



# METROPOLITAN CIVIL SERVICE COMMISSION

## MINUTES

February 12, 2013

8:30 a.m.

Civil Service Conference  
Room  
Suite 163, 222 Bldg.  
3<sup>rd</sup> Avenue North  
Nashville, Tennessee

**MEMBERS:** William H. Farmer, Chairman; Vice-Chairman R. Steve Corbitt, Michael Allen; and Jo Ann North.

**OTHER MEMBERS:** Rita Roberts-Turner, Director; Nicki Eke, Metro Legal Department Attorney

**MEMBERS NOT PRESENT:** Ms. Billye Sanders

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 from the minutes of the last **Regular Meeting of January 8, 2013.**

There were no corrections to the Regular Meeting. Vice-Chairman Corbitt moved for approval of the minutes. There was a second by Commissioner Allen. There were no objections from the Commission. Also there was approval of the Public Hearing Minutes held on January 8, 2013. Commissioner North moved for approval. Seconded by Commissioner Allen. There were no objections from the Commission.

APPOINTMENTS	PG. 2-5
TERMINATIONS / PENSIONS	PG. 5-6
ELIGIBILITY REGISTER REPORT	PG. 6
DEPARTMENTAL ITEM	PG. 7
HUMAN RESOURCE ITEMS	PG. 7-9

**CIVIL SERVICE COMMISSION**

02/12/2013 - 2

**APPOINTMENTS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<b><u>FINANCE</u></b>			
King, Kathy R.	Finance Administrator	Promotion	12/24/12
Tharp, William A.	Finance Administrator	Promotion	12/24/12
White, Chinita T. H.	Finance Administrator	Promotion	12/24/12
Frederick, Jennifer A.	Finance Officer 2	New Hire	01/21/13
Williams, Christopher L.	Finance Officer 2	New Hire	01/28/13
<b><u>FIRE</u></b>			
Angle, Jordon M.	Emergency Medical Tech 1	New Hire	01/01/13
Baker, Caleb S.	Emergency Medical Tech 1	New Hire	01/01/13
Fedor, Steven J.	Emergency Medical Tech 1	New Hire	01/01/13
Hiett, David L.	Emergency Medical Tech 1	New Hire	01/01/13
Hudson, Taylor R.	Emergency Medical Tech 1	New Hire	01/01/13
Littrell, Derick E.	Emergency Medical Tech 1	New Hire	01/01/13
Tidwell, Matthew D.	Emergency Medical Tech 1	New Hire	01/01/13
Weeks, Sara E.	Emergency Medical Tech 1	New Hire	01/01/13
Williamson, Sara K.	Emergency Medical Tech 1	New Hire	01/01/13
*Bennett Jr., Robert C.	Fire Fighter 1	Class Change	01/01/13
*Cunningham, Charles R.	Fire Fighter 1	Class Change	01/01/13
*Frost, Miles C	Fire Fighter 1	Class Change	01/01/13
*Hilliard, Zachary G.	Fire Fighter 1	Class Change	01/01/13
*Hood, Christopher L.	Fire Fighter 1	Class Change	01/01/13
*Lane, Rhonda R.	Fire Fighter 1	Class Change	01/01/13
*Long, Joseph E.	Fire Fighter 1	Class Change	01/01/13
*Miller, William B.	Fire Fighter 1	Class Change	01/01/13
*Moore, Joshua J.	Fire Fighter 1	Class Change	01/01/13
*Parker, Allen E.	Fire Fighter 1	Class Change	01/01/13
*Phillips, Perry K.	Fire Fighter 1	Class Change	01/01/13
*Richardson, Mark J.	Fire Fighter 1	Class Change	01/01/13
*Walsh, Joseph C.	Fire Fighter 1	Class Change	01/01/13
*Zimmerman, Heather M.	Fire Fighter 1	Class Change	01/01/13
Bellavia, Christopher J.	Paramedic 1	New Hire	01/01/13
Eakes, Charles C.	Paramedic 1	New Hire	01/01/13
Gardner, Michael S.	Paramedic 1	New Hire	01/01/13
McBride, Matthew M.	Paramedic 1	New Hire	01/01/13
McClarren, Joshua T.	Paramedic 1	New Hire	01/01/13
Soulliere, Kelly A.	Paramedic 1	New Hire	01/01/13
Stewart, Robert J.	Paramedic 1	New Hire	01/01/13
Williams, Leanna D.	Paramedic 1	New Hire	01/01/13

\*Class Change from Fire Recruit (PS2) to Fire Fighter 1 (PS3)

**HUMAN RESOURCES**

Hill, Monica N.	Human Resources Analyst 1	Re-Hire	12/31/12
*Emigh, Mary Alice	Human Resources Analyst 3	Department Transfer/ Vol Reduction In Grade	01/01/13
Northern, Corey D.	Human Resources Analyst 3	Promotion	12/18/12
Hickey, Christina H.	Professional Specialist	Re-Hire	12/28/12

**CIVIL SERVICE COMMISSION**

02/12/2013 - 3

\*Department Transfer from ITS (HR Admin, SR13) to Human Resources (HR Analyst 3, SR12)

**APPOINTMENTS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<b><u>INFORMATION TECHNOLOGY SERVICE</u></b>			
Hay, Sam	Computer Operator 2	Re-Hire	12/21/12
Willoughby II, Leslie F.	Computer Operator 2	New Hire	12/21/12
Maddox, Cynthia A.	Human Resources Admin	New Hire	12/26/12
Brindley, Charles N.	Information Systems App Analyst 3	Promotion	01/07/13

**INTERNAL AUDIT**

Carter, Tracy D.	Senior Internal Auditor	Promotion	01/19/13
Yuan, Qian	Senior Internal Auditor	Promotion	01/19/13

**PARKS**

Carty, James G.	Maintenance & Repair Worker 3	Re-Hire	12/28/12
Abbott, Margaret A.	Museum Specialist 2	New Hire	01/04/13
Walker, Sherry T.	Office Support Specialist 2	Promotion	01/18/13
*Whitworth J., Aubrey C.	Park Police 2	Vol. Reduction In Grade	01/01/13
Crawley-Morrow, Darlene L.	Program Coordinator	Promotion	01/04/13
^May, Allison M.	Program Coordinator	Transition - Civil Service	01/04/13
^Skinner, Rebecca A.	Office Support Spec 1	Transition - Civil Service	12/21/12

\*Voluntary Reduction from Park Police Sergeant (SR9) to Park Police 2 (SR8)

^Transition to Full Time/Civil Service Status from Part Time/Non-Civil Service Status

**PLANNING COMMISSION**

*Wooton, Christopher W.	Planning Tech 1	Demotion	01/01/13
-------------------------	-----------------	----------	----------

Demotion from Planning Tech 2 (SR8) to Planning Tech 1 (SR7)

**POLICE**

Howey Jr., Gordon G.	Police Captain	Promotion	01/16/13
Stephens, Keith A.	Police Captain	Promotion	01/16/13
Bauer, Jeffrey S.	Police Lieutenant	Promotion	01/16/13
Sharpe, Jason J.	Police Lieutenant	Promotion	01/16/13
Towers V, Joseph A.	Police Lieutenant	Promotion	01/16/13
Bryner, Ben A.	Police Sergeant	Promotion	01/16/13
Fairbanks, Shane K.	Police Sergeant	Promotion	01/16/13
Haywood Jr., David A.	Police Sergeant	Promotion	01/16/13
Hickman III, James C.	Police Sergeant	Promotion	01/16/13
Hobbs, Misty D.	Police Sergeant	Promotion	01/16/13

**CIVIL SERVICE COMMISSION**

02/12/2013 - 4

**APPOINTMENTS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<b><u>POLICE</u></b>			
Hyder Jr., Gerald L.	Police Sergeant	Promotion	01/16/13
Jones, Christopher J.	Police Sergeant	Promotion	01/16/13
Kuchenbecker, Julie A.	Police Sergeant	Promotion	01/16/13
Smith, Gary T.	Police Sergeant	Promotion	01/16/13
Spencer, Jason R.	Police Sergeant	Promotion	01/16/13
Warren, Michael A.	Police Sergeant	Promotion	01/16/13
Whited, Blaine K.	Police Sergeant	Promotion	01/16/13
Olmeda Perez, Elvis N.	Technical Specialist 1	New Hire	01/16/13
Yentes, Mickey J.	Police Lieutenant	Promotion	01/16/13

**PUBLIC LIBRARY**

Deeb, Elizabeth H.	Administrative Services Officer 2	Re-Hire	01/07/13
Collins, Darryl L.	Office Support Rep 1	New Hire	12/24/12
*Fach, Heather B.	Office Support Rep 3	Class Change/Lateral	01/07/13
Fann, Charles J.	Property Guard 2	New Hire	12/24/12
Freudenthal, Richard N.	Property Guard 2	New Hire	12/24/12
McKinnie, Evelyn A.	Property Guard 2	New Hire	12/24/12

\*Class Change from Library Associate 1 (SR6) to Office Support Rep 3 (SR6)

**PUBLIC WORKS**

Knight, Keith J.	Compliance Inspector 2	Promotion	01/21/13
Tate, Antonio D.	Compliance Inspector 2	Promotion	01/21/13
Morgan, Chase L.	Equipment Operator 1	Promotion	01/22/13
Tate, Dominique D.	Equipment Operator 1	Promotion	01/22/13
White, Michael S.	Equipment Operator 1	Promotion	01/22/13
Clouse, Gary L.	Equipment Operator 2	Promotion	01/22/13
Daniel, Toby H.	Equipment Operator 2	New Hire	01/22/13
Forrest, Eric D.	Equipment Operator 3	Promotion	01/22/13
Hardrick, Darrell L.	Equipment Operator 3	Promotion	01/22/13
Lowe Jr., Charles E.	Equipment Operator 3	Promotion	01/22/13
Smalls III, Joseph	Equipment Operator 3	Promotion	01/22/13
Tienda, Rafael	Equipment Operator 3	New Hire	01/07/13
Turner, Derrick D.	Maintenance & Repair Leader 1	Promotion	01/22/13
Jones, Reginald	Maintenance & Repair Worker 1	New Hire	01/22/13
^Saddler, Deborah A.	Office Support Specialist 1	Department Transfer	01/04/13
^Steelman, Lisa Lynn	Office Support Specialist 2	Department Transfer	01/04/13
*Jones, Edna J.	Safety Coordinator	Class Change/Lateral	01/22/13
^Bowling, Milton B.	Trans Licensing Inspector 2	Department Transfer	01/04/13
^Lawhorn Jr., Walter L.	Trans Licensing Inspector 2	Department Transfer	01/04/13
^Morris, Howard H.	Trans Licensing Inspector 2	Department Transfer	01/04/13

^Department Transfer from Transportation and Licensing to Public Works

\* Class Change from Administrative Services Officer 4 (SR12) to Safety Coordinator (SR12)

**CIVIL SERVICE COMMISSION**

02/12/2013 - 5

**APPOINTMENTS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<b><u>SOCIAL SERVICES</u></b>			
*Allen, Satrice T.	Finance Officer 3	Dept. Transfer/Promotion	01/07/13

\* Department Transfer from Human Resources (Finance Officer 2, SR10) to Social Services (Finance Officer 3, SR12)

**WATER SERVICES**

*Brown, Patricia D.	Administrative Services Officer 2	Re-Classification	12/22/12
Fugleberg, Scott J.	Equipment Operator 3	New Hire	12/22/12
Binkley, Rose A.	Office Support Rep 3	New Hire	01/05/13
West, Patricia L.	Office Support Rep 3	New Hire	12/22/12
Espinosa, Christy A.	Office Support Spec 1	Re-Hire	12/22/12
**Berbiglia, Julie A.	Program Specialist 3	Re-Classification	12/22/12
Hill III, Donald C.	Treatment Plant Assistant Manager	New Hire	01/12/13
Robinson, William D.	Water Quality Analyst 1	New Hire	01/05/13
Good-Midgett, Lisa L.	Office Support Rep 3	Re-hire	01/12/13

\*Reclassification from Admin Support Specialist 1 (SR7) to ASO 2 (SR8) based on a position audit conducted by HR

\*\*Reclassification from a Program Specialist 2 (SR8) to a Program Specialist 3 (SR10) based on a position audit conducted by HR

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

**TERMINATIONS/ PENSIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DEPARTMENT</u>	<u>DATE</u>
Davenport, Susan K.	Office Support Rep 3	Pension	Codes Administration	
Fites, Megan E. A.	Emer Telecommunications Off 1	Resignation	ECC	01/09/13
Mundy, Whitney L.	Emer Telecommunications Off 1	Resignation	ECC	01/06/13
Silva, Angela D. B.	Emer Telecommunications Off 1	Resignation	ECC	12/28/12
Thomas, Kevin R.	Emer Telecommunications Off 2	Resignation	ECC	11/02/12
Campbell, Anna L.	Emer Telecommunications Off 4	Resignation	ECC	11/16/12
Norment, Cristy L.	Application Tech 2	Dismissal	Finance	01/04/13
McMillin, Arlene M.	Application Tech 3	Pension	Finance	01/18/13
Cantarutti, Ralph W.	Emergency Medical Tech 2	Pension	Fire	01/15/13
Buchanan, Joseph Michael	Fire Captain	Pension	Fire	01/14/13
Doughten, David C.	Fire Captain	Pension	Fire	01/05/13
Taylor, Robert R.	Fire District Chief	Pension	Fire	01/01/13
Mayo, Marlin O.	Fire Engineer	Pension	Fire	01/01/13
Spurlock, Alfred G.	Fire Engineer	Pension	Fire	01/01/13
Stewart, Larry	Fire Engineer	Pension	Fire	01/03/13
Story, Wade D.	Fire Engineer	Pension	Fire	01/01/13
Borgeson Jr., Donald G.	Fire Fighter/Paramedic	Pension	Fire	01/14/13
Kelly Jr., John L.	Fire Inspector 2	Deceased	Fire	12/28/12
Spangler, David W.	Fire Instructor	Pension	Fire	01/04/13
Boyd, William R.	Fire Lt.	Pension	Fire	01/04/13
Watkins, Michael K.	Fire Recruit	Resignation	Fire	01/02/13
McKinney, Carl D.	Firefighter 3	Pension	Fire	01/01/13

**TERMINATIONS/ PENSIONS**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>	<b><u>TYPE</u></b>	<b><u>DEPARTMENT</u></b>	<b><u>DATE</u></b>
Oaks, Linda D.	Paramedic 2	Pension	Fire	01/15/13
Zervas, Robert H.	Paramedic 2	Pension	Fire	01/15/13
Norman, Larry C.	Information Sys Oper Analyst 2	Pension	ITS	01/04/13
Swenson, Stephen F.	Information Sys Oper Analyst 3	Pension	ITS	01/04/13
Gray, Carlon W.	Information Systems Advisor 2	Pension	ITS	12/31/12
Cothorn, Vicki L.	Office Support Rep 3	Pension	Juvenile Court	01/18/13
Hassell Jr., William W.	Recreation Center Manager	Pension	Parks	12/31/12
Covington, Jayson E.	Recreation Leader	Dismissal	Parks	01/14/13
Turner, Larry D.	Administrative Services Manager	Dismissal	Police	12/18/12
Bossing, Janice K.	Finance Manager	Pension	Police	12/31/12
Kelton, Louise	Police Deputy Chief	Pension	Police	01/11/13
Durham, Timothy E.	Police Lieutenant	Pension	Police	01/11/13
Archuleta, Vincent A.	Police Officer 2	Pension	Police	01/09/13
Szymanski, Timothy M.	Police Officer 2	Resignation	Police	12/30/12
Hosley, Tikara L.	Police Operations Assistant 1	Resignation	Police	12/18/12
Vaughn, Angela K.	Police Operations Assistant 3	Resignation	Police	12/25/12
Wills, Terry H.	Police Sergeant	Pension	Police	01/04/13
Cox, Deborah O.	Archives Assistant 2	Pension	Public Library	01/11/13
Scoggins, Wynn P.	Circulation Assistant 1	Resignation	Public Library	01/01/13
Shoulders, Logan C.	Circulation Assistant 2	Resignation	Public Library	12/31/12
Jabbour, Daad	Circulation Supervisor	Pension	Public Library	12/31/12
Wilson, Thomas S.	Circulation Supervisor	Pension	Public Library	01/14/13
Brooks, Linda L.	Library Associate 1	Pension	Public Library	12/31/12
Coleman, Gloria L.	Library Manager 3	Pension	Public Library	12/31/12
Gregory, Melissa L.	Administrative Specialist	Pension	Public Works	12/31/12
Cothorn Jr., Paul E.	Equipment Operator 3	Pension	Public Works	01/11/13
Jones, Johnny W.	Equipment Operator 3	Pension	Public Works	11/21/12
Vassar, Rodger M.	Equipment Operator 3	Pension	Public Works	01/14/13
Lankford, Steven W.	Maintenance & Repair Leader 2	Pension	Public Works	01/11/13
McNeil Jr., Charles E.	Maintenance & Repair Leader 2	Pension	Public Works	12/31/12
Lawrence II, Layne L.	Maintenance & Repair Worker 1	Resignation	Public Works	01/08/13
Lyons, Ronald D.	Maintenance & Repair Worker 1	Dismissal	Public Works	01/08/13
Offutt Jr., Wayne	Sanitation Worker	Resignation	Public Works	12/31/12
Hatcher, Eddie D.	Correctional Officer 1	Resignation	Sheriff	01/04/13
Looch, Laura	Correctional Officer 1	Resignation	Sheriff	08/06/12
Clark, Jerry R.	Correctional Officer 2	Dismissal	Sheriff	12/26/12
Wooding, Leigh H.	Program Supervisor	Resignation	Social Services	01/18/13
Nelson, Corliss F.	Social Worker 3	Pension	Social Services	12/31/12
Brumit, Sandra G.	Application Tech 1	Pension	Water Services	12/26/12
Tomlinson Sr., Ronald T.	Engineering Tech 3	Pension	Water Services	01/17/13
Thompson, Sharonda	Office Support Rep 3	Resignation	Water Services	12/26/12
Hunter, Paul D.	Treatment Plant Shift Supervisor	Pension	Water Services	01/17/13
Lewie Jr., Charles A.	Treatment Plant Tech 1	Resignation	Water Services	12/28/12

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

**ELIGIBILITY REGISTER REPORT**

<u>Classification</u>	<u>Dept</u>	<u>On List</u>	<u>Type</u>	<u>Date</u>	<u>Establish/Abolish</u>
Police Operations Supervisor	Police	4	Dept.	01/07/13	A
Office Support Specialist 2	Parks	1	Dept.	01/08/13	E
Equipment Operator 3	Public Works	66	Open	01/09/13	E
Equipment Operator 2	Public Works	34	Open	01/09/13	E
Equipment Operator 1	Public Works	43	Open	01/09/13	E
Senior Internal Auditor	Internal Audit	12	Open	01/10/13	E
Administrative Services Manager	Police	3	Open	01/16/13	A
Police Operations Coordinator 2	Police	4	Dept.	01/18/13	A
Industrial Mechanic 1	Water	7	Open	11/18/13	A
Maintenance and Repair Leader 1	Parks	17	Open	01/18/13	E
Compliance Inspector 2	Public Works	7	Dept.	01/22/13	E
Program Coordinator	Parks	81	Open	01/15/13	E
Maintenance and Repair Worker	Public Works	122	Continuous	01/24/13	E
Sanitation Worker	Public Works	198	Continuous	01/25/13	E
IS Division Manager-Communications	ITS	1	Dept.	01/28/13	E
IS Division Manager-Infrastructure	ITS	1	Dept.	01/28/13	E
Police Identification Specialist 1	Police	1	Dept.	01/29/13	E

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

**DEPARTMENTAL ITEM**

**POLICE**

( 1: **Chief Steve Anderson, represented by Sue Bibb, requested approval for Mid-Point Range Promotional Increase for Deputy Chief Brian Johnson.**

HR Analyst Seth Waltenbaugh said Police Deputy Chief Brian Johnson formerly served as Commander and was placed into the assignment classification of Deputy Chief based on his years of service / experience and additional responsibilities. His appointment date would take effect January 11, 2013.

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

**HUMAN RESOURCES**

**Human Resources Director Rita Roberts-Turner submits the following for the Commission's consideration and appropriate action:**

( 2: **Request to Conduct Benefit Board Election for General Government Representative**

HR Analyst Seth Waltenbaugh said the Human Resources Department will be conducting an election for the position of General Government Representative to the Employee Benefit Board. The Board member elected will serve a three year term in the position currently being held by incumbent Clyde Smith.

Notice of the election will be appropriately distributed and posted throughout Metro Government and held in March. Information will be posted with an election to follow in March. Once the HR Director has certified the election results, they will be reported to the Commission.

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

**( 3: Review Agreed Order to Dismiss – Marcus Rice, Sheriff’s Office / 1 Day Suspension**

Marcus Rice, Correction Officer I, was given a one (1) day suspension from his position effective October 16, 2012 for violations under DCSO Policy 1-1.312, Employee Conduct: #3 – Failure to establish and maintain effective working relations; #10 – Failure to comply with reasonable standards of conduct in a manner that reflects poorly upon the employee, the DCSO, or the Metropolitan Government, and/or violates the public trust; #21 – Insubordination toward a superior, including neglect or disobedience to a lawful and reasonable order; and Civil Service rules Chapter 6, Section 6.7 - #10 – Violation of any provision of the Metropolitan Charter or any written Executive or Administrative Orders.

On October 24, 2012, Mr. Rice appealed his grievance to the Civil Service Commission and the case was assigned to Administrative Law Judge Mary Collier. Metro Attorney Joshua Lee represented the Sheriff’s Office. Mr. Rice represented himself. Upon request of the Appellant, Marcus Rice, the appeal was withdrawn. Both parties signed an agreed order to dismiss the matter as entered by Administrative Law Judge Mary Collier on January 17, 2013.

Metro Attorney Joshua Lee was present before the Commission to discuss. Mr. Rice was duly notified but did not attend the meeting.

**MOTION:** *After some discussion, Commissioner North moved for approval of the Agreed Order as submitted by Administrative Law Judge Mary Collier. Seconded by Vice-Chairman Corbitt and the Commission approved without objection.*

**( 4: Review Agreed Order of Dismissal with Prejudice – Kevin Kennedy, Fire / Termination**

Paramedic Kevin Kennedy was terminated from his position for violating Civil Service Rules Section 6.7, #3 – Insubordination toward a superior officer; #31 – Participation in a pattern of harassment toward an employee of Metropolitan Government; #32 – Any failure of good behavior which reflects discredit upon himself, the department and/or the Metropolitan Government; and #33 – Conduct unbecoming an employee of Metropolitan Government. Other violations listed were the Nashville Fire Department Operations Procedures and Guidelines 1.48 “Smart/Cellular Phone; Camera and other Electronic Device use policy” and CSC Policy 3.1-I: Guidelines on Discrimination - #1 - Has the purpose or effect of creating an intimidating, hostile or offensive work environment.

Mr. Kennedy appealed his suspension to the Commission and the case was assigned to Administrative Law Judge Lynn England. Metro Attorney Jennifer Cavanaugh was originally assigned to represent Metropolitan Government. Change of counsel came with notice of substitution for Metro Attorney Alex Dickerson and then Metro Attorney Patrick Bradley, who later acquired the case and represented Metropolitan Government. Attorney Dewey Branstetter represented Mr. Kennedy.

The case was originally scheduled to be heard on September 13, 2012 but was continued to November 15, 2012. Evidence by representations of the parties and signatures of counsel show that petitioner Kevin Kennedy and Metropolitan Government entered in an agreement fully compromising and settling all claims asserted by Mr. Kennedy in his appeal. All claims asserted by the petitioner against Metropolitan Government shall be dismissed with prejudice as signed by Administrative Law Judge Lynn England on December 14, 2012.

Metro Attorney Patrick Bradley was present before the Commission to discuss and review. Attorney Dewey Branstetter was not able to attend.

**MOTION:** *After some discussion, Commissioner North moved for approval of the Agreed Order as submitted by Administrative Law Judge Lynn England. Seconded by Vice-Chairman Corbitt and the Commission approved without objection.*



**( 5: Review Initial Order – Robert Rawlins, ITS / Termination**

Robert Rawlins was terminated from his position from the ITS Department effective June 16, 2011 for violations under Civil Service Rules - Chapter 6, Section 6.7 – (#2) - Deficient or inefficient performance of duties; (#4) – Absence without notification or approval for leave; (#11) – Violation of any written rules, policies or procedures of the department in which the employee is employed; (#13) – Dishonesty and (#32) – Any failure of good behavior which reflects discredit upon himself, the department and/or Metropolitan Government.

Mr. Rawlins appealed his termination to the Commission on July 26, 2012 and the case was assigned to Administrative Law Judge Ann Johnson. Metro Attorney Terri Costonis represented Metropolitan Government. Mr. Rawlins was represented by Attorney Worrick Robinson. The hearing was heard by Judge Ann Johnson on March 7, 2012 and again on April 23, 2012. After reviewing the case, Judge Johnson entered an **Initial Order on September 24, 2012, upholding the appointing authority's decision to terminate the grievant.**

During the Civil Service meeting of December 11, 2012, the record was heard by the Commission. After each side presented their facts on the case, Chairman Farmer requested that both Attorney Worrick Robinson and Metropolitan Attorney Theresa Costonis provide briefs on whether the Department of Information Technology Systems (ITS) would suffer any negative impact from the TBI, FBI or Metropolitan Police Department if they were required to reinstate Mr. Rawlins to his former position. The information was submitted to the Commission in their packets.

Metro Attorney Theresa Costonis and Attorney Worrick Robinson were present before the Commission to review and discuss the case.

**MOTION:** **After much discussion, Vice-Chairman Corbitt moved to uphold the Initial Order as submitted by Administrative Law Judge Lynn England. Seconded by Commissioner North and the Commission approved with objection. Commissioner Allen abstained. The vote was 2 to 1.**

**( 5: Human Resources Updates**

**ACTION:** No reports were made for this meeting.

**( 6: Communiqués from the public on pending hearings**

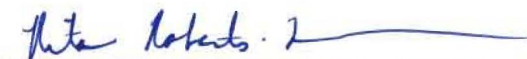
**ACTION:** None

**Note:** Information presented at the Public Hearing meeting on January 8, 2013 will be voted on by the Commission at the March 11, 2013 meeting.

With nothing further, the regular meeting adjourned at 9:12 a.m.

**ATTEST:**

**APPROVED:**



**Ms. Rita Roberts-Turner, Director  
Secretary to the Commission**



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