

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

MARCH 13, 2007

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on March 13, 2007 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 8:35 a.m.

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

Other Members present: Dorothy S. Berry, Director of Human Resources and John Kennedy, Metro Legal Department - Attorney.

Members not present: Commissioner D. Billye Sanders and Metro Attorney, Mike Safley

February 13, 2007 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 no corrections to the regular minutes, Vice-Chairman Corbitt moved for approval. Commissioner Jarrett seconded the motion.

NOTE: Chairman Farmer read a memorandum regarding an Announcement of Appeals Process pursuant to ordinance #BL2006-2050.

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
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COMMUNITY EDUCATION ALLIANCE

*Renfro, Michelle L.	Program Manager 1	Dept Transfer/Promotion	02/12/07
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*Department transfer from ITS (IS Applications Tech 2, SR9) to Community Education Alliance (Program Manager 1, SR11)

GENERAL SERVICES

Castillo, Melissa A.	Application Tech 2	Promotion	01/29/07
Reed, Janie R.	Application Tech 2	Promotion	01/29/07
Garcia, Javier E	Equipment Mechanic	New Hire	01/29/07
Kelley, Robert B	Equipment Mechanic	New Hire	01/29/07
Whitmore, Keith R	Equipment Mechanic	New Hire	02/12/07
Reynolds, Carolyn M	Professional Specialist	New Hire	02/26/07
Hardin, Benjamin R	Radio Tech 3	Promotion	01/30/07

INFORMATION TECHNOLOGY SERVICE

Orear, Michael B	Info Systems Assistant Director	Promotion	02/12/07
*Farris Sr., David R	Info Systems Manager	Class Change/Lateral	01/29/07
*Graves, Gene H	Info Systems Manager	Class Change/Lateral	01/29/07
^Kennie, Heather	Info Systems Manager	Class Change/Lateral	01/29/07
**Bradley, Adam P.	Information Systems Oper Analyst 2	Class Change/Lateral	01/29/07
^^Montgomery, Patricia L.	Information Systems Oper Analyst 3	Class Change/Lateral	01/29/07
***Baggett, Paul M.	Information Systems Oper Analyst 1	Class Change/Lateral	01/29/07
^^Ciero, Richard C	Information Systems Advisor 1	Class Change/Lateral	01/29/07
^^Gilbert, Marsha V	Information Systems Advisor 1	Class Change/Lateral	01/29/07
^^Hall, Reginald G.	Information Systems Advisor 1	Class Change/Lateral	01/29/07

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>INFORMATION TECHNOLOGY SERVICE</u>			
^^Hollingsworth, Timothy W.	Information Systems Advisor 1	Class Change/Lateral	01/29/07
^^Lewis, David R.	Information Systems Advisor 1	Class Change/Lateral	01/29/07
^^Stone Jr., John M.	Information Systems Advisor 1	Class Change/Lateral	01/29/07
***Gray, Carlon W.	Information Systems Advisor 2	Class Change/Lateral	01/29/07
***Keck, Margaret H	Information Systems Advisor 2	Class Change/Lateral	01/29/07

*Class change from Communications Manager (SR13) to IS Manager (SR13)

^Class change from Is Advisor 1 (SR13) to IS Manager (SR13)

**Class change from Technical Spec 1 (SR11) to IS Operations Analyst 2 (SR11)

^^Class change from IS Communications Analyst 3 (SR12) to IS Operations Analyst 3 (SR12)

***Class change from IS Communications Analyst 1 (SR10) to Is Operations System Analyst 1 (SR10)

^^Class change from IS Manager (SR13) to IS Advisor 1 (SR13)

***Class change from Is Division Manager (SR14) to IS Advisor 2 (SR14)

PARKS

Hyman, Keith W	Office Support Rep 2	New Hire	02/01/07
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PLANNING COMMISSION

*West, Sherry D.	Office Support Rep 3	Dept Transfer/Transition to Civil Service	02/20/07
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*Department transfer from Juvenile Court, non-Civil Service (Office Support Rep 2, SR5) to Planning Commission (Office Support Rep 3, SR6)

POLICE

Nolan, Jonesta R.	Crime Scene Technician 1	New Hire	02/16/07
Aaron Jr., Donald W.	Exe Administrator Police/Fire	Promotion	02/01/07
Snyder, Eric B.	Police Captain	Promotion	02/16/07
Shea, Belinda J	Police Ident Analyst 1	Promotion	02/01/07
Lyon, Dana M	Police Lieutenant	Re-Employment	02/01/07
Starling, Jason Scott	Police Lieutenant	Promotion	02/16/07
Watkins, William J.	Police Lieutenant	Promotion	02/16/07
Bauer, Jeffrey S.	Police Sergeant	Promotion	02/16/07
Bell, Doug M.	Police Sergeant	Promotion	02/16/07
Blair, Gregory A.	Police Sergeant	Promotion	02/16/07
Brandimore, Preston A.	Police Sergeant	Promotion	02/16/07
Bryant, Christopher R	Police Sergeant	Promotion	02/16/07
Chance, Matthew S.	Police Sergeant	Promotion	02/16/07
Denton, William Mark	Police Sergeant	Promotion	02/16/07
Donofrio, Joseph A.	Police Sergeant	Promotion	02/16/07
Drake, John C.	Police Sergeant	Promotion	02/16/07
Dudley, Michael L.	Police Sergeant	Promotion	02/16/07
Durbin, Robert T	Police Sergeant	Promotion	02/16/07
Gourdin, Sebastian G	Police Sergeant	Promotion	02/16/07
Kendall, Lee A	Police Sergeant	Promotion	02/16/07
Leavitt, David S	Police Sergeant	Promotion	02/16/07
McClain, Anthony W.	Police Sergeant	Promotion	02/16/07

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>POLICE</u>			
Newbern, Daniel David	Police Sergeant	Promotion	02/16/07
Proctor, Jason Douglas	Police Sergeant	Promotion	02/16/07
Smith, Robert K	Police Sergeant	Promotion	02/16/07
Stephens, Keith A.	Police Sergeant	Promotion	02/16/07
Stephens, Regina S	Police Sergeant	Promotion	02/16/07
Turner, Bradley R.	Police Sergeant	Promotion	02/16/07
Upchurch, Christopher J.	Police Sergeant	Promotion	02/16/07
Walburn, Kenneth J.	Police Sergeant	Promotion	02/16/07
Widener, Charles T	Police Sergeant	Promotion	02/16/07
Winter, Joseph S.	Police Sergeant	Promotion	02/16/07

PUBLIC LIBRARY

Cannedy, Marvin G	Circulation Assistant 1	New Hire	02/12/07
Scott, Noah A	Circulation Assistant 1	New Hire	02/12/07
Barber, Kyle E.	Librarian 1	Re-Hire	01/29/07
Tullos, Jennifer M	Library Associate 1	New Hire	01/29/07

PUBLIC WORKS

*Foote, Yvonne W.	Administrative Specialist	Return- Medical Pension	02/01/07
Blackwell, Kevin D Jr.	Customer Service Field Rep 1	New Hire	01/29/07
Henning, Joshua M	Customer Service Field Rep 1	New Hire	01/29/07
Jackson, Jamarious D Jr.	Customer Service Field Rep 1	New Hire	01/29/07
Patton, Kimberly J.	Engineering Tech 2	Promotion	02/12/07
Weatherly, Ricky G.	Equipment Operator 1	Promotion	02/26/07
Hatcher, Kortland N.	Equipment Operator 2	Promotion	01/29/07
Gaddes, Lopez	Equipment Operator 3	Promotion	02/26/07
Lancaster, Larry M	Equipment Operator 3	New Hire	01/29/07
Sawyers, John E.	Equipment Operator 3	Promotion	01/29/07
Maclin, Byron O.	Maintenance & Repair Leader 2	Promotion	01/29/07

*Return from Pension to the same classification

SHERIFF

*England, Christopher M	Correctional Officer 1	Demotion	01/27/07
^Gomez-Hernandez, Juan M	Correctional Officer 1	Demotion	01/27/07
Palazzi, Nathan M.	Correctional Officer 1	New Hire	01/16/07
^Roberts Jr., Paul R	Correctional Officer 1	Demotion	01/27/07
Davis Jr., Ronnie A	Correctional Officer 2	Promotion	01/21/07
**Steele, Thomas L	Correctional Officer 2	Demotion	02/01/07
Hampton, Christopher L	Correctional Officer Sergeant	Promotion	02/08/07
Holliman Jr., John A	Correctional Officer Sergeant	Promotion	02/01/07
Maki, William R	Correctional Officer Sergeant	Promotion	02/08/07
McClure, Robert M.	Correctional Officer Sergeant	Promotion	02/01/07

*Demoted from Correctional Officer 2 (CO2) to Correctional Officer 1 (CO1)

^Demoted from Correctional Officer Sgt (CO3) to Correctional Officer 1 (CO1)

**Demoted from Correctional Officer Sgt (CO3) to Correctional Officer 2 (CO2)

SOCIAL SERVICES

Campbell, Jessica E	Administrative Services Officer 4	New Hire	02/12/07
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WATER SERVICES

Mishu, Steve P	Engineer 2	Promotion	01/27/07
Gleaves, Joshua D	Engineer In Training	New Hire	01/27/07

MOTION: *After some discussion, Vice-Chairman 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>
Beverly, Cassandra M	Emerg Telecommunications Off 1	Resignation	ECC	02/02/07
Bundle, Angela C	Emerg Telecommunications Off 1	Dismissal	ECC	01/31/07
Blevins, Scotty L.	Emerg Medical Tech 2	Pension	Fire	02/14/07
Ward, Ronald J	Fire Captain	Deceased	Fire	01/30/07
Battle, Wayman	Fire District Chief	Pension	Fire	01/19/07
Edmondson, Carl S	Fire District Chief	Pension	Fire	01/24/07
Fleming, Ralph L	Fire Fighter 2	Pension	Fire	02/01/07
Young Jr., John G	Firefighter 3	Pension	Fire	02/12/07
King, Christopher T	Equipment Mechanic	Resignation	General Services	01/25/07
Jarrell, Walter R.	Info Systems Division Manager	Pension	ITS	02/07/07
Honeycutt, Scott J	Info Systems Operator Analyst 3	Resignation	ITS	02/14/07
Millsbaugh, Joey	Concessions Clerk 2	Pension	Parks	02/15/07
Brown, James Williams	Custodian 1	Dismissal	Parks	02/07/07
Thomas, Sylvester	Custodian 1	Pension	Parks	02/23/07
Binkley, Gregory S.	Golf Course Manager	Resignation	Parks	02/15/07
Brammer, Chase A	Maintenance & Repair Worker 1	Dismissal	Parks	02/06/07
Williams, Scott L.	Maintenance & Repair Worker 2	Resignation	Parks	02/15/07
Oertel, Ann Nancy	Office Support Rep 2	Pension	Parks	02/22/07
Jackson, Josephine	Recreation Center Manager	Pension	Parks	01/31/07
Southall, Andre A	Recreation Leader	Dismissal	Parks	02/21/07
Jinnette Jr., Robert E.	Police Officer 2	Pension	Police	01/31/07
Williams III, Charles R	Police Officer 2	Resignation	Police	01/24/07
Stone, Steve W.	Police Officer 3	Pension	Police	01/31/07
Lawrence, Jason L.	Police Operations Assistant 3	Resignation	Police	01/19/07
Welch, Antoinette R.	Police Sergeant	Resignation	Police	02/05/07
Arnell, Koran	Custodian 1	Resignation	Public Library	02/05/07
Lackey, Stephen N	Office Support Rep 2	Resignation	Public Library	02/05/07
Jordan, Kristy E.	Correctional Officer 1	Resignation	Sheriff	02/13/07
Lindsey, Corey T.	Correctional Officer 1	Resignation	Sheriff	01/25/07
Strieter, Brent	Correctional Officer 1	Resignation	Sheriff	01/29/07
Huggins, Kawanis	Program Spec 2	Dismissal	Social Services	02/23/07
Hayes, Joshua Ben	Envir Compliance Officer 2	Resignation	Water Services	01/26/07

MOTION: *After some discussion, Vice-Chairman 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>
Emergency Communications Manager	Dept	General Services
Professional Specialist - Call Center	Open	General Services
IS Applications Tech 2 - Internet	Open	ITS
IS Assistant Director - Applications	Dept	ITS
Maintenance & Repair Worker 3 - Grounds	Open	Parks
Crime Scene Technician 1	Open	Police
Human Resources Manager - Police	Open	Police
Police Operations Coordinator 1 - Chief's Office	Dept	Police
Engineering Tech 2 - Permits	Dept	Pub Works
Administrative Services Officer 4 - Systems	Open	Social Services
Engineer 2 - Storm/Plans	Dept	Water Services
Engineering Tech 3 - Property	Dept	Water Services
Equipment Operator 3 - Storm	Dept	Water Services
Office Support Spec 2	Dept	Water Services
Executive Administrator - Police	Dept.	Police

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
08/31/05	Police Crisis Counselor	15	Open

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

DEPARTMENTAL ITEM**EMERGENCY COMMUNICATIONS CENTER**

REQUEST: Roxanne Brown, Director, represented by Erin Hampton, requested an Extended Administrative Leave with Pay until such time an investigation and hearing is completed, for Michelle Mayes, Emergency Communications Center.

Erin Hampton said Ms. Mayes went on Administrative Leave with Pay on February 7, 2007. Due to the nature of the charges, the investigation has exceeded the ten (10) days allowed by Civil Service rules. It was anticipated the investigation would be concluded by mid March.

MOTION: *After much discussion, Commissioner Allen moved for approval for one month and to be reviewed at the next regular meeting on April 10th. 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: Review of Brief as requested by Commission– Findings of Fact and Conclusions of Law

RE: Request by Chancery Court for the Commission to review the Application of Civil Service Policy 3.13B – Disability Re-Employment - Calculation of Pay Rate for Return to Work. (Whitehouse et al. vs. Metro Government)

Kevin Klein, Metro Attorney, was present to address the matter before the Commission. The Commission asked that if this matter goes back to Chancery Court, "will all Administrative remedies been exhausted for each claim?" Mr. Klein indicated that they have. Mr. Klein said he will add this into the order and will then forward to Chairman Farmer for his signature.

ACTION: *No action required. Report Only.*

(2: Request to conduct a Public Hearing on April 10, 2007 – Proposed Civil Service Rules for Sheriff's Office.

Jim Kramer appeared before the Commission to explain the proposed Civil Service rules for the Davidson County Sheriff's Office. Mr. Kramer stated that the proposed rules would only address employees of the Davidson County Sheriff's Office.

MOTION: *After some discussion, Commissioner Jarrett moved for approval to conduct a Public Hearing on April 10, 2007 immediately following the regular schedule meeting. Seconded by Commissioner Allen and the Commission approved without objection.*

(3: Review of Budget Report – Administrative Hearing Program for Disciplinary/Grievance Appeals

Mrs. Berry said the budget for the Administrative Hearing Program was approved for \$25,000 in fiscal year 06-07. However, due to the level of activity with the hearings and a new billing process, the budget is nearly depleted. All hearings (suspensions, grievances, temporary demotions, full demotions, and Dismissals) are presently assigned to State Administrative Law Judges.

The Department has been able to reallocate funds in order to cover the remaining Administrative Hearing costs for 06-07. The Department will request an increase in the budget for 07-08.

ACTION: *No action required. Report only.*

(4: Review of Initial Order – Chris Garner, Police Department / Dismissal

The case involving Christopher Garner, an employee of the Metro Police Department, was heard on June 13, 2006. He filed an appeal of the appointing authority's decision to dismiss him from employment with the department. Officer Garner was charged with violation of General Order 04-05 VIIIIS – False and Inaccurate Reports, G.O. 04-05 VIIIIG – Attendance and G.O. 04-05 VII – Adherence

to law. His case was assigned to Administrative Law Judge Mary M. Collier. Officer Garner was represented in the proceeding by Attorneys Anna Escobar and Douglas Sloan. Ms. Rita Roberts-turner, Metro Attorney, represented the Police Department.

On November 26, 2006, Judge Collier entered an Initial Order to deny the appeal and uphold the termination.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to Uphold the Initial Order as submitted by Judge Mary Collier. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(5: Review of Initial Order – Keith York, General Services/10 days Suspension

Keith York, Fleet Management, was suspended for ten (10) days without pay for alleged violation of Civil Service rule 6.7, dealing with Insubordination, neglect or disobedience to reasonable orders, abusive/profane language and conduct unbecoming. Mr. York appealed his suspension to the Commission and the case was assigned to Administrative Law Judge James Hornsby. Mr. York was represented by Attorney Lynn Agee, and Jason Bergeron, Metro Attorney, represented General Services/Fleet Management.

The case was heard on October 26, 2006 before Judge Hornsby. On January 10, 2007, Judge Hornsby entered an Initial Order to uphold the suspension.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to Uphold the Initial Order as submitted by Judge James Hornsby. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(6: Review of Initial Order – Allison Duncan, Sheriff’s Office/Dismissal

Allison Duncan, Correctional Officer I, was dismissed from the Davidson County Sheriff’s Office for alleged violation of Civil Service rule 6.7, dealing with absence without notification or approval for leave, and dishonesty. Ms. Duncan appealed her Dismissal to the Commission and the case was assigned to Administrative Law Judge Robert Fellman. Ms. Duncan represented herself and Jason Bergeron, Metro Attorney, represented the Sheriff’s Office.

The case was heard on August 16, 2006 before Judge Fellman. On February 12, 2007, Judge Fellman entered an Initial Order to uphold the Dismissal from the Sheriff’s Office.

MOTION: *After some discussion, Commissioner Jarrett moved for approval to Uphold the Initial Order as submitted by Judge Robert Fellman. Seconded by Commissioner Allen and the Commission approved without objection.*

(7: Review - Order to Dismiss Appeal – Terry Grissim, Public Works/ 7 Hr. Suspension

Terry Grissim, Signal Tech II, was suspended seven (7) hours without pay from the Department of Public Works for alleged violation of Civil Service rule 6.7, dealing with deficient or inefficient performance of duties. Mr. Grissim appealed his suspension to the Commission and the case was assigned to Administrative Law Judge Lynn England. Mr. Grissim represented himself, and Megan Landreth, Metro Attorney represented Public Works.

Metro Government filed a Motion to dismiss the appeal asserting that Mr. Grissim failed to timely appeal his suspension. On February 8, 2007, Judge England ordered that Metro Government’s Motion to Dismiss was well taken and granted the Motion to dismiss.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to Uphold Order to Dismiss the Appeal as submitted by Judge Lynn England. Seconded by Commissioner Allen and the Commission approved without objection.*

(8: Review of Initial Order – James Scales, Police Department./ Dismissal

James Scales, Police Officer, was dismissed from the Police Department for alleged violation of Civil Service rule 6.7, dealing with dishonesty, falsifying official documents, secondary employment restrictions and withholding of information. Mr. Scales appealed his Dismissal to the Commission and the case was assigned to Administrative Law Judge Lynn England. Mr. Scales was represented by Attorney Michelle Thompson. Rita Roberts-Turner and James Robison, Metro Attorneys, represented the Police Department.

The case was heard on October 9, 2006 and on January 17, 2007 Judge England entered an Initial Order to Uphold the Dismissal.

ACTION: *Review of the Order was deferred until the next regular meeting on April 10, 2007.*

(9: Review - Order of Default and Dismissal – Syretha Sessions, Sheriff’s Office/3 Days Suspension

Syretha Sessions, Corporal in the Davidson County Sheriff’s Office, was suspended for three days without pay for alleged violation of Civil Service rule 6.7, dealing with violation of written rules/policies, and conduct that creates safety hazards. Ms. Sessions appealed her suspension to the Commission and the case was assigned to Administrative Law Judge Anthony Adgent. Ms. Sessions represented herself and Jonathon Michael, Metro Attorney, represented the Sheriff’s Office.

The case was set to be heard as a contested case before Judge Adgent on January 24, 2007. However, neither the grievant, nor her representative was present for the hearing. Jonathon Michael, Metro attorney, moved for default and Judge Adgent granted the motion upon review of the Findings of Facts and Conclusions of Law. On January 25, 2007, the Judge entered an Order of Default and dismissed the matter.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to Uphold the Order as submitted by Judge Anthony Adgent. Seconded by Commissioner Allen and the Commission approved without objection.*

(10: Review of Initial Order - Gerri Tinnin, Fire/Dismissal

Firefighter Geri Tinnin was dismissed from the Metropolitan Fire Department for alleged violation of Civil Service rule 6.7, provisions #1, #4 and #18 – dealing with neglect/failure to perform official duty, absence without notice, excessive absenteeism, tardiness and abuse of sick leave. Ms. Tinnin appealed her dismissal to the Commission and the case was assigned to Administrative Law Judge Bettye Springfield. Ms. Tinnin represented herself and Andrew McClanahan, Metro Attorney, represented the Fire Department.

The case was heard on November 8, 2006 before Judge Springfield. On January 16, 2007, Judge Springfield entered an Initial Order to uphold the Dismissal from the Metropolitan Nashville Fire Department.

MOTION: *After much discussion, Vice-Chairman Corbitt moved for approval to defer the matter until the next regular meeting of April 10th. Seconded by Commissioner Allen and the Commission approved without objection.*

(11: **JOB DESCRIPTION CHANGES**

Police Identification Analyst 2 - Proposed change will require an incumbent to be an IAI Certified Latent Print Examiner (CTPA) prior to targeting into this classification.

Police Identification Specialist 2 – Proposed change to this classification will add a more specific educational requirement - certified by the IAI as a Certified Tenprint Examiner (CTPE).

MOTION: ***After some discussion, Vice-Chairman Corbitt moved for approval of the job descriptions. Seconded by Commissioner Jarrett and the Commission approved without objection.***

Correctional Officer 1 – Proposed changes to this position will add a requirement that job applicants be at least 21 years of age. This proposal is based on the nature of the Correctional Officer’s work, which requires an ability to reduce confrontation and establish authority in an extremely restrictive environment.

MOTION: ***After some discussion, Vice-Chairman Corbitt moved for approval of the job description. Seconded by Commissioner Jarrett and the Commission approved without objection.***

(12: **Communiqués from the public on pending hearings**

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

ATTEST:

APPROVED:

Ms. Dorothy S. Berry
Director of Human Resources
Secretary to the Civil Service Commission

William H. Farmer
Chairman
Civil Service Commission