

**MINUTES  
METROPOLITAN CIVIL SERVICE COMMISSION**

**JUNE 14, 2005**

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on June 14, 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, 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.

**MAY 10, 2005 Regular Minutes:**

**MAY 26, 2005 Special Called Minutes:**

**JUNE 1, 2005 Special Called 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 and special called meetings.

***With nothing further, Commissioner Corbitt moved for approval. Commissioner Jarrett seconded the motion and the Commission approved without objection.***

**NOTE:** *On June 8, 2005, Civil Service Commission- Vice-Chairman, Greg Rodriguez suddenly passed away. Chairman Farmer, along with the Commission Members, recognized Mr. Rodriguez's outstanding service to the community and city, and expressed that he would be greatly missed by all. Ms. Dot Berry said a proclamation from the Mayor's Office and Council, as well as a copy of Mr. Rodriguez's Commission photo will be provided to his family.*

**APPOINTMENTS**

| <b><u>NAME</u></b>       | <b><u>CLASSIFICATION</u></b> | <b><u>TYPE</u></b>                             | <b><u>DATE</u></b> |
|--------------------------|------------------------------|--|--------------------|
| <b><u>BEER BOARD</u></b> |                              |  |                    |
| *Winfrey, Rita A.        | Office Support Rep 3         | Depart Transfer/<br>Transition – Civil Service | 05/16/05           |

\*Department Transfer from NCAC (Account Clerk 2) to Beer Board (Office Support Rep 3, SR 6)

**FIRE**

|                    |                       |              |          |
|--------------------|-----------------------|--------------|----------|
| *Barnes, Kenneth D | Fire Inspector 2      | Class Change | 04/16/05 |
| Warman, Wilbur D   | Fire Training Officer | Promotion    | 05/01/05 |
| ^Lee, Johanna C.   | Paramedic 1           | Class Change | 05/01/05 |

\*Class Change from Fire Inspector 1 (PS 4) to Fire Inspector 2 (PS 5)

^Class Change from EMT 1 (PS 3) to Paramedic 1 (PS 4)

**GENERAL SERVICES**

|                    |                                 |                      |          |
|--------------------|---------------------------------|----------------------|----------|
| Sweigart, James L. | Equip Mechanic                  | New Hire             | 05/23/05 |
| Stafford, Daryl R  | Systems Advisor 1               | Promotion            | 05/09/05 |
| *Pratt, Larry G    | Technical Specialist 1          | Class Change/Lateral | 05/09/05 |
| Yancey Jr. Charles | Administrative Services Manager | Promotion            | 05/23/05 |

\*Class Change from Print Shop Supervisor (TS11) to Technical Specialist 1 (SR 11)

**APPOINTMENTS**

| <u>NAME</u> | <u>CLASSIFICATION</u> | <u>TYPE</u> | <u>DATE</u> |
|-------------|-----------------------|-------------|-------------|
|-------------|-----------------------|-------------|-------------|

**HUMAN RELATIONS**

|                          |                                 |          |          |
|--------------------------|---------------------------------|----------|----------|
| Sims-Saldana, Shirley E. | Administrative Services Manager | New Hire | 05/02/05 |
|--------------------------|---------------------------------|----------|----------|

**INFORMATION SYSTEMS TECHNOLOGY**

|                   |                        |          |          |
|-------------------|------------------------|----------|----------|
| Kennedy, Brian J. | Info Systems Analyst 2 | New Hire | 05/23/05 |
|-------------------|------------------------|----------|----------|

**JUVENILE COURT**

|                         |                 |  |          |
|-------------------------|-----------------|--|----------|
| *Jones Jr., Ernest R.   | Warrant Officer | Depart Transfer/<br>Transition – Civil Service | 05/02/05 |
| ^Jurkovic, Christine M. | Warrant Officer | Transition - Civil Service                     | 04/25/05 |

\*Department Transfer from State Trial Courts (Case Officer 2) to Juvenile Court (Warrant Officer, SR 8)

^Transition to CS status from Non-CS status

**LEGAL**

|                  |                   |          |          |
|------------------|-------------------|----------|----------|
| Perigo, Leigh A. | Legal Secretary 1 | New Hire | 05/01/05 |
|------------------|-------------------|----------|----------|

**PARKS**

|                       |                                       |                            |          |
|-----------------------|---------------------------------------|----------------------------|----------|
| Fitzgerald, Curtis W. | Maintenance & Repair Worker 1         | Re-Hire                    | 05/31/05 |
| Webb, Kevin D.        | Maintenance & Repair Worker 1         | New Hire                   | 05/27/05 |
| *Williams, Scott L.   | Maintenance & Repair Worker 1         | Transition - Civil Service | 05/27/05 |
| Grantham, Charles L.  | Maintenance & Repair Worker 2         | Promotion                  | 05/13/05 |
| Harmon, Randy L.      | Maintenance & Repair Worker 3         | Promotion                  | 05/13/05 |
| Williams, Alvie W     | Maintenance & Repair Worker 3         | Re-Employment              | 05/06/05 |
| Bays, Michael L.      | Parks & Recreation Assistant Director | Promotion                  | 05/20/05 |
| ^Gooch, Michael L.    | Recreation Leader                     | Transition - Civil Service | 05/27/05 |
| ^Wiseman, Michael E.  | Recreation Leader                     | Transition - Civil Service | 05/27/05 |
| Floyd, Thomas C       | Sports Supervisor                     | Promotion                  | 04/22/05 |

\*Transition to Civil Service status from Seasonal status, same classification

^Transition to Civil Service status from Part Time status, same classification

**POLICE**

|                         |                                   |  |          |
|-------------------------|-----------------------------------|--|----------|
| Adams, Richard E.       | Administrative Services Officer 3 | New Hire   | 04/16/05 |
| Hurst, Scott T.         | Administrative Services Officer 3 | New Hire   | 04/16/05 |
| Reaves, David           | Administrative Services Officer 3 | New Hire   | 04/16/05 |
| *Herndon, Colleen Marie | Info Systems Specialist           | Department Transfer/<br>Promotion                  | 05/01/05 |
| McConkey, Warren G.     | Police Lieutenant                 | Promotion  | 05/16/05 |
| ^McClain, Evita L.      | Police Operations Asst 1          | Department Transfer/<br>Transition – Civil Service | 05/16/05 |
| **Mitchell, Martia E.   | Police Operations Asst 1          | Department Transfer/<br>Transition – Civil Service | 05/16/05 |

**APPOINTMENTS**

| <b><u>NAME</u></b>    | <b><u>CLASSIFICATION</u></b> | <b><u>TYPE</u></b> | <b><u>DATE</u></b> |
|-----------------------|------------------------------|--------------------|--------------------|
| <b><u>POLICE</u></b>  |                              |                    |                    |
| Vitualla, Benedict C. | Police Operations Asst 1     | New Hire           | 05/16/05           |
| Beddoe, Jason Eric    | Police Sergeant              | Promotion          | 05/16/05           |
| Johnson, William L.   | Police Sergeant              | Promotion          | 05/16/05           |
| Nicholson, John J.    | Police Sergeant              | Promotion          | 05/16/05           |

|                        |                    |  |          |
|------------------------|--------------------|--|----------|
| Odom, Geoffrey P.      | Police Sergeant    | Promotion  | 05/16/05 |
| Towers, V Joseph A.    | Police Sergeant    | Promotion  | 05/16/05 |
| Warner, Christopher G. | Police Sergeant    | Promotion  | 05/16/05 |
| ^Morley, Matthew D.    | Research Analyst 2 | Department Transfer/<br>Transition – Civil Service | 05/16/05 |

\*Department Transfer from Human Resources (HR Analyst 2, SR 10) to Police (IS Specialist, SR 12)

^Department Transfer from MAC (Teacher's Asst) to Police (Police Ops Assistant 1, SR 4)

\*\*Department Transfer from Library (Library Page, SR 2) to Police (Police Ops Assistant 1, SR 4)

^^Department Transfer from Criminal Justice Planning Unit (IS Specialist, SR 12) to Police (Research Analyst 2, SR12)

**PUBLIC LIBRARY**

|                      |                 |                            |          |
|----------------------|-----------------|----------------------------|----------|
| Brown, Elizabeth C.  | Librarian 1     | Promotion                  | 05/09/05 |
| *Okpara, Ibiba M.    | Librarian 1     | Transition - Civil Service | 05/23/05 |
| Cornelisen, Wendy A. | Library Assoc 1 | Promotion                  | 05/09/05 |
| Williams, Deanza     | Library Mgr 1   | Promotion                  | 05/09/05 |

\*Transition to Civil Service status from Part Time status, same classification

**PUBLIC WORKS**

|                             |                               |                                 |          |
|-----------------------------|-------------------------------|---------------------------------|----------|
| *Chapman Jr., Jerry L.      | Customer Services Field Rep 1 | Re-Classification               | 05/09/05 |
| Chumley, Robert J.          | Customer Services Field Rep 1 | New Hire                        | 05/09/05 |
| ^Prichard, Jackie E.        | Customer Services Field Rep 1 | Re-Classification               | 05/09/05 |
| *Brooksher Jr., Ernie       | Customer Services Field Rep 1 | Re-Classification               | 05/09/05 |
| *Lewis, Stephen G.          | Customer Services Field Rep 1 | Re-Classification               | 05/09/05 |
| *Sharpley, Tyrus            | Customer Services Field Rep 1 | Re-Classification               | 05/09/05 |
| Ribaudo-Waidler, Michael L. | Equipment Operator 2          | Promotion                       | 05/23/05 |
| **Simmons, David L.         | Equipment Operator 3          | Class Change/Lateral            | 04/25/05 |
| Smith, Brian M.             | Equipment Operator 3          | New Hire                        | 05/23/05 |
| ^Smith, Jenna E             | Contract Administrator        | Department Transfer/<br>Lateral | 05/16/05 |
| Benton, Eric M.             | Maintenance & Repair Worker 1 | New Hire                        | 05/09/05 |
| Lawson, Russell D.          | Maintenance & Repair Worker 1 | New Hire                        | 05/23/05 |
| McElhiney, Shawn K.         | Maintenance & Repair Worker 1 | New Hire                        | 05/02/05 |
| Pritchett, Keith D.         | Maintenance & Repair Worker 1 | New Hire                        | 05/09/05 |
| Ghee, Kimberly J            | Office Support Spec 2         | Promotion                       | 05/09/05 |
| Wright, Jonathan R.         | Sanitation Leader             | Promotion                       | 04/25/05 |

\*Re-Classification Due to position audit, Civil Service policy 5.6 D-I, Office Support Rep 2 (SR 5) to a Customer Services Field Rep 1 (SR 5)

^Re-Classification due to a position audit, Civil Service policy 5.6 D-I, M&R Worker (TG 3) to Customer Services Field Rep 1 (SR 5)

\*\*Class Change from Sanitation Leader, TI 6 to a Equipment Operator 3, TG 8

^Department Transfer from Human Resources (HR Manager, SR 14) to Public Works (Contract Adm, SR 14)

### APPOINTMENTS

| <u>NAME</u>          | <u>CLASSIFICATION</u>         | <u>TYPE</u> | <u>DATE</u> |
|----------------------|-------------------------------|-------------|-------------|
| <u>SHERIFF</u>       |                               |             |             |
| Hackett, Lance A.    | Correctional Officer 1        | Re-Hire     | 05/31/05    |
| Lee, James M.        | Correctional Officer 2        | Promotion   | 04/24/05    |
| Bozarth III, Charles | Correctional Officer Sergeant | Promotion   | 05/01/05    |

### SOCIAL SERVICES

|                      |                          |                     |          |
|----------------------|--------------------------|---------------------|----------|
| *Campbell, Bonnie B. | Administrative Assistant | Department Transfer | 05/02/05 |
| Gregory, Dinah L.    | Special Projects Manager | Promotion           | 05/02/05 |
| Pratt, Helen Renee   | Special Projects Manager | Re-Hire             | 05/16/05 |

\*Department Transfer from Caring For Children to Social Services, same classification

### WATER SERVICES

|                      |                                    |                         |          |
|----------------------|------------------------------------|-------------------------|----------|
| Bradshaw, Timothy W. | Customer Service Field Rep 1       | New Hire                | 05/09/05 |
| Butler, Darrell E.   | Customer Service Field Rep 1       | New Hire                | 05/23/05 |
| Johnson, Justin T.   | Customer Service Field Rep 1       | New Hire                | 05/23/05 |
| Jones, David E.      | Customer Service Field Rep 1       | New Hire                | 05/09/05 |
| Halford, Brian D.    | Engineer In Training               | New Hire                | 05/23/05 |
| Daman, Derek Dawn    | Environmental Compliance Officer   | Promotion               | 04/25/05 |
| Bourland, David H    | Equipment Operator 3               | Promotion               | 04/18/05 |
| *Kennedy, John P.    | Human Resources Assistant Director | Depart Transfer/Lateral | 05/02/05 |
| ^McKibben, Darryl L  | Maintenance & Repair Leader 1      | Return from IOD Pension | 05/09/05 |
| Nunley, Steven A.    | Technical Specialist 2             | Promotion               | 04/25/05 |
| Lee, Cedric E        | Treatment Plant Shift Operator     | Promotion               | 04/25/05 |
| Shrum, Timothy W.    | Water Maintenance Leader 2         | Promotion               | 04/25/05 |

\*Department Transfer from Human Resources to Water Services, same classification

^Return from IOD Pension to same classification

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

### TERMINATIONS/ PENSIONS

| <u>Name</u>          | <u>Classification</u>         | <u>Type</u> | <u>Department</u>   | <u>Date</u> |
|----------------------|-------------------------------|-------------|---------------------|-------------|
| Ferguson, Deniece L. | Program Spec 3                | Resignation | Caring For Children | 04/29/05    |
| Jones, Sandra L      | Program Spec 3                | Resignation | Caring For Children | 05/16/05    |
| Winters, Angela A.   | Program Spec 3                | Resignation | Caring For Children | 04/18/05    |
| Bloss, Bonnie L.     | Emer Telecommunications Off 1 | Resignation | Emergency Comm      | 05/09/05    |
| Hendking, Nichelle   | Emer Telecommunications Off 2 | Resignation | Emergency Comm      | 04/17/05    |
| Jefferson, Angela L. | Emer Telecommunications Off 1 | Dismissal   | Emergency Comm      | 05/06/05    |

**TERMINATIONS/ PENSIONS**

| <u>Name</u>              | <u>Classification</u>           | <u>Type</u> | <u>Department</u> | <u>Date</u> |
|--------------------------|---------------------------------|-------------|-------------------|-------------|
| Musgrave, Shannon L.     | Emer Telecommunications Off 4   | Resignation | Emergency Comm    | 05/19/05    |
| Stem, Kelsey L.          | Emer Telecommunications Off 1   | Dismissal   | Emergency Comm    | 04/29/05    |
| Barnes, William N        | Fire District Chief             | Deceased    | Fire              | 05/11/05    |
| Ruskin, Donald W         | Firefighter 3                   | Pensioned   | Fire              | 05/12/05    |
| Carpenter, Robert W.     | Info Systems Manager            | Resignation | Info Technology   | 04/29/05    |
| Groenewoud, Teunis       | Info Systems Analyst 1          | Resignation | Info Technology   | 05/16/05    |
| Johns, James D.          | Info Systems Analyst 1          | Resignation | Info Technology   | 04/29/05    |
| Anderson, Lawrence O     | Info Systems Analyst 1          | Pensioned   | Juvenile Court    | 05/06/05    |
| Carton, Joseph J.        | Maintenance & Repair Worker 2   | Resignation | Parks             | 05/18/05    |
| Hathaway, Christopher    | Recreation Leader               | Resignation | Parks             | 05/02/05    |
| Hill, Wayne G            | Specialized Skills Supervisor   | Pensioned   | Parks             | 05/03/05    |
| Barnett, Michael King    | Police Security Guard 1         | Resignation | Police            | 05/15/05    |
| Barrera, David L         | Police Officer 2                | Resignation | Police            | 04/18/05    |
| Boguskie Jr., Emerson D. | Police Sergeant                 | Pensioned   | Police            | 05/04/05    |
| Dyer, Virginia Y         | Office Support Spec 2           | Resignation | Police            | 05/06/05    |
| Fox, David P.            | Police Operations Assistant 3   | Resignation | Police            | 04/22/05    |
| Foxall, Sarah J          | Police Operations Coordinator 1 | Pensioned   | Police            | 05/04/05    |
| Gayhart III, Kelly       | Police Officer 2                | Resignation | Police            | 04/20/05    |
| Hunley, Carol A          | Administrative Assistant        | Pensioned   | Police            | 05/13/05    |
| Mayes, Veronica Y        | Police Operations Coordinator 1 | Pensioned   | Police            | 05/15/05    |
| Oldham, Kristofer R.     | Police Officer 2                | Resignation | Police            | 05/15/05    |
| Rawls, Christopher F.    | Police Officer 2                | Resignation | Police            | 05/15/05    |
| Spain, Charles R.        | Police Lieutenant               | Pensioned   | Police            | 05/10/05    |
| Stone, Johnnie R         | Police Operations Assistant 3   | Resignation | Police            | 04/25/05    |
| Wheeler, Nathaniel L.    | Police Security Guard 1         | Resignation | Police            | 05/03/05    |
| White III, Robert W.     | Police Captain                  | Resignation | Police            | 04/27/05    |
| Nabours, Amy V.          | Library Associate 1             | Resignation | Public Library    | 05/13/05    |
| Deardorff, Terrence W.   | Equipment Operator 3            | Pensioned   | Public Works      | 04/28/05    |
| Golden, Darrell L.       | Maintenance & Repair Worker 1   | Resignation | Public Works      | 04/22/05    |
| Musick, Christopher A.   | Maintenance & Repair Worker 1   | Resignation | Public Works      | 04/25/05    |
| Thompson, Steve F.       | Equipment Operator 3            | Resignation | Public Works      | 05/03/05    |
| Parks, Kirsten L.        | Correctional Officer 1          | Resignation | Sheriff           | 04/18/05    |
| Parrish, Angela L.       | Correctional Officer 1          | Resignation | Sheriff           | 05/19/05    |
| Williams, Dennis E       | Social Worker 1                 | Resignation | Social Services   | 05/20/05    |
| Griffith, Wendy D.       | Customer Service Field Rep 1    | Dismissal   | Water Services    | 04/20/05    |
| Johnson, Deborah L.      | Service Rep 1                   | Resignation | Water Services    | 05/04/05    |
| Waller, Jerry D          | Maintenance & Repair Leader 1   | Pensioned   | Water Services    | 05/09/05    |

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

**ELIGIBILITY REGISTER REPORT ESTABLISHED**

| <u>Classification</u>                 | <u>Type</u> | <u>Requesting Department</u> |
|---------------------------------------|-------------|------------------------------|
| Office Support Rep 3                  | Open        | Beer Board                   |
| Fire Captain - Suppression            | Dept        | Fire                         |
| Fire Inspector 1                      | Dept        | Fire                         |
| Administrative Services Manager - ADA | Dept        | General Services             |
| Systems Advisor 1-Security            | Dept        | General Services             |
| Technical Specialist 1- Build Ops     | Dept        | General Services             |
| Technical Specialist 2- Build Ops     | Dept        | General Services             |

**ELIGIBILITY REGISTER REPORT ESTABLISHED**

| <b><u>Classification</u></b>                     | <b><u>Type</u></b> | <b><u>Requesting Department</u></b> |
|--|--------------------|-------------------------------------|
| Administrative Services Manager- Human Relations | Open               | Human Relations                     |
| Maintenance & Repair Worker 2 - Golf             | Dept               | Parks                               |
| Parks Assistant Director - Maintenance           | Dept               | Parks                               |
| Office Support Manager- Vehicle Impound          | Dept               | Police                              |
| Research Analyst 2                               | Open               | Police                              |
| Maintenance & Repair Leader 1 - Streets          | Dept               | Public Works                        |
| Maintenance & Repair Worker 1-Signs              | Dept               | Public Works                        |
| Spec Projects Manager - Adm                      | Open               | Social Services                     |
| Spec Projects Manager - Planning                 | Open               | Social Services                     |
| Applications Tech 1- Lobby                       | Dept               | Water Service                       |
| Applications Tech 1- Billing                     | Dept               | Water Service                       |
| Applications Tech 1- Permits                     | Dept               | Water Service                       |
| Applications Tech 1- Phones                      | Dept               | Water Service                       |
| Customer Services Field Rep 3                    | Dept               | Water Service                       |
| Engineer 3 - Plans Review                        | Dept               | Water Service                       |
| Environmental Comp Officer 3                     | Dept               | Water Service                       |
| Equipment Operator 3 - System Services           | Dept               | Water Service                       |
| Technical Spec 1- GIS/Records                    | Dept               | Water Service                       |
| Technical Spec 2 - Construction                  | Dept               | Water Service                       |
| Technical Spec 2 - Design                        | Dept               | Water Service                       |
| Treatment Plant Shift Op - Whites Creek          | Dept               | Water Service                       |

**REGISTERS ABOLISHED**

| <b><u>Date Established</u></b> | <b><u>Classification</u></b>    | <b><u>Number On Register</u></b> | <b><u>Register</u></b> |
|--------------------------------|---------------------------------|----------------------------------|------------------------|
| 11/02/2004                     | Office Support Rep 3            | 78                               | Open                   |
| 11/10/2004                     | Program Spec 2 - Video          | 27                               | Open                   |
| 08/20/2003                     | Special Skills Inst - Theatre   | 15                               | Open                   |
| 06/24/2004                     | Museum Specialist 2             | 17                               | Open                   |
| 04/11/2003                     | Police Operations Coordinator 1 | 33                               | Open                   |
| 06/02/2003                     | CAD/GIS Analyst 2               | 07                               | Open                   |
| 09/13/2004                     | Equipment Operator 1            | 03                               | Dept                   |

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

**DEPARTMENTAL ITEMS****PUBLIC LIBRARY**

REQUEST Ms. Donna Nicely, Director, requested approval for a Leave from Civil Service for Andrew Thompson, Library Associate I, from April 16, 2005 to April 15, 2006.

Jim Lynch said Mr. Thompson will be working in a State of Tennessee grant funded position as an Office support Specialist I.

**MOTION:** *After some discussion, Commissioner Corbitt 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 Social Services Layoff Plan**

Yuri Hancock, Social Services, said the layoff plan has been reviewed and approved by Dot Berry, Director of Human Resources, and that effective July 1, 2005, the department will be reducing their work force accordingly. Employees will be informed of the action by letter in accordance with CS rules, two weeks prior to the effective date. Ms. Hancock also said that Social Services and HR Staff will continue to meet and work with employees in an effort to assist with job placement within other departments of Metro.

**ACTION:**        None taken. Report for information only.

( 2:            **Request from Emergency Communications Center employees (represented by SEIU) to review decision by HR Director - Dot Berry, to determine if complaint is Grievable Civil Service Policy 5.6 B I (Upgrades for Targeted Classifications) (Deferred from May 10, 2005 meeting)**

Chairman Farmer requested at the May 10<sup>th</sup> Civil Service meeting that HR staff, SEIU and ECC staff convene to discuss the grievance and determine if a mutual understanding could be reached. This matter came before the Commission at the request of SEIU, who requested that the decision of the HR Director be reviewed to determine if the matter was grievable.

The history of this grievance was that SEIU filed a grievance on behalf of a number of employees at the Emergency Communications Center concerning alleged violations of provisions in CS Policy 5.6 B-I. It basically states that, "*The Human Resources Department and the Department of Emergency Communications failed to properly place employee in their upgraded, targeted classification by effective date January 1, 2005 instead of targeting within the meaning of Civil Service Policy 5.6 B-I...*" omits the fact that January 1, 2005 was the effective date for ECC's new pay plan.

***RoxAnn Brown, Director of ECC ruled this matter non-grievable. The issue was appealed to Dot Berry, Director of Human Resources, who also ruled the matter non-grievable under CS rule 6.9 A. In accordance with the Metro Charter, the Civil Service Commission may review any decision made by the Director of Human Resources.***

Ms. RoxAnn Brown and Director Dot Berry supported the position that this matter is not grievable based on its' being predicated on a faulty premise. The implementation of any new pay plan carries with it a unique implementation plan and this plan was followed according to Civil Service policies 5.6 D I and 5.6 D I-3. Further, targeting is a performance based upgrade program which requires specific performance standards, and per policy 5.6B-I, "[Supervisors] must complete an evaluation prior to the upgrade...in addition to any regular evaluation" It would not be appropriate during the implementation of a new pay plan to provide employee increases based on merit or performance. ***It is the recommendation of Human Resources that, providing funding availability, employees are evaluated according to the performance and related specifications laid out in the approved job description and upgraded based on 5.6B-I once all criteria are met.***

Mark Naccarato, SEIU representative said that due to a conflict, Don Driscoll was unable to attend the meeting.

**MOTION:**        ***After some discussion, Commissioner Corbitt moved that this matter is not grievable. Seconded by Commissioner Jarrett and the Commission approved with one objection by Commissioner Allen, making it a 2-1 vote.***

**\*\*NOTE:** Mr. Driscoll arrived at the Civil Service meeting just before adjournment. He stated that he was detained due to a previous commitment and apologized for the miscommunication. Mr. Driscoll said this item should have been deferred and asked the Commission for reconsideration so that he may be able to present his membership's position at the next meeting.

**MOTION:** ***After some discussion, Commissioner Jarrett moved to reconsider and defer the matter to the August 9<sup>th</sup> meeting. Seconded by Commissioner Allen and the Commission approved with one objection by Commissioner Corbitt making it a 2-1 vote.***

( 3: Request Approval of Employee Awards and Bonus Plan for Metro Public Works

Jim Lynch said the bonus plan for Public Works was established to encourage all employees with formal education below the High School level to complete the G.E.D. certification. Upon certification, the employee would receive a one time lump sum of \$500.00. Mr. Lynch said that any Public Works employee who did not have a high school diploma or G.E.D. certification prior to employment, but obtained the certification while employed on or after July 1, 1997, would be eligible for the bonus.

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

( 4: Review of Initial Order of Gong Yu Hsu, Engineer I, Water Services/30 Days Suspension

Gong Yu Hsu was suspended for thirty (30) days without pay from the Department of Water Services for violation of provisions in Civil Service rule 6.7 – provisions #2, 10, 12, 32, 33 and Executive Order 91-07 which deals with reporting outside employment, conflicts of interest, falsifying documents and behavior/conduct unbecoming. Mr. Hsu appealed this decision to the Civil Service Commission, whereas Commissioner Ervina Jarrett was assigned as Hearing Officer. Lora Fox, Metro Legal Department, represented the Water Service Department and Hsu was represented by Attorney John P. Williams.

On May 24, 2004, Hearing Officer Jarrett entered an **Initial Order providing that the decision to suspend Hsu shall be “Vacated and that Hsu’s pay/benefits shall be adjusted accordingly, and that he be made whole. She further ordered that his record be cleared of the matter”.**

Metro Attorney, Lora Fox, was not able to attend the meeting. Mr. Williams, Attorney for Gong Yu Hsu, was present for the review.

**MOTION:** ***After some discussion, Commissioner Allen moved to uphold the Initial Order as submitted by Hearing Officer Ervina Jarrett. Seconded by Commissioner Corbitt and the Commission approved without objection.***

( 5: Review of Agreed Order on Veronica Duker, ECC/Dismissal

Veronica Duker, Emergency Communications Center, was dismissed from employment with the Metropolitan Nashville Emergency Communications Center. Ms. Duker appealed this decision to the Civil Service Commission. Bill Herbert, Metro Attorney, represented the Emergency Communications Center and Ms. Duker was represented by Dewey Branstetter of the Nashville Bar.

On May 4, 2005, Administrative Law Judge Joyce Grimes Safley entered an Agreed Order providing that upon agreement of the parties, all issues of this appeal have been resolved and that the Grievance filed by Ms. Duker shall be Dismissed.

Dewey Branstetter, Attorney for Ms. Duker, was not able to attend the meeting due to a court matter. Metro Attorney Andrew McClanahan represented ECC for the Commission review.

**MOTION:** *After some discussion, Commissioner Corbitt moved to Uphold the Agreed Order as submitted by Administrative Law Judge Joyce Grimes-Safley. Seconded by Commissioner Allen and the Commission approved without objection.*

( 6: Review of Agreed Order/Compromise and Settlement of Jan Paone, ECC/Dismissal

Jan Paone, Emergency Communications Center, was dismissed from employment with the Metropolitan Nashville Emergency Communications Center. Ms. Paone appealed this decision to the Civil Service Commission. Bill Herbert, Metro Attorney, represented ECC and Ms. Paone represented herself.

On May 19, 2005, Administrative Judge Steve Darnell entered an Agreed Order of Compromise and Settlement providing that as a product of mediation, the parties have agreed to compromise and settle all issues pending in this matter and agree that this matter should be dismissed subject to provisions as stated in the order.

Jan Paone, appellant, was not available at the meeting. Metro Attorney Andrew McClanahan represented ECC for the Commission review.

**MOTION:** *After some discussion, Commissioner Jarrett moved to Uphold the Agreed Order as submitted by Administrative Law Judge Steve Darnell. Seconded by Commissioner Corbitt and the Commission approved without objection.*

( 7: Request Approval of Proposed Policy Language Revisions 2.6-1 and 7.2 A-1 (Truth Verification Analysis) (Deferred from May 10<sup>th</sup> meeting)

Veronica Frazier, Assistant Director of HR, FOP Attorney Brocklin Parks, Ed Mason, FOP President, and Deputy Police Chief Steve Anderson, addressed the Commission on this matter.

Ms. Frazier said the Police Department is requesting a language change to accurately reflect operational practices of Policy 2.6-1 (Removal of Names from Register of List) and Policy 7.2 A-1 (Selection Procedure for Police Officer Trainee). The proposal is to add "**polygraph and computerized voice stress analysis**" in the policies which would include both methods to be used by the Nashville Police department.

Chief Anderson said the polygraph examination has been used as an investigative tool for a number of years. While the department has no plans to eliminate usage of this device, the CVSA (computerized voice stress analysis) machine, a comparative tool, is presently being used in the department. This device was introduced into law enforcement in 1988 and is an investigative tool used by other major law enforcement agencies across the country. The CVSA measures a subject's response by frequency modulations in the human voice. If a subject is lying, the automatic or involuntary nervous system causes an inaudible increase in the Micro tremor's frequency. The CVSA then detects, measures and displays changes in the voice frequency.

FOP Attorney Brocklin Parks, submitted a brief in opposition to the proposal, and Ed Mason, FOP President, also spoke in opposition.

**ACTION:** *After much discussion, this matter was deferred to the next regular meeting on July 12th.*

( 8: Communiqués from the public on pending hearings

No report was made.

With nothing further, the regular meeting adjourned at 10:00a.m.

**ATTEST:**

**APPROVED:**

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

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William H. Farmer, Chairman  
Civil Service Commission