

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

JUNE 12, 2007

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on May 8, 2007 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 8:30 a.m.

Commission Members present: Chairman William H. Farmer, Vice-Chairman R. Steve Corbitt, Ervina Jarrett and D. Billye Sanders.

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

Members Not Present: C. Michael Allen was not able to attend.

May 8, 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.

May 29, 2007 SPECIAL CALLED MEETINGS:

Chairman Farmer asked if there were any amendments, corrections or questions of the minutes from the special called 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>
<u>ARTS COMMISSION</u>			
Myers, Ian J	Finance Officer 2	New Hire	05/14/07
<u>FINANCE</u>			
Howe, Sondra K	Finance Admin	Promotion	04/23/07
Trent, Ann S.	Finance Admin	Promotion	05/21/07
Swinson, Elizabeth H	Technical Specialist 2	Promotion	05/21/07
<u>FIRE</u>			
*Sain, Jon T	Fire/EMT Dispatcher	Department Transfer/Lateral	05/01/07

*Department Transfer from Emergency Communication Center to Fire Department

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>GENERAL SERVICES</u>			
*Law, Larry D.	Administrative Services Manager	Class Change/Lateral	04/23/07
Horton, Steven T	Equipment Mechanic	New Hire	05/21/07

*Class Change from IS Manager (SR13) to Administrative Services Manager (SR13)

PARKS

*Shepherd, Faye C	Concessions Clerk 2	Transition - Civil Service	04/20/07
Campbell, James G.	Custodian 1	Re-Employment	05/14/07
Starkovich, Kyle T	Maintenance & Repair Leader 1	New Hire	05/07/07
Bledsoe, Kevin B.	Maintenance & Repair Worker 3	Promotion	04/13/07
*Adfield, Misty L	Program Coordinator	Transition - Civil Service	05/04/07

*Transition to CS from a Part Time Status

POLICE

Kennington, David R	Police Crisis Counseling Supervisor	New Hire	05/16/07
Coon, Michele L.	Police Lieutenant	Promotion	05/16/07
*Pike, Dennis J.	Police Officer 2	Class Change	04/16/07
McCluskey, Nicholas R	Police Operations Assistant 1	New Hire	05/01/07
Mellinger, Miranda H	Police Operations Assistant 1	New Hire	05/01/07
Taylor, Dwayne L	Police Operations Assistant 1	Re-Hire	05/01/07
^Craig, Jonathan S.	Police Operations Assistant 3	Class Change/Lateral	05/01/07
Hedge, John C	Police Operations Coordinator 1	Promotion	05/16/07

*Class Change from Police Officer 1 to Police Officer 2

^Class Change from Police Security Guard 1 (SR6) to Police Operations Assistant 3 (SR6)

PUBLIC WORKS

Jackson, Lawrence	Administrative Services Officer 2	Promotion	05/21/2007
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SHERIFF

Castillo, Eligio R.	Correctional Officer 1	Re-Hire	05/01/2007
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WATER SERVICES

Fuqua, Brenda R	Administrative Assistant	Promotion	05/05/07
Denney, Robyn L	Application Tech 1	Promotion	05/05/07
Merritt, Ronnie D	Application Tech 1	Promotion	05/05/07
Puma, Terrance B	Application Tech 1	Promotion	05/05/07
*Risner, Daniel R	Application Tech 1	Class Change/Lateral	05/05/07
Sterry, Thomas A	Application Tech 1	Promotion	05/05/07

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>WATER SERVICES</u>			
Young, Mildred Lynn	Application Tech 1	Promotion	05/05/07
Sitzlar, Megan A	Compliance Inspector 3	New Hire	05/05/07
Burgess, Anthony T	Engineer 2	New Hire	05/19/07
^Barbero, Rosemary M.	Environmental Compliance Officer 1	Department Transfer	05/19/07
Sanchez, Julio	Office Support Rep 3	Promotion	05/05/07
Ryder, Thomas L.	Skilled Craft Worker 2	Promotion	05/19/07
Morris Jr., Robert J	Technical Services Coordinator	Promotion	05/05/07
**Adams, Christopher H	Treatment Plant Tech 1	Department Transfer	05/05/07
Reed, Ruben L	Treatment Plant Tech 1	New Hire	04/21/07

*Class Change from Customer Service Field Rep 3 (SR7) to Application Tech 1 (SR7)

^Department Transfer from Health Department (Environmental 1) to Water Environmental Compliance Officer 1 (SR8)

**Department Transfer from Sheriff's Office (Correctional Officer 1, CO1) to Water (Treatment Plant Tech 1, TG8)

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>
Barker, Ronald E	Mech/Gas Inspector 1	Pension	Codes	05/17/07
Eslami, Hassan M	Plans Examiner 2	Pension	Codes	05/03/07
O'Neill, Brendan	Emer Telecommunications Officer 1	Resignation	ECC	04/09/07
Royal, Ellen L	Emer Telecommunications Officer 1	Resignation	ECC	04/09/07
Scoggins-Wooldridge, Dawn	Emer Telecommunications Officer 1	Resignation	ECC	05/11/07
Smith, Kathy J	Emer Telecommunications Officer 1	Resignation	ECC	04/22/07
Winbush, Adrienne A	Emer Telecommunications Officer 2	Resignation	ECC	04/20/07
Simmons, Sharon S	Application Tech 3	Resignation	Finance	04/27/07
Vance, Joseph R.	Technical Specialist 1	Resignation	Finance	04/20/07
Staley, James A	Finance Manager	Resignation	General Services	04/24/07
Denton, Deborah B.	Office Support Spec 2	Resignation	Historical Comm.	04/27/07
Hardin, Darrell G	Information Systems Oper Analyst 3	Dismissal	ITS	05/11/07
May, Denise C	Information Systems Advisor 1	Resignation	ITS	05/18/07
Gesar, Cynthia A.	Information Systems Advisor 2	Resignation	ITS	04/30/07
Teasley, Lewis C	Greenskeeper 2	Pension	Parks	04/13/07
Lynch-Thomason, Sara F	Maintenance & Repair Worker 1	Resignation	Parks	05/01/07
Turner, Aubrey C.	Police Lieutenant	Pension	Police	05/15/07
Johnson, Jan Drake	Police Operations Coordinator 1	Resignation	Police	05/15/07
Jones, Nathan A.	Police Security Guard 1	Resignation	Police	04/21/07
Starkey, Dianne L	Custodian 1	Resignation	Public Library	05/08/07
Beyor, Isaac R.	Correctional Officer 1	Dismissal	Sheriff	04/16/07
Dansby, Joshua M.	Correctional Officer 1	Resignation	Sheriff	05/18/07
Grosch, Christopher A.	Correctional Officer 1	Dismissal	Sheriff	04/18/07
Ramsey Jr., Jerry L.	Correctional Officer 1	Resignation	Sheriff	04/13/07
Tidwell, Cory L.	Correctional Officer 1	Resignation	Sheriff	04/17/07
Wyatt, Carlton J.	Correctional Officer 1	Resignation	Sheriff	04/09/07
Wells, Ashley S	Homemaker	Dismissal	Social Services	04/30/07

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>
Finance Officer 2	Open	Arts Commission
Administrative Service Manager-Architect	Dept	Finance
Application Tech 3-EBS Training Tech	Open	Finance
Finance Manager - Internal Audit	Dept	Finance
Finance Manager - Investments	Dept	Finance
Tech Specialist 2-Real Property Services	Dept	Finance
Fire Engineer	Dept	Fire
IS Advisor 1 - Business Continuity	Open	ITS
IS Division Manager - Network	Open	ITS
Office Support Rep 2 - Juvenile Court	Open	Juvenile Court
Custodial Service Assistant Supervisor	Dept	Parks and Recreation
Greenskeeper 2	Dept	Parks and Recreation
Maintenance & Recreation Leader 1 - Grounds	Open	Parks and Recreation
Police Crisis Counsel Supervisor	Open	Police
Administrative Services Officer 2 - Beautification	Dept	Public Works
Compliance Inspector 3 - NPDES	Open	Water Services
Engineer 2	Open	Water Services
*Environmental Compliance Officer 1 - NPDES	Open	Water Services
Skilled Craft Worker 1 - KR Harrington	Dept	Water Services
Tech Services Coordinator - Design	Dept	Water Services

* NPDES (National Pollutant Discharge Elimination System)

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
03/22/06	Garage Supervisor 1	11	Open
01/19/06	IS Advisor 1 – HR/Payroll	03	Open

MOTION: *After some discussion, Vice Chairman Corbitt moved to approve the registers established and abolished. Seconded by Commissioner Jarrett and the Commission approved without objection.*

DEPARTMENTAL ITEM

FINANCE

REQUEST: Mr. David Manning, Director, represented by Erin Hampton, requested approval to Hire Above Base (from NCAC-non-Civil Service) Beth Young, Application Technician 3, Step 4, effective June 12, 2007. SR09

Erin Hampton, General Services, said that Ms. Young has worked with Nashville Career Advancement Center for eleven years and exhibited ability to work independently and managing multiple projects. She also has extensive experience with scheduling, presentations and use of Microsoft Office applications.

MOTION: *After some discussion, Vice-Chairman 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, Director, submits the following for the Commission's consideration and appropriate action:

(1: Review of Orders to Dismiss Appeals -Administrative Hearings

a. Mr. Jonathan Riggs, Police – Grievance IOD

Jonathan Riggs, Police Officer, filed a grievance in response to denial of a claim for Injured on Duty. Officer Riggs injured a right index finger while closing the trunk of his police vehicle. Riggs maintained that he was on duty at the time of injury. Administrative Law Judge Margaret Robertson was assigned to hear the case.

Petitioner Riggs requested the Court to dismiss the appeal, due to Metro Government's agreement to designate the injury as an injury in line of duty. Administrative Law Judge Robertson granted the request and entered an order to dismiss the appeal.

Ms. Cindy Gross, Metro Attorney, was present before the Commission for oral discussion. Mr. Brock Parks, Attorney for Mr. Riggs, was duly notified, but did not attend.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to dismiss the appeal by the Order of Dismissal submitted by Judge Robertson. Seconded by Commissioner Jarrett and the Commission approved without objection.*

b. Ms. Shermane Stewart, Fire – Grievance IOD

Shermane Stewart, Firefighter with the Metropolitan Nashville Fire Department, filed a grievance in response to denial of a claim for Injured on Duty. Firefighter Stewart alleged that pressures of her work environment in the Fire Department resulted in increased psychological stress and anxiety. She was examined by Metro Medical Examiner Christopher Fletcher, who could not recommend or support approval of an IOD. The appeal went to the Employee Benefit Board, who denied her request for an IOD pension. The IOD appeal was also processed through the grievance procedure, whereas Administrative Law Judge Mary Collier was assigned to hear the case. Metro Government filed a motion to dismiss the appeal due to an untimely filing. Judge Collier granted the motion to dismiss.

Ms. Cindy Gross, Metro Attorney was present before the Commission for oral discussion. Mr. Billy Marlowe, Attorney for Ms. Stewart, was duly notified, but did not attend.

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

c. Mr. George Frogge, Police – Grievance IOD

George M. Frogge, Police Officer, filed a grievance in response to a denial of a claim for Injury on Duty. Officer Frogge was injured on his way to work in Nashville, while commuting from his home in Murfreesboro. Officer Frogge was in uniform and was driving his personal vehicle when he was involved in a motor vehicle accident. He suffered injuries to his right foot and was transported to Stonecrest Hospital in Smyrna. Officer Frogge maintained that he was on duty at the time of injury. Administrative Law Judge Joyce Safley was assigned to hear the case.

On May 14, 2007, petitioner Frogge announced to the Judge that he decided to voluntarily withdraw his Civil Service appeal. Administrative Law Judge Safley granted the request and entered an order to dismiss the appeal.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval of the Order of Dismissal as submitted by Judge Joyce Safley. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(2: Appeal of Mr. Kenneth Barnes, NFD – Disqualification for Fire Captain – Staffing/Promotional Exam

On May 8, 2007, Kenneth Barnes initially appeared before the Civil Service commission requesting the Commission's approval to be qualified under the HR substitution policy for the Fire Captain's promotional exam. The education and experience requirements as specified in the job description and MOU are a High School diploma and ten (10) years experience in the Nashville Fire Department in a public Safety classification, and a valid "Class D" Tennessee Driver's License.

Granville Lyons, HR Division manager-Recruiting, and the substitution committee met and reviewed Mr. Barnes experience as instructed by the Civil Service Commission. The related experience was again considered, however, it was determined that HR can not substitute any of this experience to take the place of the 10 years experience in the Nashville Fire Department. The requirements had been previously approved in the job description and signed into the MOU agreement with the Firefighters.

Appellant Kenneth Barnes and Human Resources Manager, Sonny Lyons, were present before the Commission to review and discuss Mr. Barnes's disqualifications for Fire Captain.

MOTION: *After much discussion, Commissioner Sanders moved to apply the substitution policy with respect to Mr. Barnes work experience and indicated that he had demonstrated the knowledge, skill and ability to perform duties of the position without the experience as specifically stated in the job description.* Seconded by Commissioner Jarrett and the Commission approved without objection.

(3: Report of Approved Layoff Plan – Police Department

In compliance with Civil Service Rule and policy 3.11, the Chief of Police submitted a layoff plan to the Director of Human Resources. The Director of HR reviewed / approved the plan, and reported such plan to the Civil Service Commission.

Mr. Howard Walters, Building Maintenance Worker, was laid off due to the transfer of the maintenance function to General Services. The department met with the employee and in accordance with the rule / policy notified him of the effective date (June 7) of the action. Staff from the Human Resources Department worked to assist the employee being laid off. On June 8, 2007, Barnes was appointed from the layoff list to a maintenance position in the Department of Parks and Recreation.

ACTION: *No action necessary, report only.*

(4: Certification of the Employee Benefit Board Election Results – General Government Representative

Mr. Jim Lynch said an election for the position of General Government Representative to the Employee Benefit Board was held on May 11, 2007. Human Resources Director, Dorothy S. Berry, certified the election results. Incumbent Clyde Smith won the election and will be serving a three year term beginning July 1st.

ACTION: *No action necessary, report only.*

(5: Communiqués from the public on pending hearings

With nothing further, the regular meeting adjourned at 9:55 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