

## PUBLIC HEARING MINUTES

### METROPOLITAN CIVIL SERVICE COMMISSION

#### CONSIDER PROPOSED RULE CHANGES TO CIVIL SERVICE RULE SECTION 6.9 – EMPLOYEE GRIEVANCES AND CIVIL SERVICE RULE 8.16 – GRIEVANCE PROCEDURE

The Metropolitan Civil Service Commission met for a Public Hearing on December 9, 2008 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 10:20 a.m.

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

**Other Members present:** Ms. Dorothy S. Berry, Director of Human Resources – Secretary to the Commission and Ms. Nicki Eke, Metro Legal Department – Attorney to the Commission

Mr. Stephen Cain, Human Resources, gave an overview of the proposed revisions to Civil Service Rule 6.9 – Employee Grievances, which were presented at a previous Public Hearing. He also provided an overview of the proposed addition to Civil Service Rule 8.16 – Fire Grievance Procedure.

Summary of overview:

#### Current Grievance Procedure (CS Rule 6.9):

Stage I – Written grievance/complaint to the supervisor

Stage II – Written appeal to the Department Head/Authority

Stage III – Written appeal to a Departmental Grievance board

#### Proposed Revisions (CSR 6.9):

- It was proposed that Stage I *Written Complaint / Grievance* now be submitted to a Departmental HR Coordinator rather than the immediate supervisor. The HR Coordinator will determine the nature of the employee's complaint and how the complaint should be processed.
- It was proposed that the Human Resources Coordinator be allowed ten (10) calendar days to take action and/or notify the employee of his decision in writing, as opposed to seven (7) calendar days, thus remaining consistent with other time limitations throughout the rule.
- It was proposed that Stage III - *Written appeal to a Departmental Grievance Board* be removed from the Rule.

Mr. Cain advised that the employee may still appeal the Appointing Authority's decision to the Civil Service Commission.

Mr. Cain added that a *General Employee Complaint Form* and an *Employee Grievance Form* had been created to assist an employee filing a complaint, regardless of the nature of said complaint. At Stage I, the Human Resources Coordinator will assist placing the complaint in the correct venue. In addition, the use of the *Employee Grievance Form* will remind all parties of the time limitation set by the Rule.

The following changes were recommended by Chairman Farmer:

- 6.9, section A – Add that employee may appeal the decision to the Civil Service Commission following the appeal from the Director of Human Resources.
- 6.9, section B – Stage 1 – that the Human Resources Coordinator shall take action and/or notify the employee of his decision in writing within ten (10) calendar days [of the receipt of the written complaint](#).
- 6.9, section B – Stage 2 – that the Appointing Authority or designee shall attempt to resolve the grievance and will send a letter to the employee within ten (10) calendar days [of receipt of the written appeal](#).

Mr. Farmer also pointed out a correction required in 6.9, section C – to properly identify the governing body of the Administrative Law Judges. (*This amendment is not affiliated with the proposed Rule changes. This will be a correction of the current Rule*)

[Proposed Chapter 8 \(ADD Section 8.16 – Grievance Procedure\)](#)

Mr. Cain explained that the Fire Department will maintain the use of the grievance panel and agreed to change the seven days to ten days for the initial complaint to be addressed by the Departmental Grievance Designee.

<b>Stage I</b>	Written complaint to Departmental Grievance Designee
<b>Stage II</b>	Written appeal to Department Head/Authority
<b>Stage III</b>	Written appeal to appear before Departmental Grievance Board

- Stage 1 – Written complaint to the Supervisor has been removed and replaced with complaint to the departmental grievance designee.
- It was proposed that the Departmental Grievance Designee be allowed ten (10) calendar days to take action and/or notify the employee of his decision in writing, as opposed to seven (7) calendar days, thus remaining consistent with other time limitations throughout the rule.

The following changes for Chapter 8 were recommended by Chairman Farmer:

- Recite in Chapter 8 a section from 6.9-A that states “an employee may appeal the decision to the Civil Service Commission following the appeal from the Director of Human Resources.”
- Stage I - the Departmental Grievance Designee shall take action and/or notify the employee of his decision in writing within ten (10) calendar days [of the receipt of the written complaint](#).
- Stage 2 – that the Appointing Authority or designee shall attempt to resolve the grievance and will send a letter to the employee within ten(10) calendar days [of receipt of the written appeal](#).

The Public Hearing proposals had been properly posted and provided to Metro Departments and Unions for review.

The following people came before the commission to speak on the proposed revisions to the rule.

- Benny Goolsby (SEIU – Local 205)
- Chief Steve Anderson Police Dept.
- Brock Parks, Attorney for Fraternal Order of Police (FOP)

With no additional questions raised by the Commission or comments from the public, the meeting adjourned at 11:10a.m.

**ATTEST:**

**APPROVED:**

---

***Ms. Dorothy S. Berry, Director  
Human Resources Department  
Secretary to Civil Service Commission***

---

***William H. Farmer, Chairman  
Civil Service Commission***