

# **MINUTES**

## **METROPOLITAN CIVIL SERVICE COMMISSION**

**NOVEMBER 11, 2008**

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on November 11, 2008 in the Civil Service Conference Room, Suite163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 8:30 a.m.

**Commission Members present:** Vice-Chairman R. Steve Corbitt, C. Michael Allen, and Jo Ann North.

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

**Members not present:** Chairman William H. Farmer and Billye Sanders.

### **October 14, 2008 REGULAR MINUTES:**

Vice-Chairman Corbitt 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 North moved for approval. Commissioner Allen seconded the motion.*

**NOTE:** Ms. Eke read a memorandum regarding an Announcement of Appeals Process pursuant to ordinance #BL2006-2050.

### **APPOINTMENTS**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>	<b><u>TYPE</u></b>	<b><u>DATE</u></b>
<b><u>EMERGENCY COMMUNICATION CENTER</u></b>			
Davis, Pamela Jo	Emer Telecommunications Supervisor	Promotion	10/18/08
*Rentz, Kimberly A.	Emer Telecommunications Supervisor	Vol Reduction In Salary Grade	10/01/08
Shedd, Rhonda L.	Emer Telecommunications Supervisor	Promotion	10/18/08

\*Voluntary Reduction In Grade from Emergency Telecom Manager (ET 7) to Emergency Telecom Supervisor (ET 6)

### **FINANCE**

Weigel, Heidi E.	Finance Officer 3	New Hire	10/27/08
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### **GENERAL SERVICES**

Cundiff, Thomas J.	Equipment Mechanic	New Hire	09/22/08
Davis Jr., Terry	Radio Tech 1	New Hire	10/06/08
Patton, Shorntai M.	Radio Tech 1	New Hire	10/60/08

### **HUMAN RESOURCES**

*Taylor, Michael D.	Human Resources Analyst 3	Dept Transfer/Class Change	10/04/08
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\*Department Transfer from Water (Administrative Services Officer 4, SR12) to Human Resources (HR Analyst 3, SR12)

**APPOINTMENTS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<b><u>INTERNAL AUDIT</u></b>			
*Holt, Carlos L.	Internal Audit Manager	Class Change/Lateral	10/14/08
^Carter, Tracy D.	Internal Auditor 1	Class Change/Lateral	10/14/08
Caruso, Roxanne G.	Internal Auditor 1	New Hire	10/06/08
^Maxwell, Jennifer L.	Internal Auditor 1	Class Change/Lateral	10/14/08
^Yuan, Qian	Internal Auditor 1	Class Change/Lateral	10/14/08
**Marcella, Emmanuel G.	Internal Auditor 2	Class Change/Lateral	10/14/08
**Terrell, Sharhonda	Internal Auditor 2	Class Change/Lateral	10/14/08
**Terry, Jane K.	Internal Auditor 2	Class Change/Lateral	10/14/08
**Walker V, William B.	Internal Auditor 2	Class Change/Lateral	10/14/08
^McGinley, Joseph	Sr. Internal Auditor	Class Change/Lateral	10/14/08

\*Class Change from Auditing Manager to Internal Audit Manager, Per Pay Plan Amendment

^Class Change from Finance Officer 2 to Internal Auditor1, Per Pay Plan Amendment

\*\*Class Change from Finance Officer 3 to Internal Auditor 2, Per Pay Plan Amendment

^^Class Change from Finance Adm. to Sr. Internal Auditor, Per Pay Plan Amendment

**JUVENILE COURT**

*Denton, Jennifer G.	Office Support Rep 2	Dept. Transfer/ Transition - Civil Service	03/24/08
Busby, Teresa D.	Office Support Rep 3	Promotion	10/20/08

\*Department Transfer from Juvenile Court Clerk (Office Support Rep 2) to Juvenile Court (Office Support Rep 2)

**PARKS**

Van Tassel, Danny R.	Carpenter 1	Promotion	10/03/08
Gomez, Juan R.	Park Police 1	New Hire	10/01/08
Miller, Alan P.	Park Police 1	New Hire	10/01/08
*Frierson, Ricko E.	Recreation Leader	Transition - Civil Service	09/26/08

\*Transition to Civil Service from part time status

**POLICE**

Depriest, Raymond A.	Information Systems Advisor 2	New Hire	10/16/08
Hunsicker, Harmon W.	Police Captain	Promotion	10/16/08
*Jenkins, Steven M.	Police Officer 2	Class Change	10/23/08
*Reese, Adam G.	Police Officer 2	Class Change	10/07/08
Smith, Phillip A.	Police Operations Assistant 1	New Hire	10/01/08
^Manning, Mary S.	Police Operations Assistant 2	Vol Reduction In Salary Grade	10/27/08
Bullington, Amy T.	Police Youth Counselor 2	New Hire	10/01/08

\*Class Change from Police Officer 1 to Police Officer 2

^Voluntary Reduction In Grade from Police Security Guard 2 (SR8) to Police Operations Assistant 2 (SR5)

**APPOINTMENTS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<b><u>PUBLIC LIBRARY</u></b>			
McQueen, Allen W.	Circulation Assistant 1	New Hire	10/20/08
Davis, Karen D.	Circulation Supervisor	Promotion	10/06/08
Staub, James E.	Info Systems App Analyst 2	New Hire	10/20/08
Morin, Christopher C.	Librarian 2	Re-Hire	10/20/08
<b><u>PUBLIC WORKS</u></b>			
Slayden, Larry E.	Engineering Tech 3	Re-Employment	10/06/08
<b><u>SHERIFF</u></b>			
*Cornish Jr., Jerome	Correctional Officer 1	Voluntary Reduction In Salary Grade	09/27/08
Ramsey, Richard D.	Correctional Officer 2	Promotion	10/02/08
Hollins, Joseph B.	Correctional Officer Sergeant	Promotion	10/17/08
*Voluntary Reduction In Grade from Correctional Officer 2 (CO 2) to Correctional Officer 1 (CO 1)			
<b><u>WATER SERVICES</u></b>			
Clark, Christophe D.	Customer Service Field Rep 3	Promotion	10/04/08
Hodges, Gregory T.	Customer Service Field Rep 3	Promotion	10/03/08
Vestal, Terentius A.	Customer Service Field Rep 3	Promotion	10/04/08
*Pointer, Jonathan W.	Custodian 1	Class Change/Lateral	10/04/08
Foster, Angela B.	Engineer 2	Promotion	10/04/08
Melendez, Orlando B.	Equipment Mechanic	Promotion	10/18/08
Davis, Joshua A.	Equipment Operator 2	Promotion	10/18/08
Golden, Darrell L.	Equipment Operator 2	Promotion	10/18/08
Bruce Jr., Kenneth G.	Indust Electrician 1	New Hire	10/18/08
Foster, Charles E.	Indust Maintenance Supervisor 1	Promotion	10/18/08
Lockridge Jr., Robert C.	Indust Maintenance Supervisor 1	Promotion	10/04/08
Caruthers, James A.	Indust Maintenance Supervisor 2	Promotion	10/18/08
Raines, Billy R.	Indust Maintenance Supervisor 2	Promotion	10/18/08
Waynick Jr., Eddie L.	Indust Maintenance Supervisor 2	Promotion	10/18/08
Richardson, Joe R.	Indust Mechanic 1	Promotion	10/18/08
Morris, Melody M.	Office Support Rep 3	Re-Employment	10/18/08
Reece Jr., Milton M.	Treatment Plant Shift Supervisor	Promotion	10/04/08
^Cobb, William K.	Treatment Plant Tech 1	Class Change/Lateral	10/04/08
Elmore, Gregory A.	Water Maintenance Leader 1	Promotion	10/04/08
**Lamb, Michael W.	Water Maintenance Leader 1	Class Change/Lateral	10/04/08
Nolan, Patrick A.	Water Maintenance Leader 1	Promotion	10/04/08

\*Class Change from Water Maintenance Tech 1 (TG 3) to Custodian 1 (TG 3)

^Class Change from Water Maintenance Leader 1 (TI 7) to Treatment Plant Tech 1 (TG 8)

\*\*Class Change from Service Representative 2 (SR 7) to Water Maintenance Leader 1 (TI 7)

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

**TERMINATIONS/ PENSIONS**

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Borum, Linda J.	Administrative Services Officer 3	Pension	Codes Administration	10/03/08
McGee, Dorislynn	Customer Service Supervisor	Pension	Codes Administration	10/17/08
Butner, Wayne A.	Plumbing Inspector 1	Pension	Codes Administration	10/03/08
Douglas, Ronny L.	Plumbing Inspector 2	Resignation	Codes Administration	10/03/08
Allen, Christina E.	Emerg Telecomm. Officer 1	Resignation	ECC	10/13/08
Garrett, Carmina L.	Emerg Telecomm Officer 1	Dismissal	ECC	10/17/08
Valentine, Marquita L.	Emerg Telecomm Officer 1	Dismissal	ECC	10/03/08
Toll, Steven Shane	Emerg Medical Tech 2	Resignation	Fire	10/15/08
Dozier, William D.	Fire Captain	Pension	Fire	09/22/08
Gift, Robert M.	Fire Captain	Pension	Fire	10/15/08
Penn, Melissa A.	Paramedic 2	Resignation	Fire	09/30/08
Gish, Susan D.	Human Resources Analyst 3	Resignation	Human Resources	10/10/08
Rungsakul, Chaichana	Information Sys Operator Tech 1	Pension	ITS	10/08/08
Pena-Binkley, Nancy R.	Custodian 1	Resignation	Knowles Home	10/03/08
Dehart, Robert A.	Museum Spec 2	Resignation	Parks	09/20/08
Smith, Nathan W.	Park Police 1	Resignation	Parks	10/02/08
Shaw, Brian E.	Building Maintenance Leader	Resignation	Police	10/10/08
Pridemore Jr., Billy	Police Officer 3	Pension	Police	09/30/08
Dean, Peggy Dianne	Police Operations Coordinator 1	Pension	Police	09/30/08
Lawrence, Lisa Y.	Police Operations Coordinator 1	Pension	Police	09/17/08
Ferraiuolo, Gianina N.	Librarian 1	Resignation	Public Library	09/23/08
Martinez, Deambrosia J.	Correctional Officer 1	Dismissal	Sheriff	10/16/08
Maynard, James M.	Correctional Officer 1	Resignation	Sheriff	09/24/08
McNeil, Regena K.	Correctional Officer 1	Resignation	Sheriff	09/26/08
Hollins, Johnny C.	Correctional Officer Sergeant	Pension	Sheriff	10/01/08
McKee, Jeffrey S.	Industrial Maintenance Supv 1	Pension	Water Services	10/13/08
Gleaves, Thomas E.	Industrial Tech Master	Pension	Water Services	10/03/08
Ford, Tina Y.	Office Support Rep 2	Resignation	Water Services	09/24/08
Holley, Frank H.	Treatment Plant Tech 1	Pension	Water Services	10/03/08

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

**ELIGIBILITY REGISTER REPORT**

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Radio Tech 1	OPEN	General Services
Office Support Representative 3 - Juvenile Court	DEPT	Juvenile Court
Administrative Assistant - Special Services	DEPT	Parks and Recreation
Facilities Coordinator - Regional Centers	DEPT	Parks and Recreation
Police Lieutenant	DEPT	Police
Engineer 2 - Sidewalk Program	DEPT	Public Works
Equipment Mechanic - Fleet	DEPT	Water Services
Industrial Maintenance Supervisor 2 - Nights	DEPT	Water Services

**REGISTERS ABOLISHED**

<b><u>Date Established</u></b>	<b><u>Classification</u></b>	<b><u>Register</u></b>	<b><u>Number On Register</u></b>
01/11/07	Equipment Operator 3	DEPT	5

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

**DEPARTMENTAL ITEMS****JUVENILE COURT**

**REQUEST:** Judge Betty Adams Green, represented by Phoebe Johnson, requested approval to:

- a. **Extend Leave from Civil Service for the following:**

**L'Tannia H. Williams, Program Manager – Child Support Enforcement**  
**Margo Cooper, Administrative Assistant – Child Support Enforcement**

Ms. Johnson said both Ms. Williams and Ms. Cooper are long term employees with Juvenile Court and have worked on the non Civil Service grant program for a number of years. Their knowledge and expertise promotes smooth operations for the program.

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

- b. **Grant a Salary Adjustment for Bob Ross, Administrative Services Manager, to \$73,342.49 per year.**

Ms. Johnson said Mr. Ross had recently been assigned to oversee divisional management responsibility as well as the MSAC (Metro Student Attendance Center), which began on August 11, 2008. MSAC, established by the Mayor, addresses issues related to truancy in the community. Mr. Ross's additional responsibility will include the supervision and guidance for the Juvenile Court MSAC staff. He will attend meetings, respond to informational requests and manage/evaluate the MSAC program.

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

**POLICE**

**REQUEST:** Police Chief Ronal Serpas, represented by Sue Bibb, requested approval of a Salary Adjustment for Deputy Chief Louise Kelton to \$129,970.81 per year.

Ms. Sue Bibb said Deputy Chief Kelton was recently appointed as Police Deputy Chief. This request for an open range salary increase will align her salary with other Police Deputy Chiefs in the department. Police Chief Serpas felt it was appropriate to compensate all Deputy Chiefs at the same salary level.

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

## **HUMAN RESOURCES**

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

**( 1: Review of Initial Order - Linda Epps, Metro Action Commission/Grievance**

Linda Epps, Metro Action Commission, filed a grievance concerning denial of payment for lost time when she was not allowed to work while wearing an orthopedic boot. Ms. Epps was denied her grievance and appealed this decision to the Civil Service Commission. The case was assigned to Administrative Law Judge Steve Darnell. Ms. Epps was represented by Attorney Michelle Owens and Christy Feldman, Metro Attorney, represented MAC.

On October 13, 2008, Administrative Law Judge Darnell entered an Order to Uphold the MAC decision to deny the grievance. The Judge found that MAC was both proper and reasonable in denying the grievance and that her own physician said that she could not work safely with the restrictions.

Attorney Michelle Owens and Metro Attorney Christy Feldman were present before the Commission to discuss the case.

**MOTION:** *After much discussion, Commissioner Allen moved to Overturn the Initial Order entered by Administrative Law Judge Steve Darnell and to award full compensation to Ms. Epps for all work time lost. Seconded by Commissioner North and the Commission approved without objection.*

**( 2: Review Order to Dismiss Appeal - Leigh Schonborg, Emergency Communications Center  
2 Days Suspension.**

Leigh Schonborg, Emergency Communications Center, was suspended two days without pay from the ECC concerning an alleged violation of Civil Service rules 6.7 provisions #32, 33 related to behavior and conduct unbecoming. Ms. Schonborg appealed the suspension to the Civil Service Commission, whereas the case was assigned to Administrative Law Judge J. Randall LaFevor.

Ms. Schonborg represented herself and Metro Attorney Cynthia Gross represented ECC. On October 3, 2008, the department filed a Motion for Default and Dismissal of the appeal citing the grievant's failure to cooperate with the ALJ's efforts to schedule the hearing in a timely manner. The Judge found the appellant failed to pursue the appeal and prosecute the matter and on October 22, 2008, Judge LaFevor entered an Order to Dismiss the grievant's Civil Service appeal.

Metro Attorney Cynthia Gross was present before the Commission to discuss the case. Ms. Epps was properly notified but, did not attend the meeting.

**MOTION:** *After some discussion, Commissioner North moved for approval to Dismiss the Appeal as entered by Administrative Law Judge Randall LaFevor. Seconded by Commissioner Allen and the Commission approved without objection.*

**( 3: Review of Initial Order - Thom Brown, Emergency Communications Center /Grievance  
(Deferred from October meeting)**

Thom Brown, Emergency Communications Center, filed a grievance on behalf of ECC employees represented by the SEIU, concerning an alleged violation of the rules related to implementation of the 2005 metro pay plan. The grievance proceeded through the departmental grievance process and was denied by Director Roxanne Brown. Thom Brown then appealed the denial of his grievance to the Civil Service Commission where the case was assigned to Administrative Law Judge Mattielyn Williams.

Mr. Brown was represented by Attorneys Lynn Agee and Chris Van Atta. Cynthia Gross, Metro Attorney, represented the ECC. The contested case was ready for consideration on April 22, 2008. On June 6, 2008, Judge Williams entered an Initial Order which denied the grievance, finding that Metro Government's actions on pay plan implementation were appropriate and in accordance with established rules and policy.

Attorney Chris Van Atta and Metro Attorney Kathy Evans were present before the Commission to discuss the case.

**MOTION:** *After some discussion, Commissioner North moved to Uphold the Initial Order as entered by Administrative Law Judge Mattielyn Williams. Seconded by Commissioner Allen and the Commission approved without objection.*

**( 4: Report – Employee Benefit Board Election Results – Police Representative**

Mr. Jim Lynch said the election to select a representative from the Police Department for the Employee Benefit Board was scheduled to be conducted in November. All Police Department employees that contributed to any Employee Benefit Board plans were duly notified. Those who were eligible to be a candidate could vote in the election.

Deadline for qualifying for the election was October 20, 2008. Officer James Johnson was the only candidate that submitted a qualifying petition. Election rules state that in the event only one candidate qualifies to be on the ballot, they shall be declared the winner. Since there was no opposition, Officer Johnson was declared the winner.

**ACTION:** *Report only. No action necessary.*

**( 5: Request for Waiver of State Residency Requirement – Kevin Webb, Department of Parks**

Mr. Jim Lynch said Mr. Kevin Webb recently requested a waiver of the State Residency requirement for family and personal reasons. The Parks Department supports the request of Mr. Webb is currently residing in Franklin, Kentucky.

**MOTION:** *After some discussion, Commissioner Allen moved to deny the Requested Waiver of the State Residency Requirement for Mr. Webb. Seconded by Commissioner North and the Commission approved without objection.*

**( 6: JOB DESCRIPTION REVISIONS**

Building Inspector 1  
Electrical Inspector 1  
Mechanical/Gas Inspector 1  
Plumbing Inspector 1

Mr. Ben Johnson said revisions were being made to the Building Inspector 1, Electrical Inspector 1, Mechanical/Gas Inspector 1 and Plumbing Inspector1 by changing the terms of the licensing requirement. Metro Codes Department made the requested to comply with a Tennessee State Law. It was also noted that failure to meet the licensing requirements within one year, would result in an automatic termination of employment.

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

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

There were no communiqués from the public.

**With nothing further, the regular meeting adjourned at 9:45 a.m.**

**ATTEST:**

**APPROVED:**

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

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**R. Steve Corbitt**  
Vice-Chairman  
Civil Service Commission