



METROPOLITAN CIVIL SERVICE COMMISSION

MINUTES

December 9, 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; D. Billye Sanders and Jo Ann North.

▪ **MEMBERS ABSENT:** None

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 **November 11, 2014**. There was one change mentioned by Commissioner Sanders who said that her name should be listed as D. Billye Sanders rather than Billye D. Sanders. Commissioner North moved to accept the amended minutes. Seconded by Commissioner Sanders.

Appeals Process: Nicki Eke read the memorandum pertaining to the Metropolitan Code of Laws 2.68.030 – pursuant to Ordinance BL2006-2050.

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APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>FINANCE</u>			
Ullum, Heidi A.	Finance Admin	Promotion	11/10/14
*Cathey, Laura L.	Info Systems App Analyst 3	Department Transfer	11/03/14
^Berry, Stephen A.	Special Projects Manager	Transition - Civil Service	11/03/14

*Department Transfer from ITS to Finance, same classification

^Transition to Civil Service from temporary status

GENERAL SERVICES

Lyons, James S.	Equipment Servicer	New Hire	11/10/14
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HUMAN RESOURCES

Whitehead, Karin A.	Application Tech 3	Promotion	11/24/14
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INFORMATION TECHNOLOGY SERVICE

*Hirsch, Terry L.	Information Systems Media Tech 1	Re-Classification	11/08/14
^Young, Nancy E.	Information Systems Oper Tech 1	Return From Pension	11/17/14

*Reclassification due to a position audit

^Return from Pension

JUVENILE COURT

*Sinback, Kathryn E.	Court Admin	Department Transfer / Transition Civil Service	10/27/14
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*Department Transfer from Legal (Attorney 3, SR15) to Juvenile Court (Court Admin, SR15)

MUNICIPAL AUDITORIUM

Tennant, Nicholas R.	Administrative Services Officer 2	Promotion	11/01/14
Taylor, Michael L.	Building Maintenance Supervisor	Promotion	11/01/14

PARKS

Walker, Sherry T.	Administrative Services Officer 3	Promotion	11/07/14
Omer, Mohammed A.	Custodian 1	New Hire	10/27/14
Cooper, Matthew T.	Maintenance & Repair Worker 2	New Hire	11/10/14
Sims, Michael D.	Maintenance & Repair Worker 3	Promotion	10/24/14

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POLICE

Gander, Jatorey B.	Administrative Services Officer 3	Promotion	11/01/14
Young, Tonya M.	Info Systems App Analyst 2	Promotion	11/01/14
Greene, Dwayne T.	Police Lieutenant	Promotion	11/16/14
*Marbach, Bradley K.	Police Operations Assistant 1	Return from Pension	11/18/14
^McCormick, Kara Dawn	Police Operations Assistant 1	Transition - Civil Service	11/16/14
*Whitley, Connie L.	Police Operations Assistant 1	Return from Pension	11/01/14
Hocter, Anna A.	Police Operations Coordinator 1	Promotion	11/16/14

*Return from Pension

^Transition to Civil Service from a temporary status

PUBLIC LIBRARY

Cohen, Sandra	Administrative Services Manager	Promotion	11/24/14
Faithful, Lauren E.	Circulation Assistant 1	New Hire	11/24/14
*Kirkpatrick, Glynis D.	Circulation Assistant 1	Transition - Civil Service	10/27/14
Lovell, Emily R.	Circulation Assistant 1	New Hire	11/24/14
McReynolds, Darlene	Circulation Assistant 1	New Hire	10/27/14
Carpenter Jr, Freddie B.	Custodian 1	Re-Hire	10/27/14
Cox, Ricky J.	Custodian 1	Re-Hire	11/10/14
Jones, David M.	Info Systems App Analyst 1	Promotion	10/27/14
L'eplattenier, Chad	Librarian 2	Promotion	10/27/14
Kirby, Vicky L.	Library Associate 1	Promotion	10/27/14
Layton, Jennifer L.	Library Associate 1	New Hire	10/27/14
Ruhl, Stephanie C.	Library Associate 1	Re-Hire	11/24/14
Cathey Jr, Jerry L.	Maintenance & Repair Supervisor	Promotion	11/24/14

*Transition to Civil Service from Part Time status

PUBLIC WORKS

Taylor, William A.	Equipment Operator 2	New Hire	11/11/14
Cawthon, Charles A.	Equipment Operator 3	New Hire	11/11/14
Gillmer, Eric W.	Equipment Operator 3	New Hire	11/11/14
Waller, Tyler S.	Maintenance & Repair Worker 1	New Hire	10/27/14
Webb-Fisher, Jerry J.	Maintenance & Repair Worker 1	New Hire	11/10/14

SHERIFF

*Shaver, Dorne J.	Correctional Officer 1	Transition - Civil Service	10/19/14
^Rutledge, Pamela L.	Correctional Officer 2	Demotion	11/10/14

*Transition to Civil Services from Non-Civil Service status (Office Support 2)

^Demotion from Correctional Officer Lt (CO4) to Correctional Officer 2 (CO2)

SOCIAL SERVICES

*Pedley, Rhonda M.	Finance Manager	Department Transfer/Promotion	11/17/14
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*Department Transfer from Finance (Finance Officer 3, SR12) to Social Services (Finance Manager, SR14)

WATER SERVICES

Khayatt, Fadi R.	Engineer In Training	New Hire	11/08/14
Hughes, Julie V.	Envir Compliance Officer 1	Promotion	10/25/14
Herman Jr, Larry R.	Equipment Operator 2	New Hire	10/25/14
Shoemaker, David S.	Office Support Rep 3	New Hire	10/25/14
Townsend, Thalia R.	Office Support Rep 3	Re-Hire	10/25/14
*Tullos, Jennifer M.	Human Resources Analyst 1	Department Transfer/Promotion	11/22/14
Binkley, Rose A.	Service Rep 2	Promotion	11/22/14
Davis, Shirl L.	Service Rep 2	Promotion	11/22/14
Hyman, Keith W.	Service Rep 2	Promotion	11/22/14
Snyder, Susan K.	Service Rep 2	Promotion	11/22/14

*Department Transfer from Library (Office Support Spec 1, SR7) to Water (HR Analyst 1, SR8)

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>
Frederick, Jennifer A.	Finance Officer 2	Resignation	Finance	10/29/14
Stephens, Rebekah L.	Finance Officer 3	Resignation	Finance	11/06/14
Eldridge, Roger L.	Fire Engineer	Pension	Fire	10/31/14
Himes, Brian D.	Fire Fighter/Paramedic	Resignation	Fire	11/03/14
Kroeger, Mark A.	Paramedic 2	Pension	Fire	10/25/14
Bell, Earl C.	Compliance Inspector 3	Pension	General Services	11/10/14
Eady, Preston B.	Equipment Servicer	Resignation	General Services	10/24/14
Kelley, Robert B.	Master Tech	Resignation	General Services	11/13/14
Smiley, Lori A.	Information Systems Advisor 2	Resignation	ITS	11/19/14
Carter, Tracy D.	Senior Internal Auditor	Resignation	Internal Audit	10/30/14
Toothman, Susan J.	Admin Services Officer 2	Pension	Juvenile Court	11/14/14
Temple Jr, Horace J.	Police Lieutenant	Pension	Police	10/17/14
Brown, Paul W.	Police Officer 2	Resignation	Police	10/21/14
Huffstutler, Chad S.	Police Officer 2	Resignation	Police	11/17/14
Smith, Crystal N.	Police Officer 2	Resignation	Police	10/27/14
Osemwegie, Mable J.	Police Operations Assistant 2	Resignation	Police	11/07/14
Burnett, Kim	Police Operations Coordinator 1	Resignation	Police	11/12/14
Guldeman, Bruce W.	Police Sergeant	Pension	Police	10/22/14
Benson, Kristin M.	Circulation Assistant 1	Resignation	Public Library	10/18/14
Wagner, Zachary L.	Custodian 1	Resignation	Public Library	10/28/14
Grooms, Walter D.	Library Associate 1	Pension	Public Library	11/15/14
Hindalong, Nancy R.	Library Associate 2	Resignation	Public Library	11/10/14
Gasiecki, Eric M.	Engineer In Training	Resignation	Public Works	10/25/14
Johnson, Robert W.	Equipment Operator 2	Resignation	Public Works	10/31/14
Adams Sr., Terry C.	Maintenance & Repair Worker 1	Dismissal	Public Works	11/06/14
Ryman, Mark W.	Maintenance & Repair Worker 1	Resignation	Public Works	10/31/14
Sawyers, Ralph E.	Maintenance & Repair Worker 1	Resignation	Parks	10/22/14
MacEachron II, Michael A.	Correctional Officer 1	Resignation	Sheriff	11/07/14
Neville, Christopher D.	Correctional Officer 1	Resignation	Sheriff	11/17/14
Powell, Matthew J.	Correctional Officer 1	Resignation	Sheriff	11/14/14
Woodard, Joseph W.	Correctional Officer 1	Dismissal	Sheriff	10/22/14
Fulton, Leonard	Customer Services Field Rep 2	Resignation	Water Services	11/11/14
Mizell, Glenn A.	Finance Manager	Resignation	Water Services	10/31/14
Thomas, Albert L.	Indust Maintenance Supervisor 1	Pension	Water Services	11/06/14
Polk, James H.	Treatment Plant Shift Supervisor	Pension	Water Services	11/15/14

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>
Correctional Officer 2	Sheriff	10	Dept	11/03/14	A
Administrative Services Officer 3	Police	89	Open	11/03/14	E
Info Systems Applications Analyst 1	Library	1	Dept	11/04/14	E
Maintenance & Repair Worker 2	Parks	4	Open	11/03/14	A
Finance Manger	Social Services	41	Open	11/06/14	E
Equipment Operator 1	Library	33	Open	11/11/14	E
Police Operations Assistant 1	Police	179	Open	11/11/14	E
Maintenance & Repair Supervisor	Library	1	Dept	11/13/14	E
Finance Officer 1	Public Works	63	Open	11/13/14	E
Human Resources Director	Human Resources	59	Open	11/19/14	A
Equipment Operator 3	Public Works	52	Open	11/19/14	A
Equipment Operator 3	Public Works	33	Open	11/19/14	A
Equipment Operator 3	Public Works	6	Dept	11/19/14	A
Equipment Operator 3	Public Works	30	Open	11/19/14	A
Equipment Operator 3	Public Works	53	Open	11/19/14	A
IS Advisor 1	Finance	1	Dept	11/20/14	E
Circulation Assistant 1	Library	200	Open	11/20/14	E
Library Page	Library	124	Open	11/20/14	E
Administrative Services Manager	Library	1	Dept	11/21/14	E
Information Systems Advisor 1	ITS	8	Open	11/21/14	E
Service Representative 2	Water	259	Open	11/24/14	E
Application Technician 3	Human Resources	2	Dept	11/24/14	E
Internal Auditor 2	Internal Audit	2	Dept	11/24/14	E
Office Support Representative 2	Parks	188	Open	11/24/14	E
Concessions Clerk 2	Parks	20	Open	11/24/14	E
Police Operations Assistant 1	Police	49	Open	11/25/14	E
Finance Administrator	Finance	31	Open	11/25/14	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**EMERGENCY COMMUNICATIONS CENTER****(1: Director Duane Phillips requests approval for revisions of the departmental policies**

Assistant Director Sonny Lyons said this request has been pulled and will be brought back to the Commission at another time.

ACTION: The item was deferred to the January 2015 meeting.

JUVENILE COURT**(2: Judge Shelia Calloway requested approval to Hire Above Midpoint, Mr. Tommy Bradley, Special Projects Manager / SR15.**

Judge Calloway said that Juvenile Court is presently experiencing change in leadership, structure and direction. In order to hire Mr. Bradley, his present salary of \$103,000 from Criminal Court Clerk needs to be equivalent in order to bring him on board.

The Special Project Manager's duties that Mr. Bradley will be assuming is critical to the reorganization of Juvenile Court. The position will require significant skill and experience to deal with the complicated issues that will rise from the position change. Mr. Bradley will function as the head of personnel operations within the court and spearhead major departmental restructuring in the coming months.

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

SPORTS AUTHORITY**(3: Executive Director Toby Compton requests approval for an Advance Increment for Ms. Monica Fawknorton, Administrative Services Officer 3 / SR10.**

Mr. Compton was present before the Commission and noted the Sports Authority has experienced key growth within Metro with two new facilities (Ford Ice Center opening September 2014 and the First Tennessee Park that will open April 2015). Ms. Fawknorton's additional duties will include contract review and compliance, scheduling and special events.

MOTION: *After some discussion, Commissioner Sanders moved to approve the above as submitted. Seconded by Vice-Chairman Corbitt 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: Election of Chairman and Vice-Chairman

The Commissions' by-laws require that new officers be elected by the Commission at the first (1st) regular meeting in December. The terms of the officers are from January through December of each year.

MOTION: *After some discussion, Commissioner Allen moved for approval to re-elect William Farmer to serve another term as Chairman. Seconded by Commissioner North and the Commission approved without objection.*

MOTION: *After a short discussion, Commissioner Sanders moved for approval to re-elect Steve Corbitt to serve another term as Vice-Chairman. Seconded by Commissioner North and the Commission approved without objection.*

(5: Review of Agreed Order of Settlement on Victoria Long, Police / Termination

Victoria Long was terminated from her position on May 20, 2014 and received an additional six days suspension on the charges in violating the following:

MNPD 4.20 – Department and Personal Appearance – Section 4.20 Personal Behavior (I) Responsibility; MNPD 4.20, Department and Personal Appearance – Section 4.20 Personal Behavior (H) Honesty & Truthfulness; Civil Service Rules – Section 6.7 Grounds for Disciplinary Action #11 – Violation of any written rules, policies or procedures of the department in which the employee is employed; Civil Service Rules – Section 6.7 – Grounds for Disciplinary Actions - #13 Dishonesty.

Ms. Long appealed on May 30, 2012. Metro Attorney Jennifer Cavanaugh represented the Police Department. Ms. Long represented herself. A hearing was scheduled to take place on September 5, 2014. Prior to the meeting, an agreement was reached by all parties to agree and settle the Civil Service appeal filed by Ms. Long. Administrative Law Judge Steve Darnell submitted the Agreed Order listing the terms of settlement. (See attached order)

Metro Attorney Jennifer Cavanaugh was present before the Commission to discuss the case. Ms. Long was not able to attend.

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

(6: Review Extending MOU's for Fire and SEIU

Jamie Summers said the current MOU's (Memorandum of Understanding) are set to expire on December 31, 2014. The IAFF Local 140 and SEIU agreed to meet and discuss any possible changes that will be needed to place their MOU in the coming months.

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

(7: HR Director Search

Asst. Director Sonny Lyons came before the Commission to say postings for the selection of a permanent HR Director will be made but requested a date for filing. A proposed process was listed for the month of December and January 2015 with possible selection to be made in February 2015. He also noted that he would lead the Commission in making an appointment (one which meets all the rules of the Civil Service Commission), that is required under the Metropolitan Charter. It was noted this information is to be brought back at the January meeting for further updates.

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

(8 : Review Updated ALJ Hearing Calendar

Chairman Farmer thanked Human Resources for the Administrative Hearing Calendar. The calendar shows events that have been or will take place. He also charged that Metro Legal Department should continue to work with the Administrative Law Judges to move the cases along and to complete as quickly as possible.

ACTION: This was for a report only.

(9: Human Resources Updates

HR Director Veronica Frazier said the HR staff continues to work on the pay plan for the next fiscal year. Chairman Farmer thanked Ms. Frazier for the information.

ACTION: This was for a report only.

(10: Communiqués from the public on pending hearings

There were none.

ACTION: This was for a report only.

LATE ITEM

(11: Appeal Medical Disqualification for Applicant BW / POT

Mr. BW was disqualified as a Police Officer Trainee applicant due to his failure to pass a required physical examination administered by Medical Examiner Susan Warner. Dr. Warner refers to The *Standards of Medical Fitness* AR 40-501, 2-23 (d) Lungs, chest wall, pleura, and mediastinum (asthma).

Dr. William Paul came before the Commission to fill in for Dr. Warner who was out of town. He said her findings stated that the applicant had asthma and required an inhaler at one time but has not used it since 2010. Applicant BW concurred that he had not used this inhaler. If it were to be used, it would only be during the spring when pollen is high. Dr. Paul said Dr. Warner approved the medical waiver and noted the applicant was approved for the POT position.

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

With nothing further, the regular meeting adjourned at 8:50: a.m.

ATTEST:

APPROVED:

**Veronica T. Frazier, Director
Secretary to the Commission**

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