

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

NOVEMBER 13, 2007

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on November 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, R. Steve Corbitt, C. Michael Allen, Ervina Jarrett and D. Billye Sanders.

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

October 9, 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 Allen seconded the motion.

October 9, 2007 PUBLIC HEARING MINUTES:

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

With no corrections to the public hearing minutes, Vice-Chairman Corbitt moved for approval. Commissioner Allen 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>CODES ADMINISTRATION</u>			
Dawkins Jr., John D.	Plans Examiner 2	New Hire	10/01/07
<u>FINANCE</u>			
Jones, Joya K.	Finance Officer 2	New Hire	10/22/07
Watson, Heather L.	Finance Officer 2	New Hire	10/15/07
<u>FIRE</u>			
*Angell, Clyde E.	Fire Maintenance Worker 1	Dept Transfer/ Vol Reduction in Grade	10/16/07

*Department Transfer from General Services (Master Tech, TG13) to Fire (Fire Maintenance Worker 1, TG12)

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>GENERAL SERVICES</u>			
Mohon, Glenn A.	Building Maintenance Mechanic	New Hire	10/08/07
Maxwell, James E.	Equipment Mechanic Leader	Promotion	09/24/07
<u>HISTORICAL COMMISSION</u>			
Alexander, Sean M.	Historic Preservationist 1	New Hire	10/08/07
<u>HUMAN RESOURCES</u>			
Bell, Stephen F.	Application Tech 2	Promotion	09/24/07
Brock, Antonia Louise	Application Tech 3	Promotion	09/24/07
Copeland, Patricia J.	Application Tech 3	Promotion	09/24/07
Stanton, Malia C.	Application Tech 3	Promotion	09/24/07
Wilkerson, Patricia A.	Application Tech 3	Promotion	09/24/07
Adams-Bowles, Sue A.	Human Resources Analyst 2	Promotion	09/24/07
<u>INFORMATION TECHNOLOGY SERVICES</u>			
Scott, Ashley C.	Info Systems App Analyst 1	Promotion	10/08/07
Griffey Jr., John C.	Info Systems Division Manager	Re-Employment	10/05/07
Wallace, Timothy L.	Information Sys Operations Analyst 3	New Hire	09/26/07
Que, Allan Melvin	Information Systems Advisor 2	Promotion	10/15/07
Rorie, Samuel Todd	Information Systems Advisor 2	Promotion	10/16/07
<u>PARKS</u>			
Taylor V, Richard J.	Facilities Manager	Promotion	10/05/07
Floyd, Gernell D.	Facility Coordinator	Promotion	09/28/07
Pittman, Barbara S.	Facility Coordinator	Promotion	09/28/07
Personett Jr., Loren R.	Golf Course Manager	Promotion	10/12/07
*Baugh Jr., Sterling	Maintenance & Repair Worker 1	Transition - Civil Service	09/21/07
*Blair, Henderson D.	Maintenance & Repair Worker 1	Transition - Civil Service	09/21/07
**Weyer, Denise M.	Nature Center Manager	Transition - Civil Service	10/19/07
*Transition to Civil Service from Seasonal Status			
**Transition to Civil Service from non Civil Service Status.			
<u>POLICE</u>			
Bebout, Jeanette G.	Administrative Assistant	Promotion	10/01/07
Burnett, Sheri	Administrative Assistant	Promotion	10/01/07
Hagar, Rhonda R.	Administrative Assistant	Promotion	10/01/07
Peaks, Bernadine W.	Administrative Assistant	Promotion	10/01/07
Stiddum, Susan L.	Administrative Assistant	Promotion	10/01/07
Williamson, Barbara A.	Administrative Assistant	Promotion	10/01/07
Hale, Randy	Info Systems App Analyst 2	Promotion	09/16/07
Hambrick, Brenda W.	Info Systems App Analyst 2	Promotion	09/16/07

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>POLICE</u>			
*Davenport, David L.	Information Systems Media Analyst 2	Re-Classification/Lateral	10/01/07
Goodwin, Robert D.	Police Operations Assistant 1	New Hire	10/01/07
Grant, Zina L.	Police Operations Assistant 1	Re-Hire	10/01/07
Mosley, Senna L.	Police Operations Assistant 1	New Hire	10/01/07
Moss, Bethany L.	Police Operations Coordinator 1	New Hire	10/01/07
Gilliam, Sharon W.	Police Operations Coordinator 2	Promotion	10/01/07
Hunter, Pamela L.	Police Operations Coordinator 2	Promotion	10/01/07
Reeves, Lisa D.	Police Operations Coordinator 2	Promotion	10/01/07
Sutherland, Chandra R.	Police Operations Coordinator 2	Promotion	10/01/07
Braden, Kenneth L.	Police Security Guard 2	Promotion	10/09/07
^Wyatt, Jason M.	Professional Specialist	Transition -Civil Service	10/01/07
Dyess, Aaron W.	Technical Specialist 1	New Hire	10/01/07
Tolbert, Todd A.	Technical Specialist 1	New Hire	10/01/07

*Reclassification from IS Communications Tech 2 (SR9) to Is Media Analyst 2 (SR9)

^Transition to Civil Service from non-Civil Service Status

PUBLIC LIBRARY

Lyons, Michael G.	Circulation Assistant 1	New Hire	09/24/07
Mattes, Jeffery F.	Circulation Assistant 1	New Hire	10/22/07
*Kassae, Lili S	Info Systems App Analyst 2	Dept Transfer/Promotion	10/22/07
Frederick, Angela S.	Librarian 1	New Hire	10/22/07
Pawlak, Patricia A.	Librarian 1	Re-Hire	10/08/07
Council, Floyd G.	Library Associate 1	New Hire	10/22/07
Morros, Jesse A	Library Associate 1	Promotion	10/22/07
^Shivers, Carlos M.	Library Associate 1	Transition - Civil Service	10/22/07
Townsend, Montoya S.	Library Associate 1	New Hire	10/15/07
Dickerson, Mickey A.	Office Support Rep 3	Re-Hire	09/24/07

*Department Transfer from Finance (IS Applications Analyst 1, SR10) to Library (IS Applications Analyst 2, SR11)

^Transition to Civil Service from Part Time status

PUBLIC WORKS

Buice, Tommy L	Equipment Operator 3	Re-Hire	10/08/07
Irvine, Bobby J Jr.	Equipment Operator 3	New Hire	10/22/07
Thomas, Bryan S	Equipment Operator 3	Promotion	10/22/07
Calloway, Micheal W.	Maintenance & Repair Worker 1	New Hire	10/22/07
Madden, John Jr.	Maintenance & Repair Worker 1	New Hire	10/22/07
*Bessire, Maurice E.	Sanitation Worker	Vol Reduction in Grade	10/22/07
Callies, Dennis M	Sanitation Worker	New Hire	10/08/07
Merriweather, John	Sanitation Worker	New Hire	10/08/07
Raines, Anthony	Sanitation Worker	New Hire	10/22/07

*Voluntary Reduction in Grade from Equipment Operator 3 (TG8) to Sanitation Worker (TG5)

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>SHERIFF</u>			
*Davis, Marcus G.	Correctional Officer 1	Dept Transfer/ Vol Reduction in Grade	10/22/07
Jackson, Fredilia J.	Correctional Officer 1	Re-Hire	10/21/07
Cothron, William M.	Correctional Officer 2	Promotion	09/27/07
Franklin III, Thomas D.	Correctional Officer 2	Promotion	09/16/07
Moore, Brandi R.	Correctional Officer 2	Promotion	10/05/07
Pass, Don R.	Correctional Officer Sergeant	Promotion	09/28/07

*Department Transfer from Beer Board (Beer Inspector 1, SR8) to the Sheriff's Office (Correctional Officer 1, CO1)

WATER SERVICES

Davis Jr., Ivan R	Administrative Services Officer 4	New Hire	10/20/07
Osborne, Billie C	Engineer 2	New Hire	10/20/07
Owens, Amanda A	Engineering Tech 3	New Hire	10/06/07
Taylor, Ted A	Environmental Compliance Officer 1	New Hire	10/20/07
White, Amy J	Environmental Compliance Officer 1	New Hire	10/20/07
Canfield, Daniel R	Maintenance & Repair Worker 1	New Hire	10/20/07
Golden, Darrell L	Maintenance & Repair Worker 1	New Hire	10/20/07
Thompson, Ethan W	Maintenance & Repair Worker 1	New Hire	10/20/07
Moore, Kimberly V.	Technical Services Coordinator	Promotion	10/20/07
Coleman, Brice E.	Water Maintenance Leader 1	Promotion	10/20/07
Himes, Terrence D.	Water Maintenance Leader 1	Promotion	10/20/07
Johnson, George W	Water Maintenance Leader 1	Promotion	10/20/07
Henderson, Gregory B.	Water Maintenance Leader 2	Promotion	10/06/07

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>
Brown, Patricia L.	Customer Service Supervisor	Resignation	Codes	10/19/07
Sapp, Joy F.	Property Stand Inspector 2	Resignation	Codes	09/28/07
Hampton, Charles C.	Fire Captain	Pension	Fire	09/28/07
Lee Jr., Jerry D.	Paramedic 2	Pension	Fire	09/27/07
Heath, Henry Wayne	Automotive Mechanic	Resignation	General Services	10/01/07
Moorman, Keenon Eugene	Info Systems Comm Analyst 3	Resignation	ITS	09/28/07
Baker, Robert A	Recreation Leader	Resignation	Parks	10/10/07
Forte, Kenneth W.	Administrative Services Manager	Resignation	Police	09/28/07
Gant, David R.	Police Officer 2	Pension	Police	09/30/07
Goad, Stanton R.	Police Officer 2	Pension	Police	09/30/07
Pack, Mark W.	Police Officer 2	Pension	Police	09/30/07
Teague, Fredrick L.	Police Officer 2	Resignation	Police	09/27/07
Freeman, Steven J	Police Officer 3	Pension	Police	09/29/07
Hullett, Robert L.	Police Sergeant	Pension	Police	09/30/07

TERMINATIONS/ PENSIONS

Colburn, Ariel F.	Librarian 3	Pension	Public Library	09/28/07
Cornelisen, Wendy A	Library Associate 1	Resignation	Public Library	10/02/07
Hix, Lewis D.	Library Associate 1	Pension	Public Library	10/01/07
Shaw, Charles T	Library Associate 1	Resignation	Public Library	09/27/07
Coleman, Matthew N	Maintenance & Repair Worker 1	Dismissal	Public Works	10/05/07
Sawyers, Dontae D	Maintenance & Repair Worker 1	Deceased	Public Works	10/10/07
Trotter, Steven E.	Maintenance & Repair Worker 1	Resignation	Public Works	10/19/07
Barnett, Marcus J.	Correctional Officer 1	Resignation	Sheriff	10/12/07
Nimmo, David W.	Information Systems Advisor 2	Resignation	Social Services	09/21/07
Ryan, Nancy D	Info Systems Manager	Pension	Water Services	10/01/07

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>
Mechanical /Gas Inspector 1	Open	Codes
Finance Officer 2-Contract Management/Purchasing	Open	Finance
Finance Officer 2-Results Matter	Open	Finance
Administrative Assistant - EMS	Dept	Fire
Applications Tech 2 - SBO/HR	Dept	General Services
Finance Officer 3-Internal Auditor	Dept	Internal Audit
IS Applications Analyst 1-Internet/Intranet	Dept	ITS
IS Media Analyst 2-Metro 3	Dept	ITS
IS Operations Analyst 2-Desktop Support	Dept	ITS
IS Operations Tech 2-Desktop	Open	ITS
IS Applications Analyst 2-Library	Open	Library
Library Associate 1-Children's Services	Open	Library
Library Associate 1-Teen Services	Open	Library
Office Support Rep 3-Metro Clerk's Office	Dept	Metro Clerk's Office
Maintenance & Repair Leader 1-Golf	Open	Parks
Maintenance & Repair Worker 2-Golf	Open	Parks
Maintenance & Repair Worker 2-Landscaping	Dept	Parks
IS Operations Analyst 2-Records Management	Open	Police
Administrative Services Officer 4-Administration	Open	Water Services
Technical Services Coordinator-Plans	Dept	Water Services
Water Maintenance Leader 2- Tapping Crew	Dept	Water Services
Water Maintenance Leader 2-Valve Truck	Dept	Water Services

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
08/10/06	IS Applications Analyst 1 - Development	50	Open
01/23/06	IS Applications Tech 2 - Applications	19	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 ITEMS

EMERGENCY COMMUNICATIONS CENTER

REQUEST: Police Chief Ronal Serpas, requests Extension of out of Class Pay beyond 100 days for Mr. Bruce Sanschargin, as Interim Assistant Director – ECC.

Ms. Erin Hampton said Mr. Sanschargin has been working out of class as Interim Assistant Director since July 16, 2007 and would like to continue until January 1, 2008. This will provide sufficient time to recruit and hire an ECC Director, prior to a permanent appointment of an Assistant Director.

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.*

FINANCE

REQUEST: Mr. Gene Nolan, Interim Director, requests approval of Leave from Civil Service for Ms. Michelle Lane from October 15, 2007 to October 14, 2008.

Ms. Erin Hampton said Ms. Michelle Lane was recently appointed as a Special Assistant to the Mayor and is requesting leave from Civil Service from October 15, 2007 to October 14, 2008.

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.*

INFORMATION TECHNOLOGY SERVICES

REQUEST: Ms. Sandy Cole, Director, requests approval of Departmental Rules – Dress Code.

Ms. Erin Hampton said that ITS has proposed new departmental policies that would define guidelines for appearance and dress in the IT workplace. This proposed policy has been presented to the Unions, posted in the department and approved by the Legal Department and Human Resources.

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: Consideration of Medical Waiver request from Mr. John Burdge – Police Officer Trainee Applicant.

Mr. Burdge, Police Officer Trainee applicant, came before the Commission to discuss his request for a medical waiver. During the physical examination process, it was determined that he had a hearing deficiency and therefore would not meet the Army medical standards. Mr. Burdge provided documentation from a specialist and stated that he does have a slight hearing deficiency, however, it is limited to higher frequencies and should not affect his job performance. Dr. Fletcher maintains that he does not meet the hearing specifications as required. It was recommended that Mr. Burdge undergo further testing and submit the results back to the Commission for review at the January meeting.

ACTION: *The Commission recommended further testing and deferred the matter until the January 8th meeting.*

(2: Approval of Proposed Civil Service Rule Changes submitted in the Public Hearing on October 9, 2007

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

Mr. Steve Cain gave a brief overview of the proposed changes. There were no comments, suggestions or opposition by employees or unions to proposed changes as submitted. .

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.*

(3: Benefit Board Election Plan/ Police Employee Representative – January 22, 2008

Mr. Jim Lynch said that incumbent Police Representative Steve Bumpus, resigned his position on the Employee Benefit Board. Mr. Lynch said an election is planned for January 22, 2008 to fill the remainder of the incumbent's term on the board. Notice of the election will be appropriately distributed and posted within the department and the election will be conducted by machine vote.

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.*

(4: 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. Thomas Cross, Metro Attorney, represented the Parks Department.

The case was heard as a contested case before Judge Barber on April 12, 2007, and on June 25, 2007, an Initial Order was entered to reverse the termination and order that the grievant be suspended one week, 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 zero tolerance policy by the Civil service Commission and had not met / conferred with the representative employee group (SEIU).

Mr. Mark Brooks, Attorney for Mr. Rucker and Mr. Thomas Cross, Metro Attorney, were present before the Commission for discussion.

MOTION: *After much discussion, Commissioner Sanders moved to vacate the Administrative Law Judge's order and remand the matter back to the Department for further proceedings, stating that the department did in fact substantially revise the Substance Abuse Policy to a zero tolerance provision, without approval by the Civil Service Commission,*

Seconded by Vice-Chairman Corbitt. Commissioners Jarrett and Allen voted and objected to the motion, while Commissioners Corbitt and Sanders voted to affirm. Chairman Farmer broke the tie, by voting to affirm the motion and remand the matter back to the Parks Department for further proceedings. The vote was 3 to 2.

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

There were no communiqués from the public.

With nothing further, the regular meeting adjourned at 9:36a.m.

ATTEST:

APPROVED:

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

William H. Farmer
Chairman
Civil Service Commission