

**MINUTES
METROPOLITAN CIVIL SERVICE COMMISSION**

MAY 10, 2005

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on May 10, 2005 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 8:30.m.

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

Other Members present: Dorothy S. Berry, Interim Director of Human Resources, and Michael Safley, Metro Legal Department - Attorney.

APRIL 12, 2005 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, Commissioner 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>
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CARING FOR CHILDREN

Baldwin, Lakesha L.	Program Specialist 3	Re-Employment	04/11/05
Cathey, Mylica Y.	Program Specialist 3	Re-Employment	04/11/05

CODES ADMINISTRATION

Kyle, Michael A.	Zoning Examiner	New Hire	04/11/05
*Robinson, Algenor B.	Office Support Rep 3	Department Transfer/ Lateral	04/11/05

*Department Transfer from Caring For Children to Codes (same classification)

FINANCE

Staggs, Amy L.	Finance Officer 2	Promotion	04/25/05
Walker, William B.	Finance Officer 2	Promotion	04/25/05
*Wilson, Vaughn A	Finance Officer 2	Department Transfer/ Lateral Class Change	04/11/05

*Department Transfer from Caring For Children (Program Specialist 3, SR10) to Finance (Finance Officer 2, SR10)

FIRE

*Seay, David R.	Emergency Medical Tech 2	Class Change	03/16/05
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*Class Change from EMT 1 (PS 3) to EMT 2 (PS 4)

(B) APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>GENERAL SERVICES</u>			
Vester, Samuel R.	Equipment Shop Supervisor	Promotion	03/28/05
Foglesong Jr., James S	Administrative Services Officer 4	Promotion	03/28/05
Owens, Toccota A.	Automotive Service Writer	New Hire	03/28/05
Varden, Christopher L.	Automotive Service Writer	New Hire	03/28/05
Hunter, Velvet Y.	Special Projects Manager	Promotion	03/28/05
Stephens, Dianna	Special Projects Manager	Promotion	03/28/05

HUMAN RESOURCES

Shannon S. Beehan	HR Analyst 2	Promotion	02/1/05
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LEGAL

*Brunton, Sarah M.	Office Support Rep 1	Department Transfer/ Transition to Civil Service	04/04/05
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*Department Transfer from Parks (PT Worker) to Legal (Office Support Rep 1, SR 4)

PARKS

Williams, Michael D.	Specialized Skills Instructor	New Hire	04/15/05
Abbott, Martin W.	Maintenance & Repair Worker 1	Re-Hire	04/08/05
Lavender, John P.	Administrative Services Officer 4	New Hire	04/01/05

PLANNING COMMISSION

Jenkins, Alexandria D.	Office Support Rep 2	New Hire	04/18/05
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PUBLIC LIBRARY

Stepien, Jason	Circulation Assistant 1	New Hire	04/11/05
Cleveland, Anthony J	Equipment Operator 1	Promotion	04/11/05
^Harris, Christie A.	Librarian 1	Transition to Civil Service	04/25/05
*Wilson, Robert L.	Office Support Rep 3	Lateral Class Change	03/28/05

^Transition to Civil Service from Part Time

*Class Change from Circulation Supervisor (SR 6) to Office Support Rep 3 (SR 6)

PUBLIC WORKS

Williams, Walter L.	Customer Service Field Rep 1	New Hire	04/25/05
Gaddes, Lopez	Equipment Operator 2	Promotion	04/11/05
Majors Jr., Donald A.	Equipment Operator 2	Promotion	04/25/05
Taylor, Jason W.	Equipment Operator 2	Promotion	04/11/05
Thomas, Bryan S.	Equipment Operator 2	Promotion	04/11/05
Trout Jr., Joe T.	Equipment Operator 2	Promotion	04/11/05
Randel, Jesse J.	Equipment Operator 3	New Hire	04/25/05

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>PUBLIC WORKS</u>			
McElhiney, Shawn K.	Maintenance & Repair Worker 1	New Hire	05/02/05
Rainey, Thomas J.	Maintenance & Repair Worker 1	New Hire	04/25/05
Biggs, Kathy L.	Sanitation Leader	Promotion	04/25/05
Highsmith, Kenneth L.	Sanitation Leader	Promotion	04/25/05
Loyd, Joshua A.	Sanitation Leader	Promotion	04/25/05
Loyd, Joseph A.	Sanitation Leader	Promotion	04/25/05

SHERIFF

*Yount, Joe S	Correctional Officer 2	Roll back	04/16/05
Jeter, Lora D.	Correctional Officer 1	Re-Hire	04/01/05

Reduction - Work Test from Correctional Officer - Sergeant (CO 3) to Correctional Officer 2 (CO 2)

WATER SERVICES

*Morris Jr., Robert J	Engineering Tech 3	Department Transfer/ Lateral	04/11/05
Patterson, Jerrita A.	Office Support Rep 2	New Hire	04/11/05
Dorton, Naomi L	Office Support Spec 2	Promotion	04/11/05
Sterry, Melissa D	Office Support Spec 2	Promotion	03/28/05
Taylor, Fairy J	Office Support Spec 2	Promotion	03/28/05

*Department Transfer from Public Works to Water (same classification)

MOTION: *After some discussion, Commissioner 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>
Bates, Stephanie A.	Emer Telecomm. Officer 4	Resignation	Emergency Comm.	04/07/05
Barber, Lashawn N	Finance Officer 3	Resignation	Finance	04/08/05
Diehr, Justin T.	Paramedic 2	Dismissal	Fire	04/01/05
Winter, Christine M	Paramedic 2	Resignation	Fire	04/08/05
Brown, Charles E	Maint & Repair District Supv	Pensioned	Parks	04/20/05
Gianatsis, Kim K.	Golf Course Assistant Mgr	Pensioned	Parks	03/31/05
Young, Barry W.	Facility Coordinator	Resignation	Parks	03/30/05
Dyer Vanderkooi, Kristen	Police Officer 2	Resignation	Police	03/31/05
Hunter, Johnny L.	Police Sergeant	Pensioned	Police	03/31/05
Martin, Jamie M.	Police Operations Assistant 1	Resignation	Police	03/30/05
Warren, Danny B.	Police Officer 2	Resignation	Police	03/31/05
Grubbs Iii, Joseph M.	Office Support Rep 1	Pensioned	Public Library	04/15/05
Ayers, Phillip L.	Maintenance & Repair Wkr 1	Dismissal	Public Works	04/05/05
Blanton Jr., Kevin W	Maintenance & Repair Wkr 1	Resignation	Public Works	04/01/05
Jobe Sr., Eddy L.	Equipment Operator 2	Pensioned	Public Works	04/01/05
Moore, Christopher J.	CAD/GIS Analyst 2	Resignation	Public Works	03/25/05
Richardson, Matthew G.	Engineer 1	Resignation	Public Works	03/31/05
Harris, Ira O.	Correctional Officer 1	Resignation	Sheriff	04/04/05
James, Jason R.	Office Support Rep 2	Resignation	Sheriff	03/20/05
Wells, Michael V.	Correctional Officer 1	Resignation	Sheriff	04/07/05

TERMINATIONS/ PENSIONS

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Anderson, Cathy Joann	Social Worker 2	Resignation	Social Services	03/30/05
Chamberlain, Caroline	Social Services Assistant Dir	Pensioned	Social Services	04/08/05
Demonbreun, Norvelle	Equip Operator 2	Dismissal	Water Services	04/05/05
Jones, John K.	Treatment Plant Tech 1	Resignation	Water Services	03/28/05

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

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
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ELIGIBILITY REGISTER REPORT

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Finance Officer 2 - Accounts	Open	Finance
Fire Training Officer	Dept	Fire
Maintenance & Repair Worker 3 - Golf	Dept	Parks
Info Systems Specialist - Police	Open	Police
Compliance Inspector 2 - Parking	Dept	Public Works
Customer Service Field Rep 1 - Waste	Open	Public Works
Sanitation Leader	Dept	Public Works
Security Officer Coordinator	Open	Water Services
Service Representative 2	Dept	Water Services

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
11/02/2004	Office Support Rep 3	78	Open
11/10/2004	Program Specialist 2	27	Open
09/13/2004	Equipment Operator 1	01	Dept

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

DEPARTMENTAL ITEMS**FINANCE**

REQUEST: David Manning, Director, requested approval of Employee Bonus Awards for the following:

William Aaron, Finance Manager	\$3000.00
Jeremy Stephens, Finance Officer 2	\$2000.00
Chinita Hudson, Finance Officer 2	\$2000.00

ACTION: *This item was withdrawn*

GENERAL SERVICES

REQUEST: Ms. Nancy Whittemore, Director, represented by Erin Hampton, requested approval of Additional Classifications for Open Range Pay Plan:

- Administrative Services Officer 2 & 3
- Communication Analyst 1 & 2
- Compliance Inspector 2 & 3
- Customer Service Supervisor
- Finance Officer 1 & 2
- Parts Supervisor
- Photographer
- Professional Specialist
- Technical Specialist 1

Erin Hampton said that the department is requesting that all technical and professional classifications from SR8 to SR11 be added to the list of eligible classifications for open range effective April 15, 2005. The department has added new programs and initiatives making it a more diverse workforce. Ebid Nashville, Customer Call Center and ADA Compliance Program and the Shared Business Offices were relocated to General Services. With the implementation of performance management, this proposal will create opportunities to recognize employees based on performance.

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

HUMAN RESOURCES

Ms. Dorothy S. Berry, Interim Director, submits the following for the Commission’s consideration and appropriate action:

(1: Report of Certified Employee Benefit Board Election

General Government Representative

<u>Candidate</u>	<u>Votes</u>	
Bob Barrett	271	
Russell Britten	72	
David Friedlander	101	
Edna Jones	439	Elected

Jim Lynch said the election was conducted by machine vote on April 29, 2005 and that all current employees (other than Fire and Police) who contributed to the Employee Benefit Board plan(s) were notified, eligible to become candidates, and then vote in the election. Edna Jones of the Public Works Department, won by a majority vote (439 votes). Ms. Berry, Director of Human Resources, certified the election results in accordance with the Metropolitan Charter.

ACTION: *Report only, no action necessary.*

(2: Request from Emergency Communications Center employees (represented by SEIU) to review decision by HR Director - Dot Berry (Policy on Upgrades for Targeted Classifications)

SEIU President Don Driscoll and Human Resources Manager Jenna Smith, were present to discuss disputed issues and address questions from Commission members.

After considerable debate, the Commission recommended that both parties should meet and discuss disputed issues to determine if all parties could reach an understanding and resolve the matter.

MOTION: *After much discussion, Commissioner Jarrett moved to defer the matter. Seconded by Commissioner Allen and the Commission approved without objection.*

(3: Petition for Reconsideration of Final Order - William Reed, Police/1 Day Suspension
(Continued from April 12, 2005 meeting)

On March 18th, Attorney Worrick Robinson filed a brief and Petition to Reconsider the Final Order.

Case History:

On March 8, 2005, the Commission reviewed the Initial Order entered by Commissioner Greg Rodriguez. After considerable discussion, the Commission overturned the Initial Order and reinstated the one day suspension entered by the Appointing Authority.

Police Sergeant William Reed was suspended one day without pay from the Metropolitan Nashville Police Department for alleged violation of provisions in Civil Service Rule 6.7 provision #1 and General Order 94-8-VII, delegation of work, General Order 00-03-V, Crime Scene Protection and Investigation and Procedural Order 97-01 dealing with conducting investigations. Mr. Reed appealed his suspension to the commission and the case was assigned to Administrative Hearing Officer Greg Rodriguez. Shelli Neal, Metro Attorney represented the Police Department and Mr. Reed was represented by Attorney Worrick Robinson.

The case was heard on November 17, 2004. On January 7, 2005, Commissioner Rodriguez entered an Order to reverse the one day suspension. Metro Attorney Shelli Neal filed a Petition for Reconsideration on January 24, 2005 requesting the Commission to reverse Commissioner Rodriguez's order and to further increase the disciplinary action to three days without pay for multiple violations of the department's general and procedural orders.

Worrick Robinson, Attorney for William Reed, and Metro Attorney Shelli Neal were present before the Commission to discuss the matter.

MOTION: *After much discussion, Vice-Chairman Rodriguez entered a Motion to adopt the Petition for Reconsideration of the Final Order. It was then seconded by Commissioner Allen. Commissioner Corbitt and Commissioner Jarrett objected which resulted in a tie of 2 to 2. Chairman Farmer broke the tie by voting to deny the motion. The final vote was 3-2 to DENY the Petition for Reconsideration.*

(4: JOB DESCRIPTIONS

Emergency Telecommunication Officer 4 (ET 4)
Emergency Telecommunication Manager
Emergency Medical Technician 1, 2, and 3
Paramedic 1, 2, and 3

Virginia Sharp and Jeannie Mallory were present before the Commission to discuss proposed changes to the above listed job descriptions.

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

(5: Request approval of Revision to Civil Service Policy 2.6-I and 7.2 A-I

Veronica Frazier said the MNPd has been utilizing the polygraph examination as an investigative tool for a number of years. While the department does not intend to stop usage of this device, in the last few months the Police department has been utilizing a different but comparable tool, the computer voice stress analysis.

Due to advancements and improvements relating to computerized voice stress analysis technology, this system has become the truth verification device of choice among major law enforcement agencies. Computerized voice stress analysis was introduced into law enforcement in 1988 and is considered an extremely reliable investigative tool that is now being used by the FBI, Home land Security and other major law enforcement agencies across the country. The technology has also proven to be cost effective and efficient. The Department has requested to replace the word "polygraph" in the noted policy with the phrase "truth verification analysis." The language change would be inclusive of both the polygraph and the compute voice stress analysis.

Ed Mason, FOP President, requested a deferral of thirty days in order for the FOP to review.

ACTION: This matter was deferred until the next regular meeting on June 14th.

(6: Communiqués from the public on pending hearings

No report was made.

NOTE: Special Called Meetings were scheduled for May 26, 2005 and June 1, 2005 at 8:30 a.m. in the Civil Service Conference Room, 222 Third Avenue North.

With nothing further, the regular meeting adjourned at 9:30 a.m.

ATTEST:

APPROVED:

Ms. Dorothy S. Berry, Interim Director
Civil Service Commission

William H. Farmer, Chairman
Civil Service Commission