

# **MINUTES**

## **METROPOLITAN CIVIL SERVICE COMMISSION**

**AUGUST 11, 2009**

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on August 11, 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, Vice-Chairman R. Steve Corbitt, D. Billye Sanders and Jo Ann North

**Other Members present:** Rita Roberts-Turner, Director of Human Resources and Nicki Eke, Metro Legal Department - Attorney.

**Members not present:** C. Michael Allen

### **July 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, Vice-Chairman Corbitt moved for approval. Commissioner Sanders seconded the motion.*

**NOTE:** Chairman Farmer, 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>FIRE</u></b>			
Holt, Steven E.	Fire Assistant Chief	Promotion	07/01/09
Bailey, Stan D.	Fire Captain	Promotion	07/01/09
Baker, Toby B.	Fire Captain	Promotion	07/01/09
Caruthers II, Kenneth A.	Fire Captain	Promotion	07/01/09
Cummings, Romney D.	Fire Captain	Promotion	07/01/09
Curran, William M.	Fire Captain	Promotion	07/01/09
Davis, Daryl T.	Fire Captain	Promotion	07/01/09
Frizzell, Murray L.	Fire Captain	Promotion	07/01/09
Kendall Jr., Ronald A.	Fire Captain	Promotion	07/01/09
*Servais, Christopher J.	Fire Captain	Class Change/Lateral	07/01/09
Standley, Gary W.	Fire Captain	Promotion	07/01/09
*Swann, William A.	Fire Captain	Class Change/Lateral	07/01/09
Tomlinson Jr., Jerry J.	Fire Captain	Promotion	07/01/09
Yates, Danny R.	Fire Deputy Chief	Promotion	07/01/09
***Campbell, Deborah	Fire District Chief	Return - Rollback	07/01/09
***Moyers, Timothy	Fire District Chief	Return - Rollback	07/01/09
***Manning, Lenny	Fire District Chief	Return - Rollback	07/01/09
Baker, Brian Ray	Fire Engineer	Promotion	07/01/09

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>FIRE</u>			
Bickett, Deric Wayne	Fire Engineer	Promotion	07/01/09
Bloodworth, Nathan Brice	Fire Engineer	Promotion	07/01/09
Campanali, Michael N.	Fire Engineer	Promotion	07/01/09
Ewing, Clarence A.	Fire Engineer	Promotion	07/01/09
Fortner, Tracey L.	Fire Engineer	Promotion	07/01/09
Hudson, Michael Tyrone	Fire Engineer	Promotion	07/01/09
Johnson, Stephen Craig	Fire Engineer	Promotion	07/01/09
^Lathrope, Kevin G.	Fire Engineer	Class Change/Lateral	07/01/09
Minnis, Michael D.	Fire Engineer	Promotion	07/01/09
Moss, Bryan Scott	Fire Engineer	Promotion	07/01/09
Ray, Gary L.	Fire Engineer	Promotion	07/01/09
Sales, Kerry R.	Fire Engineer	Promotion	07/01/09
Smith, Calvin D.	Fire Engineer	Promotion	07/01/09
Uselton, Richard S.	Fire Engineer	Promotion	07/01/09
West, Kim D.	Fire Engineer	Promotion	07/01/09
**Barber, Phillip D.	Fire Inspector 2	Rollback - Class	07/01/09
**Hand, Randy G.	Fire Inspector 2	Rollback - Class	07/01/09
**Wallace, Tony L.	Fire Inspector 2	Rollback - Class	07/01/09
^^Scott Sr., Charles A.	Fire Marshal-Assistant	Rollback - Class	07/01/09

\*Class Change from Fire Instructor (PS6) to Fire Captain (PS6)

^Class Change from Fire Fighter 3 (PS5) to Fire Engineer (PS5)

\*\*Rollback from Fire Marshal-Assistant (PS6) to Fire Inspector 2 (PS5)

^^Rollback from Fire Marshal-Deputy (PS7) to Fire Marshal-Assistant (PS6)

\*\*\*Reinstated to original classification from Fire Captain

GENERAL SERVICES

Pope, Thomas A.	Building Maintenance Mechanic	Re-Employment	07/20/09
*Watson, Roy A.	Building Maintenance Supervisor	Rollback - Class	07/01/09
^Mendez, Cesar A.	Equipment Servicer	Rollback - Class	07/01/09

\*Rollback in classification from Building Maintenance Supt (TS13) to Building Maintenance Supervisor (TS11)

^Rollback in classification from Building Maintenance Mechanic (TG8) to Equipment Servicer (TG5)

INFORMATION TECHNOLOGY SERVICE

*Rawlins Jr., Robert C.	Info Systems App Analyst 1	Rollback - Class	07/01/09
^Scott, Ashley C.	Info Systems App Tech 2	Rollback - Class	07/01/09
**Thompson, Noel	Information Sys Oper Tech 1	Rollback - Class	07/01/09
^^Eckert, Douglas Clarke	Special Projects Manager	Class Change/Lateral	07/01/09

\*Rollback in classification from IS App Analyst 2 (SR11) to IS App Analyst 1 (SR10)

^Rollback in classification from IS App Analyst 1 (SR10) to IS App Tech 2 (SR9)

\*\*Rollback in classification from IS App Tech 2 (SR9) to IS Operations Tech 1 (SR8)

^^Class change from IS Assistant Director (SR15) to Special Projects Manager (SR15)

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>PARKS</u>			
*Martin-Douglas, Brenda S.	Custodian 1	Rollback - Class	07/27/09
^Taylor V, Richard J.	Facility Coordinator	Rollback – Class	07/27/09
**Watkins, Mark D.	Maintenance & Repair Leader 1	Rollback – Class	07/27/09
^^Bledsoe, Kevin B.	Maintenance & Repair Worker 2	Rollback - Class	07/27/09
***Comer, Allan C.	Maintenance & Repair Worker 2	Rollback - Class	07/27/09
^^Hobbs III, Joseph D.	Maintenance & Repair Worker 2	Rollback - Class	07/27/09
#Buttrey, Casey	Maintenance & Repair Worker 3	Rollback - Class	07/27/09
****Irvin, Jordan B.	Park Police 2	Rollback - Class	07/27/09
^^^Mitchell, George E.	Park Police Sergeant	Rollback - Class	07/27/09
%Adkins III, Golden G.	Recreation Leader	Rollback - Class	07/27/09
%Patterson, Estelle R.	Recreation Leader	Rollback - Class	07/27/09
%Rucker, Melissa W.	Recreation Leader	Rollback - Class	07/27/09

\*Rollback in classification from Custodian Services Supervisor (TS3) to Custodian 1 (TG3)  
 ^Rollback in classification from Facilities Manager (SR12) to Facilities Coordinator (SR11)  
 \*\*Rollback in classification from M&R Supervisor (TS8) to M&R Leader 1 (TI7)  
 ^^Rollback in classification from M&R Leader 1 (TI7) to M&R Worker 2 (TG4)  
 \*\*\*Rollback in classification from M&R Worker 3 (TG6) to M&R Worker 2 (TG4)  
 ^^Rollback in classification from M&R Leader 1 (TI7) to M&R Worker 2 (TG4)  
 # Rollback in classification from M&R Leader 1 (TI7) to M&R Worker 3 (TG6)  
 \*\*\*\*Rollback in classification from Park Police Sgt (SR9) to Park Police 2 (SR8)  
 ^^Rollback in classification from Park Police Lt (SR10) to Park Police Sgt (SR9)  
 %Rollback in classification from Special Skills Instructor (SR8) to Recreation Leader (SR7)

POLICE

*Bass, Kevin J.	Police Officer 1	Class Change	07/14/09
*Bearden, Rickey R.	Police Officer 1	Class Change	07/14/09
*Belcher, Douglas A.	Police Officer 1	Class Change	07/14/09
*Bowers, Steven D.	Police Officer 1	Class Change	07/14/09
*Brickman, Michael K.	Police Officer 1	Class Change	07/14/09
*Cantrell, Christopher M.	Police Officer 1	Class Change	07/14/09
*Cartmell, Deon L.	Police Officer 1	Class Change	07/14/09
*Finnegan, Ryan M.	Police Officer 1	Class Change	07/14/09
*Fouche, Stephen C.	Police Officer 1	Class Change	07/14/09
*Freeman, Russell P.	Police Officer 1	Class Change	07/14/09
*Goebel, Paul V.	Police Officer 1	Class Change	07/14/09
*Hatt, Mark A.	Police Officer 1	Class Change	07/14/09
*Hudson III, William B.	Police Officer 1	Class Change	07/14/09
*Jones, Steven W.	Police Officer 1	Class Change	07/14/09
*Jurnett, Tommy D.	Police Officer 1	Class Change	07/14/09
*Lafamme, Laura A.	Police Officer 1	Class Change	07/14/09
*Mathis, William E.	Police Officer 1	Class Change	07/14/09
*Maynard, Dustin K.	Police Officer 1	Class Change	07/14/09
*McCluskey, Nicholas R.	Police Officer 1	Class Change	07/14/09
*McCollum, Gene L.	Police Officer 1	Class Change	07/14/09
*McNamara, Keith S.	Police Officer 1	Class Change	07/14/09
*Moses, Matthew D.	Police Officer 1	Class Change	07/14/09
*Mullins, Corey D.	Police Officer 1	Class Change	07/14/09

**APPOINTMENTS**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>	<b><u>TYPE</u></b>	<b><u>DATE</u></b>
*Mustapha, Gbewa L.	Police Officer 1	Class Change	07/14/09
*Newmyer, Janice L.	Police Officer 1	Class Change	07/14/09
*O'Farrell, Rory P.	Police Officer 1	Class Change	07/14/09
*Potts, Ryan K.	Police Officer 1	Class Change	07/14/09
*Richmond, Sean A.	Police Officer 1	Class Change	07/14/09
*Robinson, John B.	Police Officer 1	Class Change	07/14/09
*Russell II, Loren J.	Police Officer 1	Class Change	07/14/09
*Shoesmith, Matthew J.	Police Officer 1	Class Change	07/14/09
*Sofer, Michael G.	Police Officer 1	Class Change	07/14/09
*Sweeney, Jason W.	Police Officer 1	Class Change	07/14/09
*Terrazas, David R.	Police Officer 1	Class Change	07/14/09
*Thomas, Adam R.	Police Officer 1	Class Change	07/14/09
*Walker, Frank D.	Police Officer 1	Class Change	07/14/09
*Young, Wesley D.	Police Officer 1	Class Change	07/14/09
*Zander, Travis R.	Police Officer 1	Class Change	07/14/09
^Browning, Elaine F.	Police Operations Coordinator 1	Vol Reduction - Salary Grade	07/01/09

\*Class change from Police Officer Trainee (PS2) to Police Officer 1 (PS3)

^Voluntary reduction from Police Operations Coordinator 2 (SR8) to Police Operations Coordinator 1 (SS7)

**PUBLIC LIBRARY**

*Garland, Leanne	Librarian 1	Rollback - Class	07/01/09
^Ross, Victoria O.	Librarian 2	Rollback - Class	07/01/09
**Raye, Sally A.	Library Associate 1	Rollback - Class	07/01/09
Morin, Christopher C.	Library Manager 1	Promotion	06/29/09
^^Pugh, Ronnie F.	Library Manager 1	Class Change/Lateral	07/01/09

\*Rollback in classification from Librarian 3 (SR11) to Librarian 1 (SR9)

^Rollback in classification from Librarian 3 (SR11) to Librarian 2 (SR10)

\*\*Rollback in classification from Librarian 3 (SR11) to Library Associate 1 (SR6)

^^Class change from Librarian 3 (SR11) to Library Manager 1 (SR11)

**PUBLIC WORKS**

*Knight, Keith J.	Equipment Operator 3	Rollback - Class	07/01/09
^Clemons, Lawrence R.	Skilled Craft Worker 1	Rollback - Class	07/01/09

\*Rollback in classification from Sanitation Supervisor (TS7) to Equipment Operator 3 (TG8)

^Rollback in classification from Carpenter 2 (TI10) to Skilled Crafter Worker 1 (TG7)

**SHERIFF**

Allgood, Christopher D.	Correctional Officer 2	Promotion	07/01/09
Baltimore Jr., Randall C.	Correctional Officer 2	Promotion	07/01/09
Copeland Jr., Jack E.	Correctional Officer 2	Promotion	07/01/09
Craven, Morris W.	Correctional Officer 2	Promotion	07/11/09
Davidson, Jeffrey S.	Correctional Officer 2	Promotion	07/01/09
*Ganaway Jr., Marvin	Correctional Officer 2	Class Change	07/01/09

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>SHERIFF</u>			
*Gann, Jeremy L.	Correctional Officer 2	Class Change	07/01/09
*Hollis, Alton Delmore	Correctional Officer 2	Class Change	07/01/09
*Patton, Raymond	Correctional Officer 2	Class Change	07/01/09
*Roberts, James V.	Correctional Officer 2	Class Change	07/01/09
Steinsultz, Brad A.	Correctional Officer 2	Promotion	07/01/09
*Whitley, Terry R.	Correctional Officer 2	Class Change	07/01/09

\*Department transfer from General Hospital (Security Officer) to Sheriff (Correctional Officer 2, CO2)

SOCIAL SERVICES

*Buchanan, Margaret	Office Support Rep 1	Rollback - Class	07/01/09
---------------------	----------------------	------------------	----------

\*Rollback in classification from Van Driver (TG5) to Office Support Rep 1 (SR4)

WATER SERVICES

*Cunningham, Steven	Building Maintenance Lead Mechanic	Dept. Transfer/Lateral	07/11/09
^Hartigan, Thomas F.	Skilled Craft Worker 2	Dept. Transfer/Rollback-Class	07/01/09
^^Crenshaw, Timothy L.	Skilled Craft Worker 1	Dept. Transfer/Rollback-Class	07/01/09
**Dominguez, Leoncio G.	Program Spec 3	Dept. Transfer/Lateral	07/04/09
^England, Thomas D.	Skilled Craft Worker 2	Dept. Transfer/Rollback-Class	07/01/09
***Hammonds, Dean L.	Indust Electronics Tech 1	Dept. Transfer/Rollback-Class	07/01/09
^^Henning, Joshua M.	Maintenance & Repair Worker 1	Dept. Transfer/Rollback-Class	07/01/09
~Clinton, Michael	Engineering Tech 3	Dept. Transfer/Lateral	07/01/09
^Hale, Thomas	Skilled Craft Worker 2	Dept. Transfer/Rollback-Class	07/01/09
****Salmon, James	Engineering Tech 1	Dept. Transfer/Rollback-Class	07/01/09
^^^Longmire, Vernon	Office Support Rep 2	Dept. Transfer/Lateral	07/01/09
%Grant, Raefel A.	Maintenance & Repair Worker 1	Dept. Transfer/Lateral	07/01/09
%Ragland Jr., Marty L.	Maintenance & Repair Worker 1	Dept. Transfer/Lateral	07/01/09
%McElhiney, Kyle S.	Maintenance & Repair Worker 1	Dept. Transfer/Lateral	07/01/09

\*Department Transfer from General Services (Building Maintenance Lead Mechanic) to Water (Building Maintenance Lead Mechanic), in lieu of layoff

^Department Transfer from General Services Building Maintenance Lead Mechanic TI10) to Water (Skilled Craft Worker 2 TG10), in lieu of layoff

^^Department Transfer from General Services (Building Maintenance Mechanic, TG8) to Water (Skilled Craft Worker 1, TG7), in lieu of layoff

\*\*Department Transfer from Human Relations, in lieu of layoff

\*\*\*Department Transfer from General Services (Compliance Inspector 3, SR10) to Water (Industrial Electronics Tech 1, TG13), in lieu of layoff

^^^Department Transfer from General Services (Equipment Servicer, TG5) to Water (M&R Worker 1, TG3), in lieu of layoff

~Department Transfer from General Services (Compliance Inspector 3, SR10) to Water (Engineering Tech 3, SR10), in lieu of layoff

\*\*\*\*Department Transfer General Services (Building Maintenance Mechanic, TG08) to Water (Engineering Tech 1, SR06), in lieu of layoff

^^^Department Transfer General Services (Property Guard 2, SR05) to Water (Office Support Rep 2, SR05) in lieu of layoff  
 %Department Transfer, Parks, in lieu of layoff

**MOTION:** *After some discussion, Vice-Chairman Corbitt moved for approval of the appointments as listed above. Seconded by Commissioner Sanders and the Commission approved without objection.*

**TERMINATIONS/ PENSIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DEPARTMENT</u>	<u>DATE</u>
Howington, William L.	Plumbing Inspector 1	Resignation	Codes Admin	07/02/09
Burnett, Tamekeia L.	Emer Telecommunications Officer 1	Dismissal	ECC	07/13/09
Covington, Kathryn M.	Emer Telecommunications Officer 4	Resignation	ECC	06/30/09
Cannady, Anne	Application Tech 1	Pension	Finance	06/26/09
McCorkle, Joseph E.	Finance Admin	Layoff	Finance	06/30/09
Hooper, Denise Sue	Administrative Assistant	Pension	Fire	06/23/09
Roberts, Michael D.	Emergency Vehicle Tech Supervisor	Pension	Fire	06/30/09
Michael, Derek A.	Fire Fighter 2	Resignation	Fire	07/22/09
Scott, Adrian L.	Fire Fighter 2	Resignation	Fire	06/30/09
Bloomfield, Kevin T.	Fire Fighter/Paramedic	Pension	Fire	06/27/09
Watkins, James I.	Fire Inspector 2	Pension	Fire	06/30/09
Herndon, Steven L.	Building Maintenance Lead Mechanic	Layoff	General Services	06/30/09
Hulan, Jerry W.	Building Maintenance Mechanic	Layoff	General Services	06/30/09
Pope, Thomas	Building Maintenance Mechanic	Layoff	General Services	06/30/09
Sanders, Virnie J.	Building Maintenance Mechanic	Pension	General Services	06/30/09
Silver, Carl V.	Building Maintenance Mechanic	Layoff	General Services	06/30/09
Napier, Jeffrey A.	Equipment Mechanic-Certified	Resignation	General Services	07/24/09
Thompson, George W.	Equipment Operator 1	Pension	General Services	06/30/09
Neathery, Richard W.	Info Sys Comm Analyst 3	Pension	General Services	06/30/09
Overton Jr., Raymond K.	Mail Clerk Carrier	Layoff	General Services	06/30/09
Berry, Dorothy S.	Human Resources Director	Pension	Human Resources	07/24/09
Ciero, Richard C.	Information Systems Advisor 1	Pension	ITS	06/30/09
Reynolds, Carolyn M.	Information Systems Advisor 1	Layoff	ITS	06/30/09
Jones, Jamila R.	Office Support Rep 2	Layoff	Metropolitan Clerk	06/30/09
Tanner, Jere E.	Finance Officer 3	Pension	Municipal Auditorium	06/26/09
Williams, Margaret A.	Office Support Rep 2	Pension	Municipal Auditorium	06/30/09
Carter, Torrado	Custodian 1	Dismissal	Parks	06/17/09
Roberts, Eugene	Custodian 1	Resignation	Parks	07/06/09
Eubank, David F.	Facilities Manager	Pension	Parks	06/30/09
Peebles, Bobby V.	Maintenance & Repair Worker 1	Dismissal	Parks	07/14/09
Phillips, William R.	Maintenance & Repair Worker 1	Layoff	Parks	07/24/09
Mahoney, Robin R.	Naturalist 3	Resignation	Parks	07/21/09
Woolwine III, Earl G.	Parks & Recreation Supt	Pension	Parks	06/30/09
Peete, Gary D.	Recreation Leader	Resignation	Parks	07/20/09
McAlister, Barry E.	Special Programs Coordinator	Resignation	Parks	07/17/09
Baldino III, Daniel	Police Officer 2	Resignation	Police	07/15/09
Garton, Steven P.	Police Officer 2	Pension	Police	06/30/09
Jaeger, Kendall T.	Police Officer 2	Resignation	Police	07/22/09
Rivera, Marvin	Police Officer 2	Pension	Police	06/30/09
Reynolds, Paul D.	Police Officer 2-Field Training Officer	Resignation	Police	07/15/09
Hagans, John B.	Circulation Assistant 2	Resignation	Public Library	07/01/09
Lawrence, David C.	Librarian 3	Pension	Public Library	06/30/09
Sellars, Nancy L.	Library Associate 1	Pension	Public Library	07/24/09
Sanders III, James C.	Library Associate 2	Resignation	Public Library	07/23/09
James, Aimee B.	Library Manager 3	Resignation	Public Library	07/16/09

**TERMINATIONS/ PENSIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DEPARTMENT</u>	<u>DATE</u>
Adkins, Mary L.	Office Support Rep 2	Pension	Public Library	07/24/09
Kenderdine, Cheryl F.	Administrative Services Officer 3	Layoff	Public Works	06/30/09
Tidwell, Stanley K.	Application Tech 3	Pension	Public Works	06/30/09
Burch, Ronnie B.	Equipment Operator 2	Pension	Public Works	07/10/09
Caruthers, William C.	Equipment Operator 2	Pension	Public Works	06/30/09
Maxwell, Michael L.	Maintenance & Repair Worker 3	Resignation	Public Works	07/10/09
King, Demetrius C.	Correctional Officer 2	Pension	Sheriff	06/30/09
Spain, Donald R.	Indust Tech Master	Pension	Water Services	06/26/09
Lovier, James L.	Treatment Plant Tech 2	Pension	Water Services	07/13/09
French, James	Water Maintenance Leader 2	Pension	Water Services	07/03/09

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

**REGISTERS ABOLISHED**

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
7/29/2008	Automotive Mechanic	35	OPEN

**MOTION:** *After some discussion, Vice-Chairman Corbitt moved to approve the registers abolished. Seconded by Commissioner Sanders and the Commission approved without objection.*

**HUMAN RESOURCES**

The Human Resources Department submits the following for the Commission's consideration and appropriate action:

**( 1: JOB DESCRIPTION REVISION****Probation Officer 3**

Michael Taylor, Human Resources, proposed that a class "D" driver's license be added to the Probation Officer III job requirements.

**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.*

**( 2: Review of Initial Order – Rita White, Police / 7 Days Suspension**

Rita White, Police Operations Coordinator 1 – Warrants Division, was suspended a total of seven (7) days without pay from the Metro Police Department for alleged violation of Police General Order 06-05 articles VIII, VII - dealing with Personal Behavior (4 days) and Inefficient Performance of Duties (3 days).

Ms. White appealed her suspension to the Civil Service Commission and the case was assigned to Administrative Judge Marion Wall. Ms. White was represented by Attorney Laurie Doty and Metro Attorney Cynthia Gross represented the Police Department.

On June 24, 2009, Judge Wall entered an Order to reduce the seven (7) days suspension to four (4) and that the grievant shall be made whole for the other three (3) days suspension and shall receive attorney fees. An amended order was later entered by Judge Wall deleting the award of attorney's fee to the appellant. On July 7, 2009, Attorney Doty entered a brief on behalf of Ms. White. Metro Attorney Cynthia Gross responded on August 3, 2009.

Metro Attorney Cynthia Gross and Attorney Laurie L. Doty were present before the Commission to discuss the matter.

**MOTION:** *After some discussion, Commissioner Sanders moved to affirm the Initial Order as amended and submitted by Administrative Law Judge Marion Wall. Commissioner North seconded the motion. Vice-Chairman Corbitt voted not to affirm. The commission vote was 2 to 1.*

**( 3: Review of Initial Order – Robert Perry, Water Services / 3 Days Suspension**

Robert Perry, Industrial Mechanic 1, was suspended three (3) days without pay from the Metro Water Services Department for alleged violation of Civil Service rule 6.7 provision #5 – dealing with willful neglect and disobedience to a lawful and reasonable order given by a supervisor.

Mr. Perry appealed his suspension to the Civil Service Commission whereas the case was assigned to Administrative Law Judge John Hicks. Mr. Perry represented himself, while Ms. Theresa Costonis represented the Water Services Department.

On June 1, 2009, Judge Hicks entered an Order to uphold the decision to suspend Mr. Perry for three days from the Metro Water Services Department. One June 16, 2009, Mr. Perry filed a petition for reconsideration. With no action having been taken by Judge Hicks, the petition was denied effective July 6, 2009.

Metro Attorney Theresa Costonis and appellant Robert Perry were present before the Commission to discuss the case.

**MOTION:** *After some discussion, Commissioner North moved to amend the Initial Order entered by Administrative Law Judge Hicks such that Petitioner Robert Perry shall not be penalized by lose of any vacation or sick leave accrual due to being in a suspension without pay status. Seconded by Commissioner Sanders and the Commission approved without objection.*

**( 4: Review the Appeal of Layoff Action (Rollback) – Matthew McKenzie, Parks Department**

Mr. McKenzie stated that he has been classified as a full-time Recreation Leader in the Aquatics section. Due to budget constraints, the Parks Department is rolling Mr. McKenzie back to a part-time position as Recreation Leader – Aquatics. He further stated that his position was being bumped by an employee who is an Aquatics Coordinator. Roll backs were effective as of August 8, 2009. Mr. James Gray, Parks Department, was present for discussion on the matter.

**ACTION:** *Due to the pending appeal status of Ms. Lisa Hearn, the Commission deferred decision on the appeal until the next meeting on September 8<sup>th</sup>.*

**( 5: Review the Appeal of Layoff Action (Rollback) – Estelle Patterson, Parks Department**

Ms. Patterson, Specialized Skills Instructor – Visual Arts, stated that she was rolled back to a Recreation Leader position. She stated that the roll back affects her way of life with the reduction in her salary, but that she still receives benefits. It was noted that based on seniority, Ms. Patterson was rolled back to a Recreation Leader class and another employee with lesser seniority was rolled back to a part-time recreation leader position. Mr. James Gray was present for discussion on the matter.

**MOTION:** *After some discussion, Vice-Chairman Corbitt moved to deny the appeal. Seconded by Commissioner North and the Commission approved without objection.*

( 6: Review the Appeal of Layoff Action (Rollback) - Kevin Bledsoe, Parks Department

Mr. Bledsoe was classified as a Maintenance & Repair Leader I and was rolled back to a Maintenance & Repair Worker II. In his appeal, he stated he should have been rolled back to a Maintenance & Repair Worker III position. He maintains that Ricky Hoover, M&R Worker III has less seniority and had received a waiver that may need to be revisited. Mr. James Gray was present for discussion on the matter.

**ACTION:** *The Commission deferred a decision on the matter until the next meeting on September 8<sup>th</sup>.*

( 7: Review the Appeal of Layoff Action (Rollback) – Lisa Hearn, Parks Department

Ms. Hearn was classified as an Aquatics Coordinator and rolled back to a lower position within her classification series as Recreation Leader – Aquatics. She appealed her layoff action through her Attorney Worrick Robinson.

**ACTION:** *At her Attorney's request, the appeal hearing was deferred until the next meeting on September 8<sup>th</sup>.*

( 8: Review the Appeal of Layoff Action (Rollback) – George Mitchell, Parks Department

Mr. Mitchell, Park Police Lieutenant, was rolled back to a Park Police Sergeant position. He appealed his layoff action through his attorney, Brocklin P. Parks. Mr. Mitchell stated that the action was arbitrary, capricious and without legal basis, as well as contrary to Civil Service rules /policies.

**ACTION:** *The appeal was withdrawn.*

( 9: Review the Appeal of Layoff Action (Rollback) – Jordan Irvin, Parks Department

Jordan Irvin, Park Police Sergeant, was rolled back to a Park Police Officer II position. He appealed his layoff action through his attorney, Brocklin P. Parks. Mr. Irvin believed the action was arbitrary, capricious and without legal basis, as well as contrary to Civil Service rules /policies.

**ACTION:** *The appeal was withdrawn.*

( 10: **Report of Approved Departmental Layoff Plans**

Ms. Jamie Summers and Mr. Mike Taylor, Human Resources, provided a position tracking report for employee layoff / reductions by department. It also detailed a listing of layoff's, rollbacks and placements per department.

**ACTION:** *Report only, no action necessary.*

( 11: Request for Leave from Civil Service – Christiana Mayo, HR Benefits

Mr. Jim Kramer, Deputy Director of Human Resources, requested approval of Leave from Civil Service status for Ms. Christiana Mayo to work in a part time capacity within the HR Benefits division. This proposed leave would be effective August 11, 2009 to August 10, 2010.

**MOTION:** *After some discussion, Vice-Chairman Corbitt moved to approve Ms. Mayo's request for Leave from Civil Service to work in a part-time capacity from August 11, 2009 until August 10, 2010. Seconded by Commissioner North and the Commission approved without objection.*

( 12: Communiqués from the public on pending hearings

There were no reports made.

( 13: Human Resources Updates

Ms. Roberts -Turner, Human Resources Director, provided the Commission a report of employee appeals status in the Administrative Hearing process. Ms. Roberts-Turner stated that she would continue to provide periodic updates for the Commission.

**ACTION:** *Report only, no action necessary.*

With nothing further, the regular meeting adjourned at 10:25 a.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**Ms. Rita Roberts-Turner**  
**Director of Human Resources**  
**Secretary to the Civil Service Commission**

\_\_\_\_\_  
**Mr. William H. Farmer**  
**Chairman**  
**Civil Service Commission**