded by Commissioner and the Commission approved without objection.*

CARING FOR CHILDREN

REQUEST: David Manning, Director of Finance, requested approval to extend Out-of-Class pay beyond the 100 days for Terry Griffin, as Interim Customer Services Manager.

David Manning, Director of Finance, requested approval to again extend Out of Class Pay beyond the 100 days limit for Terry Griffin, who has been paid out of class as a **Customer Services Manager since April 15, 2004**. The Department is making this request to extend the out of class assignment until such

time the new Social Services Director can review and consider the consultant's recommendations addressing Metro Government's approach to providing community social service programs.

MOTION: *After some discussion, Commissioner Rodriguez moved for approval to extend Out-of-Class until June 30, 2005. Seconded by Vice-Chairman Corbitt and the Commission approved without objection.*

POLICE

REQUEST: Chief Serpas, represented by Anita Lowrance, requested approval to extend Out-of-Class pay beyond 100 days for Donna Spencer, as Police Executive Assistant.

Captain Lowrance said the Police Department hired a new Chief Financial Officer, who is presently reviewing an organizational study to reorganize the division. Ms. Spencer has taken on a number of extra responsibilities in the Fiscal Affairs Division during this transitional time.

MOTION: *After some discussion, Commissioner Allen moved for approval to extend Out-of-Class until November 9, 2004. Seconded by Commissioner Rodriguez and the Commission approved without objection.*

HUMAN RESOURCES

Veronica Frazier, Assistant Director, submits the following for the Commission's consideration and appropriate action:

(1: Appeal by Terry Pate, Disability Pensioner, of a Medical Disqualification for re-employment with the Metropolitan Nashville Police Department (Deferred from last meeting)

Ms. Frazier said that on September 14, 2004, the Commission directed Mr. Pate to contact Dr. Fletcher, Metro Medical examiner for another medical examination. On September 27, 2004, Dr. Fletcher saw Mr. Pate, and said he was not capable of returning to full and unrestricted duty as a Metro Police Officer. Mr. Pate submitted letters from his doctors for the Commission's review.

During the September 14th meeting, it was noted that Mr. Pate, who is a Disability Pensioner, was cleared by the Employee Benefit Board on September 7, 2004 to return to work as a Police Officer with the Metropolitan Police Department. Dr. Fletcher maintains that Mr. Pate could not perform all of the job functions essential to be re-employed as a Police Officer.

Dr. Fletcher and Mr. Worrick Robinson, attorney for Mr. Pate were present before the Commission for oral discussion on the matter.

ACTION: *This matter was deferred until the next regular meeting on November 9, 2004 in order for Dr. Fletcher to review medical information from Mr. Pate's physicians.*

(2: Police Bargaining Unit Election Results as certified by the Director of Human Resources

<u>Organization:</u>	<u>Vote Total:</u>
F. O. P.	524
Teamsters	508

Jim Lynch said that on September 30, 2004, the Human Resources Department conducted an election for Exclusive Bargaining Agent for Sworn Police Officers below the rank of Captain, and sworn officers of the rank of Captain and above for all issues except for selection, promotion, and management issues.

The Fraternal Order of Police, and teamsters Local 480 had qualified and were placed on the ballot. In accordance with the election policy and labor agreement, Randy Lovett, Director of Human Resources was required to allow five (5) days for a review of the election results by all parties. No challenges or contested issues were raised and the election results were certified by Mr. Lovett.

ACTION: *None taken.* (Report Only)

(3: Request approval for appointment of Dorothy S. Berry to Interim Director of the Human Resources Department.

Chairman Farmer noted that Dorothy Berry has been recommended to become Interim Director of the Human Resources Department. She brings with her more than thirty (30) years of experience with the Tennessee Department of Personnel, including twenty (20) years at the Director's level. She has also held the position of Commissioner of Personnel in 2003. Ms. Berry will be replacing Randy Lovett who is retiring from Metro Government to take a position with the State of Tennessee -Department of Transportation.

MOTION: *After some discussion, Commissioner Allen moved for approval that Ms. Dorothy S. Berry be appointed as Interim Director of Human Resources. Seconded by Commissioner Rodriguez and the Commission approved without objection.*

(4: Benefit Board Communication on Injury Leave (IOD)

John Kennedy, Assistant Director of Human Resources Department, and the Employee Benefit Board presented information to the Commission and outlined the problem the Benefit Board was encountering with IOD. Mr. Kennedy requested the Commission to consider a couple of alternatives such as extending injury leave or sick leave to assist employees who have used all their available injury leave and show the potential to return to work.

The request is in response to a recent legal opinion advising the Benefit Board that they should no longer grant disability pensions for a short period of time as the employee must be permanently disabled. Current Civil Service rule on IOD provides up to 130 days of injury leave and employees cannot use sick leave for an injury sustained while on duty. Should the Commission be inclined to change the injury leave rule or sick leave rule to accommodate this request, a rule change would need to be considered at a Public Hearing, which could be scheduled to follow the regular meeting on November 9, 2004.

ACTION: *The Commission discussed the proposed changes as submitted and agreed to schedule a Public Hearing to follow the regular meeting on November 9, 2004.*

(5: Consideration of proposed pay plan amendment and approval to create classifications and structure for the Emergency Communication Center

Jenna Smith, Human Resources and Jeannie Mallory, Emergency Communications Center, proposed an eight classification structure for consideration and approval as an amendment to the pay plan. Roxann Brown, Director, has been working with Human Resources and SEIU to develop an appropriate class structure and to reorganize the Emergency Communications Center since consolidation of the Police and Fire Department Communications Division. This request for the pay plan amendment, would need action at the November 9th meeting.

Positions affected will be as follows:
 Emergency Telecommunications Officer 1, 2, 3, 4
 Emergency Telecommunications Training Officer
 Emergency Telecommunications Supervisor
 Emergency Telecommunications Manager
 Emergency Telecommunications Assist Director

Don Driscoll, President of SEIU sent a note to the Commission dated October 11, 2004, stating “*the purpose of the letter is to share with the Commission that the Union supports the proposed classification changes in Emergency Communications. The proposal addresses equity issues and was ratified by our members. We ask that you adopt it.*”

MOTION: *After some discussion, Commissioner Allen moved for approval of the request as listed. Seconded by Commissioner Rodriguez and the Commission approved without objection.*

(6: Report of Amended Layoff Plan for Finance Department

The Finance Department was approved by Human Resources to amend the Layoff Plan for the department to include Ms. Shirley Norman, Office support Representative 2. Ms. Norman has exhausted all available FMLA time and is currently in LWOP status. Since that time, she had been held on payroll in the event her Social Security disability application would be approved. With the matter still pending and as it has taken much longer than expected, Ms. Norman has been notified of the layoff action and her appeal rights by a letter on September 27, 2004.

ACTION: *None taken.* (For Information Only – no required action)

(7: Petition for Reconsideration of Final Order regarding Jack White, Police – Appeal of Grievance Decision – Injured on Duty.

A Final Order was entered on July 23, 2004, which upheld the Initial Order of Hearing Officer Janet Rachel. On August 6, 2004, Metro entered a petition for reconsideration of the Final Order. By agreement of both parties, this review was set for the October 12th Commission Meeting.

Mr. Jack White, Police Detective, was denied a claim for Injured on Duty and appealed this grievance to the Police Department, whereas, Jack White represented himself. Both parties having been duly notified, the hearing was conducted on January 27, 2004 by Civil Service Commissioner Janet Rachel. The grievance involved a decision by the Department to deny the petitioner's claim that he injured himself in line of duty while responding to a call for Police Service.

- Based on evidence as presented, testimony and the record, Commissioner Rachel entered an Initial Order on March 11, 2004 to reverse the decision of the appointing authority who denied petitioner's claim for IOD. She further ordered that petitioner Jack White be granted IOD Leave status fro the period in question.
- On March 26, 2004, Metro Legal filed a Motion for extension of time in which to file brief regarding review of the Initial Order. This motion was approved.
- On May 3, 2004, Metro Attorney Shelli Neal filed a brief to support review of the Initial Order.
- On July 23, 2004, a Final Order was entered which upheld the initial order.

Worrick Robinson, Attorney for Jack White along with Shellie Neal, Attorney for the Legal Department, were both present and gave oral arguments.

ACTION: *Motion died for lack of votes. The Initial Order having been made, the Final by the Commission shall remain upheld and the Petition for Reconsideration by Metro was denied.*

(8: **Petition for Reconsideration of Final Order regarding George Conway, Police/Dismissal**

On May 18, 2004, Attorney Anna Escobar submitted a Petition for Reconsideration of the Final Order involving Police Officer George Conway. He was dismissed from the Metropolitan Police Department for alleged violation of provisions in Departmental General Order 95-19, Article IV – Section B, E, I and K of the Civil Service rule 6.7, dealing with Behavior/Conduct, threats, lack of self control, Assault and Domestic Assault.

ACTION: *Due to conflicts with the Attorneys, this matter was deferred until December 14, 2004.*

(9: **JOB DESCRIPTION CHANGE**

Information Systems Director

Jenna Smith, Human Resources Department, proposed revisions in the job responsibilities and Education / Experience to reflect the recently completed IT consolidation initiative. The IT Consolidation project involved such departments as Police, Public Works, Public Library, Parks and the Health Department.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval of the request as listed. Seconded by Commissioner Rodriguez and the Commission approved without objection.*

LATE ITEM

(10: **Request for approval of Memorandum of Understanding for SEIU**

Human Resources requested approval to extend the current MOU for SEIU for one year. Two changes to the MOU were as follows:

- Article 17 Release time – increased hour from 2080 to 2500
- Article 17 Release time – increased the number of Union Stewards for training from 30 to 60

The new term of the MOU will expire June 30, 2005. All parties involved have been consulted and are in agreement with the extension.

ACTION: *The Commission made request to review the information and deferred the matter until the meeting on November 9, 2004.*

(11: **Communiqués about Hearings**

There were none.

There being nothing further, the regular meeting adjourned at 10:35 a.m.

ATTEST:

APPROVED:

Ms. Veronica Frazier, Assistant Director
Civil Service Commission

William H. Farmer, Chairman
Metropolitan Civil Service Commission