



METROPOLITAN CIVIL SERVICE COMMISSION

MINUTES

October 14, 2014

8:30 a.m.

Howard Office Building
Sonny West Room

700 2nd Avenue South and
Lindsley Avenue
Nashville, Tennessee 37210

▪ **MEMBERS PRESENT:** Chairman William H. Farmer; Vice-Chairman Corbitt, C. Michael Allen; and Jo Ann North.

MEMBERS ABSENT: Commissioner Billye Sanders

OTHER MEMBERS PRESENT: Veronica T. Frazier, Director; Nicki Eke, Metro Legal Department Attorney

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 **September 9, 2014**. AMENDMENT: There were two corrections to be made. One on page nine showing weiver should be waiver. Also, Vice-Chairman Corbitt and Commissioner Allen were absent at that meeting. After those corrections, the Commission moved to approve the changes.

Vice-Chairman Corbitt approved the amended minutes with a second by Commissioner North. The Commission approved without objection.

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APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>ARTS COMMISSION</u>			
*Gaines, Kana K.	Program Specialist 1	Transition - Civil Service	09/01/14
*Transition to Civil Service from Part Time Status			
<u>FINANCE</u>			
Eddlemon, Tommie J.	Metropolitan Treasurer	Promotion	08/25/14
<u>GENERAL SERVICES</u>			
Coffey, Albert J.	Automotive Mechanic	New Hire	09/01/14
Vanatta, Brandon E.	Automotive Mechanic	Promotion	09/01/14
Lumley, Daniel F.	Equipment Mechanic	New Hire	09/15/14
Simmons Jr, Glen D.	Equipment Mechanic	New Hire	08/18/14
Caporuscio, Daniel Ira	Equipment Servicer	New Hire	09/01/14
Guy, Wesley D.	Equipment Servicer	New Hire	08/18/14
<u>HUMAN RESOURCES</u>			
Lusk, Jason J.	Human Resources Analyst 3	Promotion	09/29/14
<u>INFORMATION TECHNOLOGY SERVICE</u>			
*Perry, Eric D.	Information Sys Media Tech 1	Transition - Civil Service	09/13/14
Spivey, Robert W.	Information Sys Oper Analyst 1	New Hire	08/30/14
*Transition to Civil Service from Part Time Status			
<u>PARKS</u>			
Epps III, Matthew	Maintenance & Repair Worker 1	New Hire	08/29/14
*Woods, Brandan D.	Maintenance & Repair Worker 1	Department Transfer	09/15/14
Roake, Terry A.	Maintenance & Repair Worker 3	Promotion	09/12/14
^Hatchett, Mario F.	Program Coordinator	Transition - Civil Service	09/12/14
Rucker, Melissa W.	Program Coordinator	Promotion	08/29/14
*Department Transfer from Public Works to Parks			
^Transition to Civil Service from Part Time Status			

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>POLICE</u>			
Burnett, Tara Leigh	Administrative Assistant	Promotion	09/16/14
Bishop, Jeb E.	Computer Operator 2	New Hire	09/01/14
*Aldea, Luis A. Lopez	Police Officer 1	Class Change	08/27/14
*Black, Phillip M.	Police Officer 1	Class Change	08/27/14
*Breeding, Kevin L.	Police Officer 1	Class Change	08/27/14
*Cavis, Anthony J.	Police Officer 1	Class Change	08/27/14
*Conrads, Tyler W.	Police Officer 1	Class Change	08/27/14
*Dameron, Dale A.	Police Officer 1	Class Change	08/27/14
*Daugherty, Geoffrey T.	Police Officer 1	Class Change	08/27/14
*Davis, Christopher K.	Police Officer 1	Class Change	08/27/14
*Hadden, Benjamin H.	Police Officer 1	Class Change	08/27/14
*Heinze, Randy A.	Police Officer 1	Class Change	08/27/14
*Johnson, Matthew P.	Police Officer 1	Class Change	08/27/14
*Mackey, Christopher K.	Police Officer 1	Class Change	08/27/14
*Manquero, Audrean C.	Police Officer 1	Class Change	08/27/14
*McLarty, Brian L.	Police Officer 1	Class Change	08/27/14
*Simmonds, David M.	Police Officer 1	Class Change	08/27/14
*Smith, Benjamin D.	Police Officer 1	Class Change	08/27/14
*Smith, James T.	Police Officer 1	Class Change	08/27/14
*Williams, Darryl W.	Police Officer 1	Class Change	08/27/14
^Hanor, Christopher W.	Police Officer 2	Class Change	09/07/14
Taylor, Morgan D.	Police Operations Assistant 1	New Hire	09/16/14
Scantling, Tahandshea N.	Police Operations Coordinator 1	Promotion	09/16/14
Farrow, Enisa	Police Operations Supervisor	Promotion	08/16/14
Simmons, Robert L.	Police Operations Supervisor	Promotion	08/16/14
**Waters, Rayvonne R.	Police Security Guard 1	Department Transfer / Transition - Civil Service	09/08/14

*Class Change from Police Officer Trainee to Police Officer 1

^Class Change from Police Officer 1 to Police Officer 2

**Department Transfer from Sheriff's Office (Security Officer 1-Non Civil Service) to Police (Police Security Guard 1)

PUBLIC LIBRARY

Jones-Webster, Darlene	Circulation Supervisor	Promotion	09/15/14
*Minor Harris, Delisa A.	Circulation Supervisor	Class Change/Lateral	09/15/14
Hall, Gregory M.	Librarian 1	Promotion	09/15/14
Youngblood, Kara D.	Librarian 1	Re-Hire	09/15/14
Lane, Jennifer B.	Librarian 2	Promotion	09/15/14
Rua-Bashir, Patricia	Librarian 2	Promotion	09/15/14
Welch, Cassandra N.	Library Associate 1	Promotion	09/15/14
Dembiec, Amanda M.	Library Associate 2	Promotion	09/01/14
Williams, Lou Anne	Library Associate 2	Promotion	09/01/14
Morse, Sara L.	Library Manager 1	Promotion	09/01/14
Barber, Kyle E.	Library Manager 3	Promotion	09/15/14
^Arntz, Sarah E.	Program Specialist 1	Class Change	09/01/14

*Class change from Library Associate 1 (SR6) to Circulation Supervisor (SR6)

^Class change From Library Associate 1 (SR6) to Program Specialist 1 (SR6)

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>PUBLIC WORKS</u>			
Jones, Stacy M.	Customer Service Supervisor	Promotion	09/29/14
Webb, Daryl M.	Equipment Operator 1	New Hire	09/01/14
Gupton, Chase E.	Equipment Operator 2	Promotion/Department Transfer	08/30/14
Mitchell, Michael M.	Equipment Operator 2	Promotion	09/01/14
Hale, Randy L.	Maintenance & Repair Leader 2	Promotion	09/15/14
Turner, Antonio	Maintenance & Repair Worker 1	New Hire	09/01/14

*Department Transfer from Parks (M & R Worker 3, TG6) to Public Works (Equipment Operator 2, TG7)

SHERIFF

*McAvoy, Patrick O.	Correctional Officer 1	Demotion	09/05/14
Hutchison Angelica F.	Correctional Officer 2	Promotion	09/07/14
Popovitch III, Phillip P.	Correctional Officer 2	Promotion	08/31/14
Rader IV, Phillips D.	Correctional Officer 2	Promotion	08/31/14
Rhodes, Tiffany L.	Correctional Officer 2	Promotion	09/07/14
Schroeder, Brian P.	Correctional Officer 2	Promotion	09/07/14
Williams, Alona R.	Correctional Officer 2	Promotion	09/07/14

*Demotion from Correctional Officer 2 (CO2) to Correctional Officer 1 (CO1)

SOCIAL SERVICES

Smith, Duane K.	Program Specialist 3	Promotion	09/01/14
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WATER SERVICES

Dominguez, Leoncio G.	Administrative Services Officer 4	Promotion	09/13/14
*Deardorff, Daniel Ray	Equipment Operator 2	Promotion/Department Transfer	08/30/14
Dedmon, Charles J.	Equipment Operator 2	New Hire	09/13/14
Dorris, Christophe A.	Equipment Operator 2	Promotion	08/30/14
Hight, Michael E.	Equipment Operator 2	New Hire	09/13/14
Nipper, Benjamin N.	Equipment Operator 2	New Hire	08/30/14
Song, Kenneth K.	Equipment Operator 2	Re-Hire	09/13/14
Young, Edward	Equipment Operator 2	New Hire	08/30/14
Williams, Tessa R.	Office Support Rep 3	New Hire	08/30/14

*Department Transfer from Parks (M & R Worker 3, TG6) to Water (Equipment Operator 2, TG7)

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

TERMINATIONS/ PENSIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DEPARTMENT</u>	<u>DATE</u>
Hudgins, James L.	Mechanic/Gas Inspection Chief	Pension	Codes	09/25/14
Eye, Victoria M.	Emer Telecommunications Off 1	Resignation	ECC	08/18/14
Scharkley, Thomasina R. P.	Emer Telecommunications Off 1	Resignation	ECC	08/19/14
Seres Jr, Frank N.	Emer Telecommunications Off 1	Resignation	ECC	08/29/14
Williams, Warren G.	Emer Telecommunications Off 1	Resignation	ECC	08/20/14
Gilluly, Angela P.	Emer Telecommunications Off 2	Resignation	ECC	09/07/14
Mason, Lashondra D.	Emer Telecommunications Off 2	Resignation	ECC	09/02/14
Holland, Lannie B.	Metropolitan Treasurer	Pension	Finance	08/29/14
Hickey Jr, George E.	Fire District Chief	Pension	Fire	09/01/14
Martin, Yolanda Delores	Fire District Chief	Resignation	Fire	09/11/14
Duker, Veronica Ann	Fire Inspector 2	Pension	Fire	08/29/14
Majors, Erick	Equipment Mechanic	Pension	General Services	09/24/14
Harrison, William H.	Computer Operator 2	Resignation	ITS	08/29/14
Smith, Jason A.	Info Systems App Tech 2	Resignation	ITS	09/08/14
Jamison, Undradge C	Information Sys Oper Tech 2	Deceased	ITS	09/20/14
Raver, James L.	Facility Coordinator	Resignation	Municipal Aud.	09/26/14
Abbott, Margaret A.	Museum Specialist 2	Resignation	Parks	08/17/14
Vallentine, Carly M.	Recreation Leader	Resignation	Parks	09/13/14
German, Carolyn J.	Specialized Skills Supervisor	Resignation	Parks	09/10/14
Evans, Bridget L.	Administrative Services Officer 3	Resignation	Police	09/11/14
Abernathy, Joshua L.	Crime Lab Forensic Scientist 3	Resignation	Police	09/12/14
O'Connor, Rachel M.	Exec Asst to Chief-Police/Fire	Resignation	Police	08/22/14
Parris, Shawn E.	Police Lieutenant	Pension	Police	09/15/14
Baltz, Heather Anne	Police Officer 2	Resignation	Police	09/10/14
Eva, Michael Leigh	Police Officer 2	Pension	Police	09/16/14
Herrin, Brian T.	Police Officer 2	Resignation	Police	09/04/14
Kneale, Travis J.	Police Officer 2	Deceased	Police	09/08/14
Mays, Jonathan F.	Police Officer 2	Resignation	Police	08/17/14
Orr, Jason E.	Police Officer 2	Resignation	Police	09/03/14
Reeves, Tony C.	Police Officer 2	Resignation	Police	08/17/14
Reyes, Anthony S.	Police Officer 2	Deceased	Police	09/23/14
Stafford, Christopher A.	Police Officer 2	Resignation	Police	08/23/14
Vallee, Andrew R.	Police Officer 2	Resignation	Police	09/26/14
Houchin, Ashley J.	Police Operations Assistant 2	Resignation	Police	09/19/14
Coleman Jr, Edward J.	Police Sergeant	Resignation	Police	08/29/14
Lunn, Joshua M.	Police Sergeant	Resignation	Police	09/10/14
Baud, Lauren A.	Circulation Assistant 1	Resignation	Public Library	09/25/14
Baird, Jeanette C.	Circulation Assistant 2	Pension	Public Library	09/04/14
Cross, James A.	Equipment Operator 2	Pension	Public Works	09/05/14
Oluwale, Johnson K.	Sanitation Worker	Resignation	Public Works	09/16/14
Godwin, Jacob M.	Correctional Officer 1	Resignation	Sheriff	08/29/14
Pate, Christopher A.	Correctional Officer 1	Resignation	Sheriff	08/19/14
Brown, William L.	Correctional Officer 2	Pension	Sheriff	09/05/14
Jones, Tyshawn L.	Correctional Officer 2	Resignation	Sheriff	09/01/14
Youker, Chad E.	Correctional Officer 2	Resignation	Sheriff	09/19/14
McLaurine, George E.	Engineering Tech 3	Deceased	Water Services	09/23/14
Hewitt, Jason E.	Envir Compliance Officer 1	Resignation	Water Services	08/27/14
Gill, Maria I.	Office Support Rep 3	Resignation	Water Services	08/29/14
Shaw, Jessica S.	Office Support Specialist 1	Resignation	Water Services	08/29/14
Jackson, Calvin J.	Water Maintenance Leader 1	Pension	Water Services	08/29/14

MOTION: *After some discussion, Vice Chairman Corbitt moved to accept the Termination/Pension report for 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>
Engineering Technician 3	Water Services	20	Open	09/02/14	A
Signal Technician 1	Public Works	9	Open	09/03/14	A
Recreation Leader	Parks	340	Open	09/03/14	E
IS Media Technician 1	ITS	52	Open	09/05/14	E
M&R Leader 2	Public Works	1	Dept	09/10/14	E
Office Support Specialist 1	Water Services	408	Open	09/12/14	A
Concession Clerk 2	Parks	136	Open	09/12/14	A
Administrative Services Officer 3	Police	49	Open	09/12/14	A
Maintenance & Repair Worker 1	Public Works	25	Open	09/12/14	E
Circulation Supervisor	Library	64	Open	09/12/14	E
Maintenance & Repair Worker 3	Parks	24	Open	09/12/14	E
Fire Inspector 1	Fire	127	Open	09/17/14	A
Police Operations Coordinator 1	Police	16	Dept	09/17/14	E
Police Crisis Counselor 2	Police	15	Open	09/18/14	E
Crime Lab Evidence Receiving Tech	Police	18	Dept	09/19/14	A
Equipment Mechanic	General Services	27	Open	09/23/14	E
Equipment Operator 3	Public Works	7	Dept	09/23/14	E
Information Systems Operations Tech	ITS	34	Open	09/23/14	E
Sanitation Worker	Public Works	114	Open	09/23/14	E
Equipment & Supply Clerk 3	Police	4	Dept	09/25/14	E
Customer Service Supervisor	Public Works	2	Dept	09/25/14	E
Administrative Assistant	Public Works	126	Open	09/25/14	E
Administrative Service Manager	Fire	89	Open	10/01/14	E
Library Associate 1	Library	120	Open	10/01/14	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 ITEMS

ECC

(1: Director-Chief Duane Phillips, represented by Asst. Director Angela Milliken, requested approval to change FLSA designation job description for Info. Systems Applications Analyst.

Ms. Milliken stated the change is for FLSA on the job description to show “Exempt-OT” eligibility based on the Civil Service policy 5.7 C-I regarding Exempt Overtime Pay in emergency situations. In changing this, incumbents in this position will be eligible for overtime pay and time and a half. Those who work in this class frequently work overtime and responsible to maintain operability to ECC’s dispatch system which is vital to safety and welfare of the city.

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

JUVENILE COURT

(2: Judge Shelia Calloway requested approval to Hire Above Midpoint for Court Administrator position.

Both Judge Calloway and Jim Swack attended the meeting and stated the position of Court Administrator is critical to the reorganization of the department and requires significant skill and experience to handle issues that will arise in the years to come. The position will function as head of operations which will oversee both business and personnel functions within the Court. It was felt that the midpoint pay structure was not enough compensation for the work that is expected or to attract the best qualified candidate for the position. The requested starting salary is \$105,000 and has been approved by the Finance Department.

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

POLICE

(3: Chief Steven Anderson, represented by Sue Bibb, requested approval to extend Out of Class Pay beyond 100 days for Ms. Ann Talbot.

Ms. Bibb said the position, Crime Lab Director, is a higher classification than Ms. Talbot is currently working. A request was previously granted by the Commission at the September meeting for the 100 days. However, an additional sixty (60) days is needed to provide enough time to announce the position, interview candidates and make a selection for the position.

MOTION: After some discussion, Commissioner Allen moved to approve the above as submitted. Seconded by Commissioner North and the Commission approved without objection.

HUMAN RESOURCES

Human Resources Director Veronica T. Frazier, submits the following for the Commission's consideration and appropriate action:

(4: Salary Recommendation for Metropolitan Nashville School Board

John Kennedy was present before the Commission to provide information regarding the school board member's salary. He stated when the resolution was filed with Council to amend the other elected officials, the Board of Education members contacted Council staff and requested the Commission take a look at the Board of Education salaries.

There are nine (9) school board members. They are elected by district (not at large) and serve four (4) year terms which are staggered. Current salary was set in 2003 after a voter referendum amended the Metro Charter to allow the school board to be paid. The Charter Amendment assigned responsibility for establishing the salary to the Civil Service Commission. In 2003, a review was initiated to see what other school boards were doing. A citizen's board reviewed and recommended a salary of \$14,000. The recommendation was adopted by the Civil Service Commission, and the salary has remained at \$14,000.00 since that time.

Mr. Kennedy said any change would not affect current office holders. Increases would take effect after the next election. Whereas terms for all the Metro Council members that start on the same date, school board terms are staggered. Five (5) members would begin a new term in 2016 and four (4) members that would begin a new term in 2018. Anything adopted at this time will provide for half of the school board to receive a raise in 2016 and the other half in 2018.

Currently, there is not a recommendation for a set salary. The cities reviewed in 2003 were looked at again. The current review showed all schools boards being paid a low salary with exception of Jacksonville. Of those who paid, the average salary was \$11,303.00. The median salary of the nine (9) cities is \$12,902.00. Nashville's current salary was the fourth (4th) highest salary in the group. The case for increasing the salary was not compelling based solely on that data. However, the current salary was established eleven (11) years ago. If it were adjusted for inflation the current salary would be \$17,628.00. The Commission is not bound to set the salary using any specific criteria. However, if the Commission should adjust the current salary for inflation, it would make Nashville's school board salary third highest of the nine cities reviewed (behind Jacksonville and Fulton County Georgia).

ACTION: *Chairman Farmer noted this was for information only and would be revisited at the next meeting in November for review and vote.*

(5 Review Order of Withdrawal – Tamika Cunningham, ECC / 5 Day Suspension

Tamika Cunningham, Emerg. Telecom Officer 4, was given a (5) day suspension from her position effective March 25, 2014 for the following violations: (1) Civil Service Rules: Section 6.7 – Grounds for Disciplinary Action; #4 – Absence without notification or approval for leave; ECC Policy 1.1 – Shift Assignment & Rules Section II (C) – Sick Time.

On April 7, 2014, Ms. Cunningham appealed her grievance to the Civil Service Commission and the case was assigned to Administrative Law Judge Ann Johnson. Metro Attorney Jon Michael represented the ECC 911 Department. Ms. Cunningham was to represent herself.

On September 24, 2014 the petitioner's Union Representative sent a signed document stating Ms. Cunningham was withdrawing her appeal. **The matter was considered and dismissed by Administrative Law Judge Ann Johnson on September 26, 2014.**

Metro Attorney Jon Michael was present before the Commission to discuss the case. Ms. Cunningham was duly notified by did not attend the meeting.

MOTION: *After some discussion, Vice-Chairman Corbitt moved to approve the Order to Withdraw as submitted by Judge Ann Johnson. Seconded by Commissioner Allen and the Commission approved without objection.*

(6: Review Initial Order of Nathaniel Shearon, Sheriff's Office / Termination

Nathanael Shearon, Correction Officer 2, was terminated from his position at the Sheriff's Office effective June 20, 2012 for the following violations:

Under the Davidson County Sheriff's Office Polices 1-1.312 Employee Conduct Policy #26 – Knowingly making false statements, deliberately omitting facts, or failing to cooperate during an inquiry or investigation, whether formal or informal; 35 – using or threatening to use, violence or unauthorized force against any person; and #36 – Unnecessary or excessive use of force; Sheriff's Policies 1-3.108 – Incident Reports and 1-4.455 – Use or force; and under Civil Service Rule 6.7, #11 – Violation of any written.

Mr. Shearon appealed his termination to the Commission and the case was assigned to Administrative Law Judge Anthony Adgent. Metro Attorney Jason Bobo represented Metro Government during the hearing. Attorney Worrick Robinson represented Mr. Shearon.

The case was to be heard on December 18, 2012 but was continued over a period of time (January 24, 2013; April 15, 2013; July 11, 2013) but was finally heard on February 24, 2014 by Judge Adgent. After carefully reviewing the case, **Judge Adgent entered in an Initial Order on June 16, 2014 Upholding the Sheriff's Office disciplinary action for Termination.**

Metro Attorney Jason Bobo and Attorney Worrick Robinson were present before the Commission to review and discuss the case.

MOTION: *After reviewing the record and discussing the matter, Vice-Chairman Corbitt moved to Uphold the Initial Order as submitted by Judge Anthony Adgent. Seconded by Commissioner North. Commissioner Allen abstained making the vote 2 to 0.*

(7: Review Updated ALJ Calendar / Hearings

Chairman Farmer said he and the Commission appreciate Human Resources tracking and updating information regarding hearings that have been assigned to Administrative Law Judges at the State. He asked that Metro Legal continue to move the cases along as quickly as possible.

ACTION: *This was for a report only.*

(8: Human Resources Updates

A question was raised from the last meeting regarding tracking medical waivers and IOD. Director Frazier said that Human Resources has and will continue to track / maintain all medical waivers that have any IOD (Injury on Duty) connection. In another matter, she stated that there had been some discussion that Mr. Kennedy brought from departmental consultants that helped with the pay plan and philosophy. HR met with the consultants and discussed / reviewed what cities have this particular method. After an extensive review, it was found that the Metro Civil Service Rules and Charter would be sufficient enough.

Finally, Director Frazier said the Benefit Board recently had Open Enrollment that provided service to 30,000 employees, pensioners and dependents who required assistance with their benefits. Roughly, there have been six (6) Ask and Enroll sessions with 652 employees attending. There was also 5,522 forms submitted for changes. Employees needing to make changes would need to do so before November 10, 2014.

ACTION: *This was for a report only.*

(9: Communiqués from the public on pending hearings

ACTION: *This was for a report only.*

With nothing further, the regular meeting adjourned at 9:54 a.m.

ATTEST:

APPROVED:

Veronica T. Frazier, Director
Secretary to the Commission

William H. Farmer, Chairman
Civil Service Commission