

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

AUGUST 14, 2007

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on August 14, 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, C. Michael Allen and D. Billye Sanders.

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

July 10, 2007 REGULAR 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.

July 30, 2007 SPECIAL CALLED MINUTES:

Chairman Farmer asked if there were any amendments, corrections or questions of the Special Called minutes.

With no corrections to the minutes, Vice-Chairman Corbitt moved for approval. Commissioner Jarrett seconded the motion.

July 31, 2007 SPECIAL CALLED MINUTES:

Chairman Farmer asked if there were any amendments, corrections or questions of the Special Called minutes.

With no corrections to the 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>BEER BOARD</u>			
*Davis, Marcus G.	Beer Permit Inspector 1	Dept Transfer/Promotion	07/16/07
*Department Transfer from Sheriff's Office Correctional Officer 1, (CO1) to Beer Board Beer Permit Inspector 1, (SR8)			

CODES ADMINISTRATION

Whitehead, Karin A.	Office Support Rep 3	New Hire	07/23/07
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FINANCE

Robinson, Arlene M.	Administrative Assistant	Promotion	06/18/07
Granderson, Leah S.	Technical Specialist 1	New Hire	07/30/07

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>FIRE</u>			
*Natali, Michael A.	Fire Fighter 2	Class Change	06/16/07
*Tippitt, Jason W.	Fire Fighter 2	Class Change	06/16/07
Young, Eileen E.	Fire Inspector 1	Promotion	07/16/07
Brown, Alana C.	Fire Instructor	Promotion	07/16/07
Lively, Paul S.	Fire Instructor	Promotion	07/16/07

*Class Change from Fire Fighter 1 to Fire Fighter 2

GENERAL SERVICES

Clinton, Michael I.	Automotive Shop Supervisor	New Hire	7/23/2007
Pope, Warren J.	Radio Tech 3	New Hire	6/25/2007

HISTORICAL COMMISSION

Miles, Scarlett C.	Historic Preservationist 1	New Hire	07/23/07
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HUMAN RESOURCES

Essary, Dirk W.	Training Coordinator	New Hire	07/30/07
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INFORMATION TECHNOLOGY SERVICE

^Auer, Jon E.	Computer Operator 2	Class Change	06/18/07
King, Thomas R.	Info Systems Comm Analyst 1	New Hire	07/16/07
Adams, Matthew J.	Info Systems Manager	Promotion	06/19/07
Humphrey, Cynthia L.	Info Systems Manager	Promotion	06/27/07
Redding, Benecca S.	Information Systems Oper Tech 1	Promotion	06/27/07
Walling, Phillip E.	Information Systems Advisor 1	Promotion	06/26/07
*Weatherford, Steven R.	Information Systems Advisor 1	Dept Transfer/Class Change	07/02/07
Williams, Mary E.	Information Systems Advisor 1	Promotion	06/22/07
Cowles, Aaron D.	Program Manager 1	Promotion	06/21/07

^Transfer/Promotion from Water - IS Operations Tech 1. A failed work test resulted in a class change from IS Operations Tech 1 (SR8) to Computer Operator 2 (SR6)

*Department Transfer from Health IS Manager, (SR13) to IT Services IS Advisor 1, (SR13)

INTERNAL AUDIT

*Dodson, Donald R.	Auditing Manager	Dept Transfer/Lateral	07/01/07
*Neumaier, Anthony J.	Finance Manager	Dept Transfer/Lateral	07/01/07
*Terry, Jane K.	Finance Officer 2	Dept Transfer/Lateral	07/01/07
*Spain, Loreen K.	Office Support Spec 2	Dept Transfer/Lateral	07/01/07

*Department Transfer from Finance to Internal Audit

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>LEGAL</u>			
Bishop, Sarah B.	Administrative Services Officer 1	New Hire	07/23/07
Stanley, Brian F.	Loss Prevention Spec	New Hire	06/25/07
Woodruff, Walker R.	Loss Prevention Spec	New Hire	06/25/07
Weakley, Patricia A.	Office Support Rep 2	New Hire	06/28/07

MUNICIPAL AUDITORIUM

Hester, Mary J.	Administrative Services Officer 3	New Hire	07/11/07
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PARKS

Bradfield, Mark H.	Administrative Services Officer 4	New Hire	06/20/07
Lackey, Mary T.	Application Tech 1	Promotion	06/29/07
*McDade, Drue W	Concessions Clerk 2	Voluntary Reduction	07/22/07
Tackett, Catherine A.	Concessions Clerk 2	New Hire	07/27/07
Welch, Andrea D.	Custodian 1	New Hire	06/29/07
**Westfield, Richard D.	Golf Course Manager	Class Change	07/13/07
Cook, Jerry W.	Greenskeeper 2	Promotion	06/15/07
^Jordan, Roy A	Maintenance & Repair Worker 1	Transition - Civil Service	07/23/07
Boyd, Andrew O.	Maintenance & Repair Worker 2	Re-Hire	07/27/07
Cox, Bobby R.	Maintenance & Repair Worker 2	Promotion	06/15/07
James, Justin C.	Maintenance & Repair Worker 2	Promotion	06/15/07
Karnes, Eric D.	Maintenance & Repair Worker 2	Promotion	06/15/07
Binkley, Charles C.	Maintenance & Repair Worker 3	Promotion	07/27/07
Love, Timothy D.	Maintenance & Repair Worker 3	Promotion	07/13/07
^^Doolittle, Valerie L.	Office Support Rep 3	Dept Transfer/Promotion	07/15/07
^^Rhodes, Alonzo N.	Recreation Center Manager	Class Change/Lateral	07/13/07
German, Carolyn J.	Specialized Skills Supervisor	New Hire	07/23/07

* Voluntary Reduction in grade from Office Support Rep 3 (SR6) to Concessions Clerk 2 (SR5)

**Returned from Disability Pension (1995) class change from returned classification Special Programs Coordinator (SR10) to original classification, Golf Course Manager (SR11)

^Transition to Civil Service from Seasonal Status

^^Department Transfer from Public Works Office Support Rep 2 , (SR5) to Parks Office Support Rep 3, (SR6)

^^Class Change from Program Coordinator (SR9) to Recreation Center Manager (SR9)

POLICE

^James, Christy L.	Office Support Spec 2	Re-Classification	07/01/07
Alexander, Tiffany	Police Identification Spec 1	Promotion	07/01/07
Gentry, Christopher D.	Police Identification Spec 1	Promotion	07/16/07
*Bates, Allen D.	Police Officer 1	Class Change	06/27/07
*Clark, Felix J.	Police Officer 1	Class Change	06/27/07
*Cole, Daniel E.	Police Officer 1	Class Change	06/27/07
*Gann, Gerry A.	Police Officer 1	Class Change	06/27/07
*Gibson, Jeffrey R.	Police Officer 1	Class Change	06/27/07
*Harris, Ebony T.	Police Officer 1	Class Change	06/27/07
*Hayes, Eric J.	Police Officer 1	Class Change	06/27/07

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>POLICE</u>			
*Jones, Aaron L.	Police Officer 1	Class Change	06/27/07
*Profitt, Waylon J.	Police Officer 1	Class Change	06/27/07
*Read, Adam D.	Police Officer 1	Class Change	06/27/07
*Robertson, Joshua E.	Police Officer 1	Class Change	06/27/07
*Shipley, Paul A.	Police Officer 1	Class Change	06/27/07
*Starling, Andrae K.	Police Officer 1	Class Change	06/27/07
*Studer Jr., David L..	Police Officer 1	Class Change	06/27/07
*Truan, Nicholas	Police Officer 1	Class Change	06/27/07
*Tuberville, John C.	Police Officer 1	Class Change	06/27/07
Chambers, Tiffany N.	Police Operations Assistant 1	Re-Hire	07/01/07
Fosbinder, Laura L.	Police Security Guard 1	Re-Employment	07/04/07

^Re-Classification from Police Operations Assistant 3 (SR6) to Office Support Spec 2 (SR8) due to a position audit

*Class Change from Police Officer Trainee to Police Officer 1

PUBLIC LIBRARY

Rutherford, Noel M.	Library Manager 2	New Hire	06/18/07
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PUBLIC WORKS

Hatcher, Kortland N.	Maintenance & Repair Leader 1	Promotion	07/30/07
Hooper, Jeffrey N.	Maintenance & Repair Leader 1	Promotion	07/30/07
*Trotter, Steven E.	Maintenance & Repair Worker 1	Demotion	07/30/07

*Demotion from Equipment Operator 1 (TG5) to Maintenance and Repair Worker 1 (TG3)

SHERIFF

Ball, Carrie L.	Correctional Officer 1	New Hire	07/30/07
Banks, Angela P.	Correctional Officer 1	Re-Hire	07/30/07
Bowen, Shaun P.	Correctional Officer 1	New Hire	07/30/07
Brummett, Nicole W.	Correctional Officer 1	Promotion	07/06/07
Campbell, Michael A.	Correctional Officer 1	New Hire	07/30/07
Cantrell, Jeremy P.	Correctional Officer 1	Re-Hire	07/30/07
Davis, Bobbi J.	Correctional Officer 1	New Hire	07/30/07
Fannin, Jr., Monroe W.	Correctional Officer 1	New Hire	07/30/07
Flaherty IV, Raymond F.	Correctional Officer 1	New Hire	07/30/07
Frederick, Travis S.	Correctional Officer 1	New Hire	07/30/07
Gann, Robert J.	Correctional Officer 1	New Hire	07/30/07
Graulau, Michael P.	Correctional Officer 1	New Hire	07/30/07
Hendrix, Yolonda R.	Correctional Officer 1	New Hire	07/30/07
Hicks, Jason D.	Correctional Officer 1	New Hire	07/30/07
Jones, Michael D.	Correctional Officer 1	New Hire	07/30/07
Lawrence, Joshua T.	Correctional Officer 1	New Hire	07/30/07
Lozer, Kareem S.	Correctional Officer 1	New Hire	07/30/07
Maynard, James M.	Correctional Officer 1	New Hire	07/30/07
McGregor, Marty D.	Correctional Officer 1	New Hire	07/30/07

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>SHERIFF</u>			
Mills, Maile A.	Correctional Officer 1	New Hire	07/30/07
Newton, Mark L.	Correctional Officer 1	New Hire	07/30/07
Pickens, Richard B.	Correctional Officer 1	New Hire	07/30/07
Post, Brandon J.	Correctional Officer 1	New Hire	07/30/07
Temple, Jr., Ricky D.	Correctional Officer 1	New Hire	07/30/07
Tibbetts, Candace W.	Correctional Officer 1	New Hire	07/30/07
Whidbee, Kendra D.	Correctional Officer 1	New Hire	07/30/07
Wilfert, Anthony J.	Correctional Officer 1	New Hire	07/30/07
Williams, Celesta L.	Correctional Officer 1	New Hire	07/30/07
Woods, Stanford F.	Correctional Officer 1	New Hire	07/30/07

WATER SERVICES

Derrick, Sandra J.	Administrative Assistant	Promotion	06/30/07
Silva, Jose E.	Engineering Tech 2	Promotion	07/14/07
Doss, Glen K.	Indust Maintenance Supervisor 2	Promotion	06/30/07
Drew, Mary Y.	Office Support Rep 3	Promotion	06/30/07
*Harmon, Randy L.	Treatment Plant Tech 1	Dept Transfer/Promotion	06/30/07

*Department Transfer from Parks Maintenance and Repair Worker 1, (TG3) to Water Treatment Plant Tech 1, (TG8)

MOTION: *After some discussion, Commissioner Allen 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>
Ritchey, Howard S.	Emer Telecommunications Off 4	Resignation	ECC	06/16/07
Parks II, John W.	Emer Telecommunications Off 4	Resignation	ECC	07/13/07
Francisco, Melanye L.	Emer Telecommunications Off 1	Resignation	ECC	06/16/07
Stanfield, Loretta L.	Emer Telecommunications Off 1	Resignation	ECC	07/15/07
Baldwin, Jacqueline F.	Emer Telecommunications Off 1	Resignation	ECC	07/20/07
Burk, Tammy L.	Emer Telecommunications Off 1	Resignation	ECC	07/06/07
Tyson, Sarah L.	Emer Telecommunications Off 1	Resignation	ECC	07/08/07
Cobb, Beverly K.	Emer Telecommunications Off 1	Resignation	ECC	07/02/07
Wilson-West, Marcia L.	Emer Telecommunications Off 1	Resignation	ECC	07/02/07
Reeder, Theresa C.	Application Tech 3	Resignation	Finance	07/13/07
Bowling, Lynda C	Information Systems Advisor 1	Resignation	Finance	06/29/07
Harrington, Hal C.	Fire Captain	Pension	Fire	06/22/07
McPherson, Stephanie	Paramedic 2	Pension	Fire	07/11/07
Bratcher, John A.	Paramedic 2	Resignation	Fire	06/19/07
Murphy, James E.	Mechanic Helper 1	Pension	General Services	07/13/07
Gregorich, Carl A.	Information Systems Advisor 1	Resignation	ITS	07/27/07
Gouveia, Gerald G.	Finance Officer 2	Resignation	Internal Audit	07/20/07
Magness, David S.	Probation Officer 1	Resignation	Juvenile Court	07/20/07
Sale, Terry W.	Maintenance & Repair Worker 1	Resignation	Parks	06/29/07
Holleman, John M.	Specialized Skills Supervisor	Resignation	Parks	06/28/07
Williams, Dustin R.	Maintenance & Repair Worker 1	Resignation	Parks	06/18/07
Weathersby, Evan W.	Concessions Clerk 1	Dismissal	Parks	06/25/07

TERMINATIONS/ PENSIONS

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Reed, William R.	Police Sergeant	Dismissal	Police	07/06/07
Farris, Darlyn G.	Police Operations Coordinator 1	Pension	Police	06/30/07
Knowles Jr., John N.	Police Officer 3	Pension	Police	06/30/07
Allison, Larry B.	Police Officer 2	Resignation	Police	06/27/07
Mandyck, Maura B.	Librarian 3	Resignation	Public Library	06/27/07
Finley, Bonnie A.	Circulation Assistant 2	Resignation	Public Library	07/12/07
Parsley, Leslie	Office Support Rep 3	Pension	Public Library	06/29/07
Gore, Thomas W.	Library Manager 1	Resignation	Public Library	07/27/07
Wallace, Jeremy D.	Library Associate 1	Resignation	Public Library	07/13/07
Woods, John	Maintenance & Repair Worker 2	Resignation	Public Works	07/13/07
Tuttle, Wilson O.	Sanitation Supervisor	Pension	Public Works	07/06/07
Odom, John P.	Administrative Services Officer 2	Resignation	Public Works	07/15/07
Carper, David C.	Equipment Operator 3	Resignation	Public Works	07/06/07
Coleman, William J.	Sanitation Worker	Dismissal	Public Works	06/26/07
Reid, Dewayne G.	Correctional Officer 1	Resignation	Sheriff	07/24/07
Smitty, Jason L.	Correctional Officer 1	Resignation	Sheriff	07/15/07
Smith Jr., Herbert E.	Engineering Tech 3	Pension	Water Services	07/27/07
Mason, Donald S.	Technical Specialist 2	Pension	Water Services	07/05/07
Cowden, Ilene H.	Occupational Health Manager	Pension	Water Services	07/13/07
Anderson, Rose G.	Water Quality Analyst 2	Pension	Water Services	07/13/07
Vaught, Robert L.	Engineering Tech 3	Pension	Water Services	06/29/07
Weimer, David C.	Industrial Electrician 1	Resignation	Water Services	06/22/07

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

NOTE: *Vice-Chairman Corbitt inquired about recruitment and recent turnover within the ECC. Interim Director, Terri Griffith and Jeannie Mallory, Assistant Director, came before the Commission to give an overview of the department's proposed changes, training and recruitment issues.*

ELIGIBILITY REGISTER REPORT- ESTABLISHED

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Office Support Specialist 1	Dept	Arts Commission
IS Applications Analyst 3-Business Solutions	Open	Finance
Tech Specialist 1-Project Officer/Design	Open	Finance
Fire Captain - Staff Services	Dept	Fire
Fire Recruit	Open	Fire
IS Communications Analyst 2 - Radio Comm.	Open	General Services
Professional Specialist	Dept	Human Resources
Training Coordinator	Open	Human Resources
IS Advisor 2-Network Com & Security	Open	ITS
IS Communications Analyst 1-Network	Open	ITS
IS Operations Analyst 1-Deployment	Dept	ITS
Administrative Services Officer 1-Safety	Open	Legal
Archives Assistant 1	Open	Library
Concessions Clerk 2-Gift Shop Sales	Open	Parks and Recreation
Office Support Rep 3-Reservations	Open	Parks and Recreation
Special Skills Instructor-Disabilities	Dept	Parks and Recreation
Police Operations Coordinator 1-Warrants	Dept	Police
Correctional Officer 2-Transportation	Dept	Sheriff
Social Worker 3	Open	Social Services

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
10/02/2006	Applications Tech 2 - MPS	06	Dept
12/15/2004	Finance Administrator - SBO	01	Dept
02/24/2005	Office Sup Rep 3 - LTS	32	Open
08/30/2006	Maintenance & Repair Leader 1 - Roads	03	Dept
05/17/2006	Maintenance & Repair Worker 2 - Golf	14	Open

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

DEPARTMENTAL ITEMS**GENERAL SERVICES**

REQUEST: Ms. Nancy Whittemore, Director, requested approval for an Extended Administrative Leave with pay for Ms. Martis Brown.

Ms. Erin Hampton said the department is requesting approval of an additional fourteen (14) days of Administrative Leave with Pay for Martis Brown. Ms. Brown had been on Administrative Leave with Pay from June 28 thru August 3, 2007.

Ms Brown was initially placed on Administrative Leave with Pay on June 28, 2007, due to her permanent medical restrictions, and her inability with reasonable accommodation, to perform the essential duties of an Equipment and Supply Clerk 2. Due to the nature of Ms. Brown's job duties and the type of restrictions, General Services has been unable to put Ms Brown back into the job. The department has also extensively worked with her to find other job opportunities within Metro Government.

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

POLICE

REQUEST: Chief Ronal Serpas requested approval for the current promotional eligibility list of Police Lieutenant be extended for a period of six (6) months.

Mr. Sonny Lyons said he received a request from Chief Serpas asking that the Police Lieutenant register be extended for an additional six months. Although the list has been used, approval of this request would allow the Police Department to consider other eligible candidates before a new one is established. The Commission extended the register until March 5, 2008.

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

PUBLIC WORKS

REQUEST: Mr. John W. Lynch, Director, requested approval for a Leave from Civil Service for Mr. Eddie Davidson, from September 1, 2007 thru September 10, 2007. Mr. Davidson will work as Director of Legislative Affairs in the Mayor's Office, which is a non- Civil Service position.

Mr. Jim Lynch said Mr. Davidson is currently on leave from Civil Service and would like to continue working in the Mayor's Office as Director of Legislative Affairs until September 10, 2007.

MOTION: *After some discussion, Commissioner Jarrett moved for approval of the request as listed. Seconded by Commissioner Sanders 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: **Request to conduct a Public Hearing on September 11, 2007 – Proposed Civil Service Rule Changes pertaining to:**

- a. CS rule 4.12 – Military Leave
- b. CS rule 6.5 – Types of Disciplinary Actions

Mr. Steve Cain said the request for a Public Hearing will be to consider changes to Rule 4.12 – Military Leave and 6.5- Types of Discipline.

ACTION: *The Commission requested the Public Hearing to be held on Tuesday, October 9, 2007 following the regular meeting.*

(2: **Review of appeal of Larry Stewart, ECC/Disqualification for Emergency Telecommunications Supervisor**

Mr. Sonny Lyons said Mr. Stewart applied for the position of Emergency Telecommunications Supervisor on June 21, 2007. The minimum requirements for the position are six (6) years experience in Emergency Telecommunications. He would not be able to qualify until mid August 2007, when he has reached the six years required by this position.

MOTION: *After some discussion, Vice-Chairman Corbitt moved to deny Mr. Stewart's appeal request. Seconded by Commissioner Allen and the Commission approved with one objection by Commissioner Sanders. The vote was 3 to 1.*

(3: **ADMINISTRATIVE HEARINGS – Review of Orders Dismissing Appeals**

- a. Kawanis Huggins, Social Services/Termination
- b. Amy Roberson, ECC/Termination
- c. Charles Stephens, Police/Grievance
- d. Randy Fowler, Police/Grievance

The above listed cases were appealed to the Civil Service Commission and scheduled to be heard by an Administrative Law Judge. In processing of the appeal, the Administrative Judge entered Orders dismissing the appeals prior to hearing, and properly notified the petitioners of his decision.

All parties involved in these cases have further been notified that the Order entered by the Judge, dismissing the appeal, would be reviewed by the full Commission in accordance with the Civil Service Rules.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to uphold the Orders to Dismiss Appeals for Kawanis Huggins, Charles Stephens and Randy Fowler as submitted by the Administrative Law Judge. Seconded by Commissioner Jarrett and the Commission approved without objection.*

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

(4: Review of Initial Order – Clifford Mann, Police/Dismissal

Officer Clifford Mann was dismissed from the Metropolitan Police Department for alleged violation of General Order 04-05, Article VII dealing with Personal Behavior and Official Obligations. Officer Mann appealed his suspension to the Commission and the case was assigned to Administrative law Judge Robert Fellman. Officer Mann was represented by Attorney Rich McGee and Rita Roberts-Turner, Metro Attorney, represented the Police Department. The case was heard on December 18, 2006 before Judge Robert Fellman.

On June 19, 2007, Judge Fellman entered an Initial Order to reverse the Dismissal and further ordered that the appellant be suspended for three days for dishonesty, in stating that he had a written medical waiver on file that allowed him not to shave daily, when, in fact he did not, and for some minor deficiencies in his record keeping.

Ms. Rita Roberts-Turner, Metro Attorney and Mr. Rich McGee were present before the Commission to discuss this case.

MOTION: *After much discussion, Commissioner Allen moved for approval to uphold the Initial Order as submitted by Judge Robert Fellman. The Initial Order reduced the Dismissal to a Three Days suspension. Seconded by Commissioner Sanders and the Commission approved without objection.*

(5: Review of Order – James Ballentine, Water Services/30 Days Suspension and Demotion to Water Maintenance Technician I.

Previously, the Commission reviewed and ordered the Initial Order be modified. Both Attorneys were directed to reach an agreement regarding the amount of back pay that would be awarded to Mr. Ballentine in the Final Order. Metro Attorney Margaret Darby and the grievant's Attorney, Jeff Frensley, reached a settlement as addressed in the Agreed Order.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to uphold the Agreed Order and award back pay as ordered by Chancery Court to Mr. Ballentine in the amount of \$10,665.08. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(6: Review of Initial Order - Milton Rucker, Parks/Dismissal

Milton Rucker, Recreation Leader, Parks Department, was dismissed from employment for alleged violation of the department's zero tolerance Substance Abuse policy. Mr. Rucker appealed his dismissal to the Commission and the case was assigned to Administrative Law Judge Phillip Barber. Mr. Rucker was represented by Attorney Mark Brooks and Metro Attorney Thom Cross represented the Parks Department.

The case was heard as a contested case before Judge Barber on April 12, 2007. On June 25, 2007, Judge Barber entered an Initial Order reversing the termination. He then ordered that the grievant be suspended one week, **Assistant Director** then be reinstated subject to an appropriate return to work agreement with full restoration of all other lost wages, benefits and seniority. The Judge found that the department had not requested approval of this policy by the Civil Service Commission and had not conferred with the relevant employee group (SEIU).

MOTION: *After much discussion, Vice-Chairman Corbitt moved to defer this matter until October 9, 2007 for further discussion and consideration. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(7: Job Description Revisions

Auto Mechanic Leader
 Auto Mechanic
 Auto Mechanic – Certified
 Auto Service Writer
 Auto Shop Supervisor
 Equipment Mechanic
 Equipment Mechanic – Certified
 Equipment Operator 1, 2, 3
 Equipment Servicer
 Equipment Shop Supervisor
 Equipment Supply Clerk 1, 2, 3
 Emergency Vehicle Technician 1, 2
 Garage Manager
 Garage Supervisor 1, 2
 Master Technician
 Parts Supervisor
 Welder

Mr. Antione Nunn said the Human Resources Department has worked with General Services - Fleet Division on the above listed job descriptions by updating the physical demands of each. The information was presented to the Unions and it was noted that they had no objections to these proposed changes.

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

(8: Communiqués from the public on pending hearings

There were no communiqués from the public.

With nothing further, the regular meeting adjourned at 11:20a.m.

ATTEST:

APPROVED:

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

William H. Farmer
Chairman
Civil Service Commission