

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

SEPTEMBER 13, 2005

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on September 13, 2005 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 8:30.m.

Commission Members present: Chairman William H. Farmer, R. Steve Corbitt, C. Michael Allen, and Ervina S. Jarrett.

Other Members present: Dorothy S. Berry, Interim Director of Human Resources, and Michael Safley Metro Legal Department - Attorney.

AUGUST 9, 2005 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 nothing further, Commissioner Allen moved for approval.
Commissioner Jarrett seconded the motion and the Commission approved without objection.***

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>EMERGENCY COMMUNICATIONS CENTER</u>			
Battle, Latanya K.	Emergency Telecommunications Officer 1	Re-Hire	08/15/05
Cato, Jamie D.	Emergency Telecommunications Officer 1	New Hire	08/15/05
Clark, David O.	Emergency Telecommunications Officer 1	New Hire	08/15/05
Hudson, Theresa Y.	Emergency Telecommunications Officer 1	Re-Hire	08/15/05
Lowe, Derica L.	Emergency Telecommunications Officer 1	New Hire	08/15/05
Pendleton, Ashley E.	Emergency Telecommunications Officer 1	New Hire	08/15/05
Perry, Aaron H.	Emergency Telecommunications Officer 1	Re-Hire	08/15/05
Phillips, Debra M.	Emergency Telecommunications Officer 1	New Hire	08/15/05
Roberts, Amie S.	Emergency Telecommunications Officer 1	New Hire	08/15/05
Taylor, Marilynn M.	Emergency Telecommunications Officer 1	New Hire	08/15/05
*Watkins, Timothy J	Information Systems App Analyst	Department Transfer	08/08/05

*Department Transfer from ITS to ECC, same classification

FINANCE

Hatcher II, Joseph D.	Finance Officer 3	New Hire	08/01/05
Howe, Sondra K.	Finance Officer 3	New Hire	08/01/05
William, Mary E.	Information Systems App Analyst	Promotion	08/01/05
Clark, Dawn M	Information Systems Division Manager	Promotion	08/01/05

FIRE

Ragsdale, John L.	Fire Assistant Chief	Promotion	08/16/05
Allison, John A	Fire Captain	Promotion	08/16/05
Anderson, Aaron E	Fire Captain	Promotion	08/16/05
Ashburn Jr., Herbert W.	Fire Captain	Promotion	08/16/05
Ellis, Barry S	Fire Captain	Promotion	08/16/05

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>FIRE</u>			
Gift, Robert M	Fire Captain	Promotion	08/16/05
Highfill, Gary S	Fire Captain	Promotion	08/16/05
Holsey, Reginald C	Fire Captain	Promotion	08/16/05
Jones, Timothy	Fire Captain	Promotion	08/16/05
Murphy, Mitchell H	Fire Captain	Promotion	08/16/05
Najarro, Ruben E.	Fire Captain	Promotion	08/16/05
Neely, Jeffrey T	Fire Captain	Promotion	08/16/05
Owen, Bobby D.	Fire Captain	Promotion	08/16/05
Sawyers, Ardrel C.	Fire Captain	Promotion	08/16/05
Sisk I, Michael W.	Fire Captain	Promotion	08/16/05
Teague, Ronald E	Fire Captain	Promotion	08/16/05
Baker, Dorothy J.	Fire Inspector 1	Promotion	08/16/05
Duker, Veronica Ann	Fire Inspector 1	Promotion	08/16/05
Goad Jr., Thomas W.	Fire Inspector 1	Promotion	08/16/05
Williams, Chanda E	Fire Inspector 1	Promotion	08/16/05
*Pulley, Darrell L.	Fire Maintenance Worker 1	Class Change	08/16/05

*Class Change from Fire Recruit (PS 2) to Fire Maintenance Worker 1 (TG 12)

GENERAL SERVICES

Wall, Stacey L.	Garage Manager	Promotion	08/15/05
Clinard III, Joseph M.	Information System Comm Analyst 3	Promotion	07/18/05
Neathery, Richard W.	Information System Comm Analyst 3	Promotion	07/18/05
Winton Sr., Ronald W.	Information System Comm Analyst 3	Promotion	07/18/05
Galvin, Bridget Mary	Office Support Spec 2	Promotion	08/01/05

HUMAN RESOURCES

*Baker, Fortress Y	Human Resources Analyst 1	Re-Classification	08/01/05
Burnette, Lacy M.	Human Resources Analyst 2	Promotion	08/01/05
Garrett, Kimberly D.	Human Resources Analyst 2	Promotion	08/01/05
Johnson, Benjamin E.	Human Resources Analyst 2	Promotion	08/01/05
Summers, Jamie B.	Human Resources Analyst 3	Promotion	08/22/05

*Reclassification from HR Assistant 1 (SR 6) to an HR Analyst 1 (SR 8) - Position Audit

INFORMATION TECHNOLOGY SERVICE

Quarles, Terrance J.	Computer Operator 2	New Hire	07/18/05
King, Donald J.	Information System Comm Analyst 3	New Hire	08/15/05
Moorman, Keenon Eugene	Information System Comm Analyst 3	New Hire	08/15/05

PARKS

Sexton, Traci L.	Naturalist 3	New Hire	08/12/05
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APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>POLICE</u>			
Laird-Phillips, Sandra Y	Office Support Spec 2	Promotion	08/16/05
*Fowler, Randall L.	Police Officer 2	Return from Medical Pension	08/08/05
*Stevens, Charles L.	Police Sergeant	Return from Medical Pension	08/10/05
* Return from Pension to same classification			

PUBLIC LIBRARY

Hickernell, Lynn M.	Librarian 1	New Hire	08/15/05
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PUBLIC WORKS

*Coleman, Andrew T.	Maintenance & Repair Worker 1	Transition - Civil Service	07/18/05
*Musick III, Robert D.	Maintenance & Repair Worker 1	Transition - Civil Service	08/01/05
Potter, Cary P.	Maintenance & Repair Worker 1	New Hire	08/01/05
*Watkins, Derrick D	Maintenance & Repair Worker 1	Transition - Civil Service	08/15/05
^Davidson, Daniel E.	Public Works Associate Director	Class Change/Lateral	07/18/05
Dixon Jr., Tony C	Sanitation Leader	Promotion	07/18/05

*Transition to Civil Service from Seasonal Status

^Class change from Public Works Assistant Director-F & A (SR 15) to Public Works Associate Director (SR 15)

SHERIFF

Brown, Robert J.	Correctional Officer 2	Promotion	07/31/05
Maki, William R	Correctional Officer 2	Promotion	07/31/05
Hales, Wade T	Correctional Officer Lieutenant	Promotion	08/01/05
Cogdill, Robert W	Correctional Officer Sergeant	Promotion	08/04/05

WATER SERVICES

McNeese, Patricia G.	Engineer 1	New Hire	08/22/05
Anding, Hope C.	Office Support Rep 2	New Hire	07/30/05

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

TERMINATIONS/ PENSIONS

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Shields, Carrie L.	Emer Telecommunications Officer 1	Resignation	Emer Comm Center	07/18/05
Whitesell, Stephanie N.	Emer Telecommunications Officer 1	Resignation	Emer Comm Center	07/22/05
Coleman, Darlene R	Application Tech 1	Resignation	Finance	07/29/05
Lavender, Mary E.	Application Tech 2	Pensioned	Finance	08/18/05
Pinkston, Thaddeus L	Fire Fighter 2	Pensioned	Fire	08/18/05
Beadles, Edwin Lee	Finance Officer 1	Resignation	General Services	07/27/05

TERMINATIONS/ PENSIONS

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Gish, Alma J	Office Support Rep 3	Pensioned	General Services	07/29/05
Simmons Jr., James D.	Equipment & Supply Clerk 1	Resignation	General Services	08/01/05
Traugher, Charles A.	Human Resources Analyst 1	Resignation	Human Resources	07/29/05
Corley, Aaron W.	Info Systems App Analyst 1	Resignation	Info Tech Service	08/04/05
Harvey, Gina A	Office Support Rep 2	Resignation	Juvenile Court	07/18/05
Rolle, Amanda T.	Program Manager 1	Resignation	Juvenile Court	07/16/05
Bennett, Kathryn G	Librarian 3	Resignation	Public Library	08/05/05
Harris, Christie A.	Librarian 1	Resignation	Public Library	07/28/05
Hary, Robin C.	Circulation Assistant 2	Resignation	Public Library	08/04/05
Montgomery, Lisa E.	Librarian 1	Resignation	Public Library	07/19/05
McElhiney, Shawn K.	Maintenance & Repair Worker 1	Resignation	Public Works	07/18/05
Acevedo, Jonathan G.	Correctional Officer 1	Resignation	Sheriff	07/31/05
Bennings, Darla C	Program Supervisor	Resignation	Social Services	08/10/05
Gray, Tanya L	Administrative Services Officer 4	Resignation	Social Services	07/22/05
McNeal, William T.	Engineer 2	Resignation	Water Services	08/12/05
Satterfield, Howard C	Engineering Tech 2	Resignation	Water Services	08/05/05

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

ELIGIBILITY REGISTER REPORT- ESTABLISHED

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Applications Tech 2 - Pay	Dept	Finance
Applications Tech 3 - Pay	Dept	Finance
Garage Manager - Light	Dept	General Services
Office Supply Specialist 2 - ADA	Dept	General Services
Facility Manager - Golf	Open	Parks
Maintenance & Repair Worker 2-Grounds	Dept	Parks
Naturalist 3 - Outdoor Recreation Spec	Open	Parks
Spec Skills Supervisor - Theater/Music	Open	Parks
Administrative Services Officer 2 - Planning	Dept	Planning
Police Crisis Counselor Supervisor	Open	Police
Police Operations Coordinator 1	Dept	Police
Maintenance & Repair Worker 2 - Signs	Dept	Public Works
Industrial Mechanic 1	Dept	Water Services
Engineer In Training - Stormwater	Open	Water Services
Engineer 1 - Stormwater	Open	Water Services
Industrial Maintenance Supervisor 1	Dept	Water Services
Office Supply Rep 2 - Customer	Open	Water Services
Water Maintenance Leader 1	Dept	Water Services

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
02/25/2003	Emergency Communications Center Manager	03	Dept
08/12/2003	Parts Supervisor	12	Open
10/24/2003	Human Resources Assistant 2	03	Dept
08/21/2003	Library Associate 2	80	Open

MOTION: *After some discussion, Commissioner Allen moved to accept the Register Report as submitted. Seconded by Commissioner Jarrett and the Commission approved without objection.*

DEPARTMENTAL ITEMS

EMERGENCY COMMUNICATION CENTER

REQUEST: Ms. RoxAnn Brown, Director, represented by Ricky McWright, requested approval of a Pay Advance under Open Range Policy 5.10-II, for Mr. Tim Watkins, Information Systems Applications Analyst 3, effective September 16, 2005. SR12

Mr. Watkins recently transferred to the Emergency Communications Center from ITS to become the main contact for ECC network and applications. Mr. Watkins will assume a lead role over the computer aided dispatch, mobile data computers and VESTA telephone system.

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

METRO ARTS COMMISSION

REQUEST: Ms. Norree Boyd, Executive Director, requested approval for the following:

- a. Increment Advance for Ms. Teri McElhaney, Program Coordinator from Step 5 to Step 7 effective August 1, 2005. SR 09
- b. Increment Advance for Ms. Judith Miller, Arts Office Support Representative 3 from Step 5 to Step 7 effective August 8, 2005. SR06

Ms. McElhaney, who is a program coordinator, has provided support to the Grants and Public Arts Program. During her tenure, she has assumed additional duties which include calling artists, managing artist submissions and organizing selection committees for review of art.

Ms. Miller provides office support to the Arts Commission and is the primary contact person for all Commissioners. Her duties include writing and transcribing minutes for the meetings, preparing and distributing necessary materials and assisting the Grants Director. Ms. Miller also coordinates administrative support for the Cultural Executives Network.

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

TRANSPORTATION & LICENSING BOARD

REQUEST: Mr. Brian McQuiston, Director, requests approval for Leave from Civil Service for Mr. Billy Fields, Administrative Services Officer IV, effective September 1, 2005 through August 31, 2006.

Billy Fields is currently in the Mayor's Office of Neighborhoods as an Administrative Services Officer IV. He is requesting an extension for Civil Service leave for one year to continue working in this position.

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

HUMAN RESOURCES

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

(1: Request Approval for Extension of Eligibility Register – Fire Recruit

Fire Chief Stephen Halford requested the current Fire Recruit eligibility list, which is scheduled to expire in October 2005, be extended for an additional twelve (12) months.

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

(2: Review of Agreed Order, Christy Berry, Fire/Grievance

Christy L. Berry, Firefighter with the Metropolitan Fire Department, filed a grievance for an injured on Duty claim in response to a denial by Chief Stephen Halford. All parties had met and mutually agreed to resolve the grievance. Hearing Officer R. Steve Corbitt entered an Order to dismiss the appeal.

Andrew McClanahan, Metro Attorney and Dewey Branstetter, Attorney for Mr. Berry were present for the Commission review.

MOTION: *After some discussion, Commissioner Jarrett moved for approval of the Agreed Order. Seconded by Commissioner Allen and the Commission approved without objection.*

(3: Review of Agreed Order, Roy Johnson, Fire/Grievance

Roy D. Johnson, Firefighter with the Metropolitan Fire Department, filed a grievance for an injured on Duty claim in response to a denial by Chief Stephen Halford. All parties had met and mutually agreed to resolve the grievance. Hearing Officer R. Steve Corbitt entered an Order to dismiss the appeal.

Andrew McClanahan, Metro Attorney and Dewey Branstetter, Attorney for Mr. Johnson were present for the Commission review.

MOTION: *After some discussion, Commissioner Jarrett moved for approval of the Agreed Order. Seconded by Commissioner Allen and the Commission approved without objection.*

(4: Review of Initial Order – Lester Lyle, MAC/Dismissal

Lester Lyle, Custodian, was terminated from MAC effective September 22, 2004 for violation of provisions in MAC Personnel Policy provisions #1, 2, and 3, which deal with absence without notification or approval of leave, and neglect or failure to perform official duty. Mr. Lyle appealed this decision to the Civil Service Commission and the case was assigned to Administrative Law Judge James Hornsby. Susan Jones, Metro Attorney, represented MAC and Mr. Lyle was represented by Attorney Jerry Maynard.

On June 27, 2005, Judge Hornsby entered an Initial Order providing that the decision to terminate Mr. Lyle was not appropriate discipline for the violation, He reduced the discipline to a sixty days suspension without pay. Judge Hornsby further ordered that Mr. Lyle shall be made whole in accordance with provisions in the order, and restored to employment with appropriate back pay and benefits. The back pay is to be reduced by any amounts earned by Mr. Lyle while he was away from his work with the Metro Action Commission.

Mr. Lyle had been represented by Jerry Maynard and Ms. Susan Jones, Metro Attorney, represented MAC. Ms. Jones noted that all parties had signed and were in agreement with terms of the settlement as defined in the supplemental Agreed Order.

MOTION: ***After some discussion, Vice-Chairman Corbitt moved for approval of the Initial Order submitted by Administrative Law Judge James Hornsby and supplemental Agreed Order. Seconded by Commissioner Allen and the Commission approved without objection.***

(5: Review of Initial Order - Tim Agee, Water Services / Dismissal

On August 15, 2005, Administrative Law Judge Wilson entered an Initial Order providing that the decision to Dismiss Mr. Agee would be upheld.

Timothy Agee, Maintenance and Repair Leader II, was dismissed from the Department of Water Services effective December 20, 2004. He was charged with violation of provisions in Civil Service Rule 6.7, whereas he had been convicted by jury of two counts of assault on October 12, 2004, and sentenced with twenty days of jail time. Mr. Agee did not report his conviction to the department as required by CS rule 6.1. He appealed this decision to the Civil Service Commission and Administrative Law Judge Rob Wilson was assigned to hear the case. Lora Barkenbus Fox, Metro Legal Department, represented the Water Services Department and Agee was represented by Attorney Jerry Maynard.

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

(6: Review of Initial Order – Vincent Gaddes, Public Works/Dismissal.

Vincent Gaddes was terminated from the Department of Public Works effective September 22, 2004 for violation of Civil Service Rule 6.7 provisions #5, 28, 33, which deals with the use of threat or violence toward another person and conduct unbecoming an employee of Metro Government. Mr. Gaddes appealed this decision to the Civil Service Commission, whereas Administrative Law Judge Marion Wall was assigned to hear the case. Andrew McClanahan, Metro Legal Department, represented Public Works and Gaddes was represented by Attorney Michael Sneed.

On August 4, 2005, Administrative Law Judge Wall upheld the decision by the appointing authority and entered an Initial Order providing that the decision to terminate Gaddes was the appropriate action in this matter.

Andrew McClanahan, Metro Legal Attorney and Attorney Michael Sneed were present for the Commission review.

MOTION: ***After some discussion, Vice-Chairman Corbitt moved for approval to uphold the Initial Order as submitted by Administrative Law Judge Marion Wall. Seconded by Commissioner Allen and the Commission approved without objection.***

(7: **JOB DESCRIPTIONS**

Police Identification Analyst 1
Police Identification Analyst 2

Jamie Summers said that the Police Identification Analyst 2 classification was created during the 2005 reclass as a targeted class. Revisions include changes to the major job responsibilities and working environment/physical demands section. The changes more accurately reflect duties and responsibilities of the classification and the incumbents' work environment.

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

(8: Communiqués from the public on pending hearings

No report was made.

With nothing further, the regular meeting adjourned at 9:50 a.m.

ATTEST:

APPROVED:

Ms. Dorothy S. Berry, Interim Director
Civil Service Commission

William H. Farmer, Chairman
Civil Service Commission