

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

MAY 12, 2009

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on May 12, 2009 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, C. Michael Allen and D. Billye Sanders

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

Members not present: Vice-Chairman R. Steve Corbitt and Commissioner Jo Ann North

April 14, 2009 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 Sanders 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>EMERGENCY COMMUNICATION CENTER</u>			
Peterson, Michelle R.	Emer Telecomm Assistant Director	Promotion	04/11/09
Carter, Kristina M.	Emer Telecommunications Manager	Promotion	04/11/09
Hatch, Glenn L.	Emer Telecommunications Manager	Promotion	04/11/09

POLICE

*Humes Jr., John E.	Police Operations Assistant 1	Return - I.O.D. Pension	04/16/09
Ghasemnezhad, Damoon	Police Security Guard 1	New Hire	04/01/09
Goodwin, Robert D.	Police Security Guard 1	Re-Hire	04/27/09
Jones, Rico M.	Police Security Guard 1	New Hire	04/01/09
Wright, Brandon J.	Police Security Guard 1	Re-Hire	04/01/09

* Return from IOD pension to lower classification, salary supplement - previous classification of Police Officer II

SHERIFF

Taylor, Lewis A.	Correctional Officer 1	Re-Hire	03/23/2009
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WATER SERVICES

*Ham, James D.	Application Tech 1	Department Transfer/Lateral	04/04/09
^Moore, Rhonda J.	Office Support Rep 2	Department Transfer/Lateral	04/04/09
**Kremer, Helen K.	Office Support Rep 3	Department Transfer/ Transition - Civil Service	04/04/09

*Department Transfer from Finance to Water Services (Same Classification)

^Department Transfer from Public Works to Water Services (Same Classification)

**Department Transfer from Finance (Application Tech 2, SR8) to Water Services (Office Support Rep 3, SR6)

MOTION: *After some discussion, Commissioner Sanders 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>
Walters, Gloria L.	Emer Telecommunications Officer 2	Resignation	ECC	03/26/09
Shreeve, Janice F.	Emer Telecommunications Officer 4	Resignation	ECC	03/26/09
Curran III, William J.	Fire Deputy Chief	Pension	Fire	03/31/09
Pruett, Debra I.	Fire Engineer	Pension	Fire	03/21/09
Gupton Jr., James E.	Paramedic 2	Resignation	Fire	04/04/09
Huffines, David E.	Paramedic 2	Resignation	Fire	04/10/09
Jefcoat, Stacy W.	Automotive Mechanic	Resignation	General Services	03/27/09
Martin, Phillip W.	Equipment Mechanic	Pension	General Services	04/03/09
Bell, Andrew W.	Equipment Mechanic-Certified	Pension	General Services	04/24/09
Campbell, Charles A.	Probation Officer Chief	Pension	Juvenile Court	03/31/09
Buck, James P.	Police Officer 3	Pension	Police	04/01/09
Curtis, Amber P.	Custodian 1	Resignation	Public Library	04/14/09
Hymon, James M.	Correctional Officer 1	Resignation	Sheriff	04/09/09
Matz, John W.	Correctional Officer 1	Resignation	Sheriff	04/10/09
Cardinal, Eric	Information Systems Advisor 2	Resignation	Social Services	04/30/09
Sullivan, Gerald A.	Engineering Tech 3	Deceased	Water Services	04/06/09

MOTION: *After some discussion, Commissioner Sanders 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- ESTABLISHED

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Emergency Telecommunications Manager	Dept	ECC
Emergency Telecommunications Assistant Director	Dept	ECC

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
06/6/07	Industrial Electrician	11	Open

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

DEPARTMENTAL ITEM

COMMUNITY EDUCATION ALLIANCE

REQUEST: Ms. Corine Jackson, Community Education Alliance, requested to rescind her Leave from Civil Service and approve her return to Civil Service status effective June 1, 2009.

Ms. Jackson asked that her proposed effective date be extended until August 1, 2009 and that she would remain at her present position with the school system. She has been working under a Federal Grant program with the Board of Education.

ACTION: *This matter has been deferred until the meeting in July*

HUMAN RESOURCES

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

(1: Request for approval of Revision to Civil Service Policy 4.7 A-1 - Perfect Attendance Bonus

Mr. Michael Taylor, Human Resources, said that due to current budget constraints, proposed changes to this Civil Service Policy would allow the Commission to suspend all or part of any payment of the Perfect Attendance bonus based on funding availability and recommendations of the Finance Director and the Human Resources Director.

Mr. Rich Riebeling, Director of Finance and Union Representatives (Doug Collier, SEIU & Robert Weaver, (FOP) were present at the meeting to voice their respective positions on the proposals.

ACTION: *This proposed revision was brought before the Commission for consideration and open discussion. It will be further considered and voted on at a Special Called Meeting on May 21, 2009.*

(2: Proposed Amendments to the Metro General Government & Public Safety Pay Plans For FY 2010 and FY 2011.

Ms. Jamie Summers said that proposed amendments to language in the pay plan would allow for increment raises to be suspended for one year beginning in FY 2010 and then be reinstated in FY 2011. Based on Finance Department projections, freezing of increments for FY2010 would provide a savings of \$4,493,900 and would significantly reduce the number of possible employee layoffs.

Mr. Rich Riebeling, Director of Finance and Union Representatives (Doug Collier, SEIU & Robert Weaver, (FOP) were present at the meeting to voice their respective positions on the proposals.

ACTION: *This proposal was brought before the Commission for consideration and open discussion. It will be considered and voted on at a Special Called Meeting on May 21, 2009.*

(3: Proposal for Suspension of the Longevity Pay Resolution for FY 2010

Mr. Michael Taylor, Human Resources, said that due to Metro wide budget constraints, it has been proposed that suspending the employee longevity pay would significantly reduce the number of positions being targeted for layoff action. The proposed suspension would only be for the FY 2010 and then would be reinstated in FY 2011.

Mr. Rich Riebeling, Director of Finance and Union Representatives (Doug Collier, SEIU & Robert Weaver, (FOP) were at the meeting to voice their respective positions on the proposals.

ACTION: *This proposed revision was brought before the Commission for consideration and open discussion. It will be further considered and voted on at a Special Called Meeting on May 21, 2009.*

(4: Certification of Benefit Board Election Results – Fire Department Representative

Mr. Steve Cain said that Douglas D. Conquest, Sr. was the only employee who submitted a qualifying petition for the position of Fire Representative to the Employee Benefit Board. Mr. Cain said that in the event only one candidate qualifies to be on the ballot, the qualifying candidate will be declared the winner. Human Resources Director, Dorothy S. Berry, certified Mr. Conquest the winner in accordance with election policy.

ACTION: *Report only*

(5: Certification of Benefit Board Election Results – Retired Employee Representative

Mr. Steve Cain said B. R. Hall was the only retiree who submitted a qualifying petition for the position of Retired Employee Representative to the Employee Benefit Board. Mr. Cain said that in the event only one candidate qualifies to be on the ballot, the qualifying candidate will be declared the winner. Human Resources Director, Dorothy S. Berry, certified Mr. Hall the winner in accordance with election policy.

ACTION: *This was for a report only.*

(6: Review of Initial Order for Larry Breeden, General Services Dept./Dismissal

Larry Breeden, Automotive Mechanic Leader, was dismissed from the Metro General Service Department for alleged violation of Civil Service Rule 6.1 dealing with Employee Conduct and Civil Service Rule 6.7 dealing with Neglect or failure to perform official duty. In addition, Mr. Breeden failed a signed return to work agreement which required him to completely abstain from the use of alcohol and other drugs.

Mr. Breeden appealed his dismissal to the Civil Service Commission, whereas the case was assigned to Administrative Law Judge Thomas Stovall. Mr. Breeden represented himself and Metro Attorney Jon Michael represented General Service Department.

On January 28, 2009, Judge Stovall entered an Order to uphold the decision to terminate the employment of Larry Breeden from the Metropolitan Government General Services Department.

Mr. Ed Hiland, Attorney for Mr. Breeden and Metro Attorney Jon Michael were both present before the Commission to discuss the case.

MOTION: *After some discussion, Commissioner Sanders moved for approval to uphold the Initial Order as submitted by Administrative Law Judge Thomas Stovall. Seconded by Commissioner Allen and the Commission approved without objection.*

(7: Request for a Special Called Meeting

Mr. Jim Lynch said a special called meeting will be required to consider and vote on following:

- Approval of proposed Revision to Civil Service Policy 4.7 A1 – and Suspension of the Perfect Attendance Bonus
- Proposed Amendment to Metro General Government and Public Safety Pay Plans
- Suspension of the Employee Longevity Pay for FY2010

ACTION: *The Commission scheduled the Special Called Meeting for Thursday, May 21, 2009 at 8:30 a.m.*

(8: Communiqués from the public on pending hearings

There were no reports made.

With nothing further, the regular meeting adjourned at 9:20 a.m.

ATTEST:

APPROVED:

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

Mr. William H. Farmer
Chairman
Civil Service Commission