

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

FEBRUARY 12, 2008

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on February 12, 2008 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, R. Steve Corbitt, Ervina Jarrett and D. Billye Sanders.

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

Members not present: C. Michael Allen was not able to attend.

JANUARY 8, 2008 **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, Commissioner Jarrett moved for approval. Vice-Chairman Corbitt seconded the motion.

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

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>BEER BOARD</u>			
*Irvine Jr., Bobby J	Beer Permit Inspector 1	Dept Transfer/Promotion	12/31/07
*Department Transfer from Public Works (Equipment Operator 3, TG8) to Beer Board (Beer Permit Inspector 1, SR8)			
<u>GENERAL SERVICES</u>			
*Clinton, Michael I	Compliance Inspector 3	Vol Reduction In Grade	01/14/2008
Cleveland, Ronald E	Garage Supervisor 1	Promotion	01/14/2008
*Voluntary Reduction in grade from Automotive Shop Supervisor (TS11) to Compliance Inspector 3 (SR10)			

INFORMATION TECHNOLOGY SERVICES

Thompson, Noel	Info Systems App Tech 1	New Hire	01/28/08
Jackson, Debra J.	Information Sys Oper Analyst 1	Promotion	12/20/07
Cunningham, Michael E.	Information Sys Operations Tech 1	Promotion	01/09/08
Young, Julius K	Information Sys Operations Tech 1	New Hire	01/22/08
Chang, Bee-Ling C	Information Systems Advisor 1	Promotion	12/31/07
Medlin, Thomas R.	Information Systems Advisor 1	Promotion	12/31/07
*Reynolds, Carolyn M	Information Systems Advisor 1	Dept Transfer/Promotion	01/28/08
Singleton, Christopher M	Program Spec 2	New Hire	01/28/08

*Department Transfer from General Services (Professional Specialist, SR11) to ITS (IS Advisor 1, SR13)

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>INTERNAL AUDIT</u>			
Marcella, Emmanuel G	Finance Officer 3	New Hire	12/28/07
*Walker V, William B.	Finance Officer 3	Dept Transfer/Promotion	12/31/07

*Department Transfer from Finance (Finance Officer 2, SR10) to Internal Audit (Finance Officer 3, SR12)

JUVENILE COURT

Hicks, Teresa A	Administrative Services Officer 2	Promotion	12/31/07
Toothman, Susan J	Administrative Services Officer 2	Promotion	12/31/07

PARKS

Bledsoe, Kevin B	Maintenance & Repair Leader 1	Promotion	01/11/08
Shelton, Donald R	Maintenance & Repair Leader 1	Promotion	01/11/08
*King, Lisa M	Naturalist 3	Vol Reduction In Grade	01/01/08
Carter, Timothy E	Program Coordinator	Promotion	01/11/08
Wilson, Jeremy L.	Program Coordinator	Promotion	01/11/08

*Voluntary Reduction in grade from Program Coordinator (SR9) to a Naturalist 3 (SR8)

POLICE

Baker, Candace D	Police Officer 2	Re-Employment	01/22/08
Appleton, Angela K	Police Operations Assistant 1	Re-Hire	01/01/08
Beasley, Sharla D	Police Operations Assistant 1	New Hire	01/01/08
Vaughn, Michael W	Police Operations Assistant 1	New Hire	01/16/08
Lawrence, Jason L	Police Operations Assistant 3	Re-Employment	01/19/08
Osterhoudt, Shelly F.	Police Operations Coordinator 2	Promotion	01/16/08

PUBLIC LIBRARY

Henson, Carly A	Circulation Assistant 1	New Hire	01/14/08
Sloss, Angel L	Circulation Assistant 1	New Hire	01/14/08
Tatum, Clinton S.	Library Associate 1	Promotion	12/31/07
*Trent, Jill C	Library Associate 1	Transition - Civil Service	12/31/07

*Transition to Civil Service from Part Time Status

PUBLIC WORKS

Gann, Brandon G	Compliance Inspector 1	Promotion	01/14/08
Osborne, Joseph Q	Compliance Inspector 1	Re-Employment	01/14/08
Allen, Robert E	Equipment Operator 1	Promotion	01/28/08
Bowers, Steven D	Equipment Operator 1	Promotion	01/28/08
Dickens, Ryan N.	Equipment Operator 2	Promotion	01/14/08
Phillips, Antwan L.	Equipment Operator 2	Promotion	01/14/08
Odom, Nathaniel L	Equipment Operator 3	New Hire	01/29/08
Fleisher, Paul H.	Maintenance & Repair Leader 2	Promotion	01/14/08
Lawson, Russell D.	Maintenance & Repair Worker 2	Promotion	01/14/08

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>SHERIFF</u>			
Belles Jr., David R	Correctional Officer 1	New Hire	01/01/08
Blackford, Jason D	Correctional Officer 1	New Hire	01/01/08
Bodine III, Irving L	Correctional Officer 1	New Hire	01/01/08
Carter, Maria M	Correctional Officer 1	Re-Hire	01/01/08
Cates, Courtney R	Correctional Officer 1	New Hire	01/01/08
Cole, Kevin V	Correctional Officer 1	New Hire	01/01/08
Compton, John B	Correctional Officer 1	New Hire	01/01/08
Crockett, Justin L	Correctional Officer 1	New Hire	01/01/08
Dorsett, Jennifer L	Correctional Officer 1	New Hire	01/01/08
Fiser, Mark S	Correctional Officer 1	New Hire	01/01/08
Harrington, Ashley E	Correctional Officer 1	New Hire	01/01/08
Hennekam, Shaun R	Correctional Officer 1	New Hire	01/01/08
Hibbs, Nathan R	Correctional Officer 1	New Hire	01/01/08
Hicks, Melissa A	Correctional Officer 1	New Hire	01/01/08
Holley III, Solomon J	Correctional Officer 1	New Hire	01/01/08
Hollins Jr., John T	Correctional Officer 1	New Hire	01/01/08
Holmes, Charles	Correctional Officer 1	New Hire	01/01/08
Hymon, James M	Correctional Officer 1	New Hire	01/01/08
Kouhail, Ahmed	Correctional Officer 1	New Hire	01/01/08
Littlejohn, Sheena M	Correctional Officer 1	New Hire	01/01/08
Matthews, Jacqueline D	Correctional Officer 1	Re-Hire	01/01/08
Mitchell, Justin R	Correctional Officer 1	New Hire	01/01/08
Moore-Giles, Elizaldi	Correctional Officer 1	New Hire	01/01/08
Pace Jr., Joel F	Correctional Officer 1	New Hire	01/01/08
Parham III, James O	Correctional Officer 1	New Hire	01/01/08
Parker, Chris D	Correctional Officer 1	New Hire	01/01/08
Preville, Mark C	Correctional Officer 1	New Hire	01/01/08
Robinson, Cekarlto D	Correctional Officer 1	New Hire	01/01/08
Saylor, Christina N	Correctional Officer 1	New Hire	01/01/08
Stallings, Christopher B	Correctional Officer 1	New Hire	01/01/08
Thomas, Cassie M	Correctional Officer 1	New Hire	01/01/08
Thomas, Jason W	Correctional Officer 1	Re-Hire	01/01/08
Troup, John L	Correctional Officer 1	New Hire	01/01/08
Walden-Lawrence, Jolonda Q	Correctional Officer 1	Re-Hire	01/01/08
Williams, Adrean B	Correctional Officer 1	New Hire	01/01/08
Robins, Joshua S.	Correctional Officer 2	Promotion	01/13/08

WATER SERVICES

*Amos, Sue T	Administrative Services Officer 4	Dept Transfer/ Transition to Civil Service	12/29/07
Diehl, Chad A	Application Tech 1	Promotion	01/12/08
Martin, Donnell	Customer Service Field Rep 1	New Hire	12/29/07
Miller, Shan M	Engineer 2	New Hire	12/29/07
Bogle, Raymond Keith	Engineering Tech 3	Promotion	01/12/08
Hayes, Joshua Ben	Environmental Compliance Officer 2	Re-Employment	01/19/08
Harris, Timothy Morris	Industrial Electrician 1	New Hire	12/29/07
Travers, Donald J	Industrial Electrician 1	New Hire	01/26/08
Odom, John Paul	Office Support Rep 3	New Hire	12/29/07
Nolen, Cynthia A	Treatment Plant Tech 1	New Hire	01/12/08
Frydenlund, Jene Wayne	Water Maintenance Tech 1	New Hire	12/29/07

*Department transfer from the Mayor's Office (Assistant Director-ECD) to Water Services (Administrative Services Officer 4)

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval of the appointments as Listed. 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>
Shepherd, Charles R.	Zoning Examination Chief	Pension	Codes Administration	01/16/08
Tarkington, Jackie K	Plans Examiner 2	Resignation	Codes Administration	01/23/08
Lyle, Thomas D	Building Inspector 1	Pension	Codes Administration	01/09/08
Ford, Amanda J	Emer Telecomm Officer 4	Resignation	ECC	01/21/08
Stricklin, James D	Emer Telecomm Officer 4	Resignation	ECC	12/29/07
Brown, R Michael	Emer Telecomm Officer 1	Dismissal	ECC	01/03/08
Trent, Ann S.	Administrative Services Mgr	Resignation	Finance	01/14/08
Brown Jr., Charles S	Firefighter 3	Pension	Fire	01/07/08
Young, David E	Firefighter 3	Pension	Fire	01/03/08
Kenton, Donald W	Fire Engineer	Pension	Fire	01/02/08
Claibourne Jr., John R.	Fire Captain	Pension	Fire	01/03/08
Brewington, Alice H	Fire District Chief	Pension	Fire	12/31/07
Green, James C.	Radio Tech 3	Pension	General Services	12/28/07
Fleschner, Julie A.	Administrative Services Officer 4	Resignation	ITS	01/04/08
Kalas, Michael T	Info Systems App Tech 2	Resignation	ITS	01/17/08
Wallace, Timothy L	Info Systems Operator Analyst 3	Resignation	ITS	12/28/07
Kodali, Pavana K	Administrative Assistant	Pension	Juvenile Court	01/11/08
Brunton, Sarah M.	Office Support Rep 3	Resignation	Parks	01/12/08
Bennett-Hobek, Traci L	Naturalist 3	Resignation	Parks	12/31/07
Ware, Jennifer	Recreation Leader	Resignation	Parks	12/17/07
Edgar, David E	Police Officer 2	Pension	Police	12/31/07
Bobbitt, Chyрил R.	Police Youth Counselor 2	Pension	Police	12/31/07
Roark, Eva L	Police Operations Coordinator 1	Pension	Police	12/31/07
Ryherd, Marcus D.	Police Officer 2	Resignation	Police	12/19/07
Humphrey III, Jasper R.	Police Officer 2	Resignation	Police	12/31/07
Lorsch, Karen A	Police Crisis Counselor 2	Resignation	Police	01/04/08
Jones, Rebecca K	Police Operations Assistant 1	Resignation	Police	12/17/07
Meeks, Shawn D	Technical Specialist 1	Resignation	Police	12/17/07
McCormac, Sherrie D.	Circulation Assistant 1	Dismissal	Public Library	01/08/08
James, Darryl V	Equipment Operator 3	Dismissal	Public Works	01/23/08
Beem, Joshua S.	Correctional Officer 1	Resignation	Sheriff	12/28/07
Haley, Hugh F.	Correctional Officer 1	Resignation	Sheriff	01/04/08
Reasonover, Brandon R.	Correctional Officer 1	Resignation	Sheriff	01/05/08
Edmondson, Lakisha L	Correctional Officer 1	Resignation	Sheriff	01/18/08
Bremers, Jesse	Correctional Officer 1	Resignation	Sheriff	01/07/08
Turner, Tameka L.	Correctional Officer 1	Dismissal	Sheriff	01/10/08
Ross, Brenda J	Program Specialist 3	Pension	Social Services	01/11/08
Vaughn, Bobby Joe	Engineering Tech 3	Pension	Water Services	12/28/07
Jones, Louis T	Office Support Spec 2	Deceased	Water Services	12/20/07
French, Archie L.	Maintenance & Repair Leader 2	Pension	Water Services	12/31/07
Sellers Jr., Robert E	Equipment Operator 2	Resignation	Water Services	01/24/08

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

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Auditing Manager	Open	Internal Audit
Program Specialist 2 - Video	Open	ITS
IS Applications Tech 1-Internet/Intranet	Open	ITS
Administrative Services Officer 4 - Metro 3	Dept	ITS
Custodial Services Supervisor	Dept	Parks
IS Applications Tech 2 - App Support	Open	Police
Tech Spec 1 - Construction Management	Dept	Public Works
Compliance Inspector 1 - Code Enforcement	Open	Public Works
Compliance Inspector 1 - Response & Enforce	Dept	Public Works
Equipment Operator 1 - Roads	Dept	Public Works
Maintenance & Repair Leader 2 - Meter Shop	Dept	Public Works
Correctional Officer 2 - SMU/Booking	Dept	Sheriff
Program Manager 2 - Social Services	Open	Social Services
Application Tech 1- Cash Payments	Dept	Water Services
** Police Sergeant	Dept.	Police

** LATE ITEM

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Register</u>	<u>Number On Register</u>
03/27/06	Program Supervisor	Open	69

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.*

LATE ITEM

MOTION: *After some discussion, Vice-Chairman Corbitt moved to approve the late item register for Police Sergeant. Seconded by Commissioner Jarrett and the Commission approved without objection.*

DEPARTMENTAL ITEMS

GENERAL SERVICES

REQUEST: Ms. Nancy Whittemore, Director, requested approval for a one step increment advance for Mr. Ronald Cleveland, Garage Supervisor, from Step 2 to Step 3 effective February 12, 2008. TS11

ACTION: *This request was withdrawn.*

JUVENILE COURT

REQUEST: Judge Betty Adams Green, represented by Ms. Pheobe Johnson, requested the following:

- a. approval for an Increment Advance for Ms. Elaine Frey, Administrative Assistant, From Step 9 to Step 10, effective February 25, 2008. SR09

Ms. Johnson said Ms. Frey has been assigned the responsibility of Office Manager. Her experience in the administrative field qualifies her to serve as a lead person. She will coordinate and schedule leave requests, verify daily attendance logs for payroll purposes and provide detailed and accurate information for the Court Administrator.

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.*

- b. approval for an Increment Advance for Ms. Sally McWhorter, Office Support Representative 2, from Step 5 Step 6, effective February 25, 2008. SR05

ACTION: *This request was withdrawn*

HUMAN RESOURCES

Mrs. Dorothy Shell Berry, Director, submits the following for the Commission's consideration and appropriate action:

(1: Request for approval of a Medical Waiver - submitted by Fire applicant, Christopher Franklin

The Civil Service Commission received a request for a medical waiver from Fire Recruit applicant, Christopher Franklin. Upon review of the appeal, Civil Service Medical Examiner, Dr. Christopher Fletcher, found that Mr. Franklin still did not meet medical standards for Fire Recruit.

Mr. Franklin's father, District Chief Thomas M. Franklin and his mother, came before the Commission to discuss their son's request for the medical wavier. Dr. Christopher Fletcher, Medical Examiner was present for Commissioner's questions.

MOTION: *After much discussion, Vice-Chairman Corbitt moved to deny the medical waiver. Motion was seconded by Commissioner Sanders. Commissioner Jarrett abstained.*

(2: Request for approval of a Medical Waiver– submitted by Fire applicant, Quentin Smith

The Civil Service Commission received a request for a medical waiver from Fire Recruit applicant Quentin Smith. Upon review of the appeal, Civil Service Medical Examiner, Dr. Christopher Fletcher, found that Mr. Smith still did not meet medical standards for Fire Recruit.

Mr. Quentin Smith, Fire applicant, was present before the Commission to discuss this matter. Dr. Christopher Fletcher, Metro Medical Examiner, was also present for Commissioner's questions.

MOTION: *After much discussion, Vice-Chairman Corbitt moved to deny the medical waiver. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(3: Request for approval of a Medical Waiver - submitted by Police applicant, Nicholas McCluskey

The Civil Service Commission received a request for a medical waiver (vision deficiency) from Police applicant Nicholas McCluskey. Upon review of the appeal, Metro Medical Examiner, Dr. Christopher Fletcher, recommended approval of a waiver for this applicant. The Police Department stated that applicant McCluskey was no longer in the process to enter the academy. The request was then withdrawn.

ACTION: *This request was withdrawn*

(4: Status Report – Police Officer Gary Baker - Appeal of Medical Exam Results/ Fitness for Duty

On January 8, 2008, this matter came before the Civil Service Commission due to an appeal of findings from a medical exam by Dr. Christopher Fletcher, Metro Medical Examiner. The exam resulted in Police Officer Gary Baker being declared medically “unfit for duty”. Both parties were requested by the Commission to meet and confer on the matter. It was decided by both attorneys and the Police Department that this matter would be processed through the departmental grievance procedure. Officer Baker has since filed a stage 1 grievance, which was denied and the appeal has now gone to stage 2. Officer Baker is currently in a paid status using accrued vacation and/or sick leave, which should last through mid March 2008.

Mr. Worrick Robinson, Attorney for Officer Gary Baker, and Metro Attorney Kathy Evans came before the Commission to discuss the fitness for duty appeal.

ACTION: *The Commission recommended that all parties meet and confer on this matter before bringing it back for further discussion.*

(5: Review of Order to Dismiss Appeal – Rhonda Clark, Parks Dept. /Dismissal

This case was appealed to the Civil Service Commission and scheduled to be heard by Administrative Law Judge James A. Hornsby. On January 9, 2008, Ms. Clark advised the Judge that she no longer wished to pursue her appeal.

The Administrative Law Judge entered an Order dismissing the appeal prior to the hearing. All parties were notified of the decision.

Ms. Terri Costonis, Metro Attorney, was present before the Commission to discuss the case. Ms. Clark, having been duly notified, was not present or represented by Attorney.

MOTION: *After some discussion, Commissioner Jarrett moved to uphold the Order to Dismiss the Appeal as submitted by Administrative Law Judge James Hornsby. Seconded by Vice-Chairman Corbitt and the Commission approved without objection.*

(6: Review of Initial Order – Emily Anderson/Parks Dept., Grievance

Emily Anderson, Assistant Golf Course Manager- Parks Department, filed a grievance in response to a denial by the Appointing Authority of a claim for “Out of Class Pay” as a Golf Course Manager. Ms. Anderson’s grievance maintained that she performed all duties of a Manager position and should be paid out of class as such. Administrative Law Judge John Hicks was assigned to hear the case. Judge Hicks found that Ms. Anderson did not meet the minimum requirements to work as a GC Manager in accordance with Civil Service Rule 5.9. On December 14, 2007, Judge Hicks entered a Notice of Default and Initial Order that upheld the department’s decision to deny the Out-of-Class-Pay. Mr. Jon Michael, Metro Attorney, was present before the Commission to discuss the case. Ms. Anderson, who was duly notified, was not present or represented.

MOTION: *After some discussion, Vice-Chairman Corbitt moved to uphold the Order as submitted by Administrative Law Judge John Hicks. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(7: Review of Order to Dismiss Appeal – Scott Wells, Social Services/Dismissal

Scott Wells, Homemaker, with the Department of Social Services, was dismissed for violation of Civil Service 6.7 – employee conduct, specifically, a conviction in the General Sessions Court of Davidson County of “Driving Under the Influence”. This conviction resulted in suspension of his Driver's License for one year. Wells appealed his dismissal to the Commission and the case was assigned to Administrative Law Judge Randall LaFevor.

Wells was represented by Attorney Lynn Agee and Michelle Owens. Metro Attorney Keri Fowler represented the Social Service Department. On October 17, 2007, Administrative Law Judge LaFevor entered an Order to Dismiss the appeal due to the grievant's failure to participate, respond and prosecute the matter with the court. The grievant filed a petition for reconsideration which was denied by the ALJ.

Ms. Michelle Owen, Attorney for Mr. Wells and Ms. Keri Fowler, Metro Attorney, were present before the Commission to discuss the case.

MOTION: *After some discussion, Vice-Chairman Corbitt moved to uphold the Order as submitted by Administrative Law Judge Randall LaFevor. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(8: Review of Initial Order – Charles Foster, Sheriff's Office/Dismissal

Charles Foster, Lieutenant with the Sheriff's Office was dismissed for alleged violation of Civil Service rule 6.7 and Sheriff's policy, 1-1.312, which deals with Inappropriate Employee Conduct. Mr. Foster appealed his dismissal to the Commission and the case was assigned to Administrative Law Judge Leonard Pogue. Mr. Foster was represented by Attorney Marc Walwyn, while Metro Attorney Cynthia Gross represented the Sheriff's Office. On January 4, 2008, Administrative Law Judge Pogue entered an Order to uphold the department's dismissal of Mr. Foster.

Metro Attorney Cynthia Gross was present before the Commission to discuss the case. She noted that Mr. Walwyn, Attorney for Mr. Foster, would not be attending the meeting.

MOTION: *After some discussion, Vice-Chairman Corbitt moved to uphold the Order as submitted by Administrative Law Judge Leonard Pogue. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(9: Review of Order to Withdraw Appeal – Thom Brown, ECC/5 Days Suspension

Mr. Thom Brown, Emergency Communications Center, was suspended for five days and appealed his suspension to the Civil Service Commission. The case was then scheduled to be heard by Administrative Law Judge John Hicks. On December 11, 2007, Mr. Brown advised the Human Resources Department that he did not wish to pursue his appeal and would accept the five (5) days suspension. Administrative Law Judge John Hicks then entered an Order dismissing the appeal prior to the hearing and properly notified all parties of the decision.

Ms. Cynthia Gross, Metro Attorney was present before the Commission to discuss the case. Mr. Brown, who was duly notified, was not present.

MOTION: *After some discussion, Vice-Chairman Corbitt moved to uphold the Order to Dismiss the Appeal as submitted by Administrative Law Judge John Hicks. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(10: Communiqués from the public on pending hearings

There were no communiqués from the public.

With nothing further, the regular meeting adjourned at 10:15 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