

PUBLIC HEARING MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

CONSIDER PROPOSED RULE CHANGES TO CIVIL SERVICE RULE/POLICY SECTION – 4.16 – FAMILY AND MEDICAL LEAVE ACT

The Metropolitan Civil Service Commission met for a Public Hearing on [May 12, 2009](#) in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 9:20 a.m.

Commission Members present: Chairman William H. Farmer, C. Michael Allen and Billye Sanders

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

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

Mr. Les Bowron, HR Manager, said the purpose of the amendments is to delete the Metro FMLA Handbook as Appendix 3 to the Civil Service Rules and re-number the remaining appendices as needed. Given the need to amend the Handbook every time the DOL amends its regulations and/or Congress amends the statute itself, having the Handbook be a part of the CS Rules as an Appendix requires the HR Department to approach the Commission every time such amendments are issued at the federal level. While the Commission has the authority to set many policies concerning the employer-employee relationship, the Commission lacks the authority to alter the amendments Metro is required to implement as a result of amendments to federal law and/or regulation. The better approach would be to delete the reference to Appendix 3 as the Metro FMLA Handbook altogether.

The Commission discussed the proposal and discussed with Mr. Bowron the idea of having Human Resources report to the Commission whenever the FMLA is amended by federal agency action. Mr. Bowron believed Human Resources would be happy to do so.

Proposed changes:

1. CSR Section 4.16 – Family and Medical Leave Act - to delete bold and underlined language.

Employees eligible may be granted leave pursuant to the Metro FMLA Policy Handbook (**See Appendix 3 to these Rules**), provided to employees when hired, available to employees by contacting their supervisor and/or HR Coordinator or through the Metro website at www.nashville.gov, Human Resources sub-site.

2. CS Policy: 4.16 Title: Family and Medical Leave (FMLA) – to delete bold and underlined language

CS POLICY 4.16

Employees who are eligible may be granted leave pursuant to the Metro FMLA Policy Handbook, provided to employees when hired, available to employees by contacting their supervisor and/or HR Coordinator, or available to employees on the Metro website at www.nashville.gov, Human Resources sub-site.

Also see [Appendix 3 of the Rules for a copy of](#) the Metro FMLA Policy handbook.

With no additional questions raised by the Commission or comments from the public, the meeting adjourned at 9:35 a.m.

ATTEST:

APPROVED:

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

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