



# METROPOLITAN CIVIL SERVICE COMMISSION

## MINUTES

January 12, 2016

8:30 a.m.

Howard Office Building  
Sonny West Room

700 2<sup>nd</sup> Avenue South and  
Lindsley Avenue  
Nashville, Tennessee 37210

█ **MEMBERS PRESENT:** Chairman William H. Farmer; Vice-Chairman Corbitt, D. Billye Sanders, Jo Ann North, and Ethan Link.

**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 corrections or additions from the minutes of the last **Regular Meeting** of **December 8, 2015**. Hearing none, he asked for a motion. Vice-Chairman Corbitt moved to accept the regular minutes as submitted. Seconded by Commissioner North.

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

APPOINTMENTS  
TERMINATIONS / PENSIONS  
ELIGIBILITY REGISTER REPORT  
DEPARTMENTAL ITEMS  
HUMAN RESOURCES ITEMS

PG. 2-4  
PG. 5  
PG. 5-6  
PG. 6-8  
PG. 8-11

**APPOINTMENTS**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>	<b><u>TYPE</u></b>	<b><u>DATE</u></b>
<b><u>CODES ADMINISTRATION</u></b>			
Johnson, Kelly J.	Office Support Rep 3	Re-hire	11/23/15
<b><u>EMERGENCY COMMUNICATION CENTER</u></b>			
Boyce, Ronald M.	Information Sys Oper Analyst 1	New Hire	11/23/15
Dukes, Exzabia L.	Office Support Spec 2	New Hire	12/07/15
<b><u>FINANCE</u></b>			
Duran, Diana	Finance Officer 2	New Hire	12/07/15
<b><u>FIRE</u></b>			
*Saiyasak, Onkeo	Information Sys Oper Analyst 2	Department Transfer	11/30/15
*Department Transfer from ITS to Fire			
<b><u>INFORMATION TECHNOLOGY SERVICE</u></b>			
Knight, Heather A.	Info Systems App Analyst 3	New Hire	12/31/15
Vaughan, Danielle N.	Information Sys Media Tech 2	New Hire	11/21/15
Samour, Patricia S.	Information Sys Oper Anal 2	Promotion	12/19/15
Baggett, Paul M.	Information Sys Oper Analyst 3	Promotion	12/05/15
Dickens, John C.	Information Sys Oper Analyst 3	Promotion	12/05/15
McPeak, Steven W.	Information Sys Oper Analyst 3	Promotion	12/05/15
Ferguson, John M.	Information Systems Advisor 1	Promotion	12/19/15
*Herndon, Colleen Marie	Information Systems Advisor 2	Department Transfer/Promotion	12/14/15
*Department Transfer from Fire (IS Advisor 1, SR13) to ITS (IS Advisor 2, SR14)			
<b><u>JUVENILE COURT</u></b>			
*Abdirahman, Marian H.	Warrant Officer 1	Department Transfer/Promotion	11/30/15
*Department Transfer from Police (Police Operations Asst 2, SR5) to Juvenile Court (Warrant Officer 1, SR8)			
<b><u>METROPOLITAN CLERK</u></b>			
Kyle, Richard A.	Admin Services Officer 2	Promotion	12/07/15
<b><u>PARKS</u></b>			
Hoyt, Dillon D.	Facility Coordinator	Promotion	12/04/15

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>PARKS</u>			
*Martin, Kevin L.	Maint & Repair Worker 1	Voluntary Reduction in Grade	12/04/15
McNeil, Charles K.	Maint & Repair Worker 1	New Hire	12/18/15
Harbison, Gwendolyn	Maint & Repair Worker 2	New Hire	11/24/15
Jackson, Kenneth S.	Maint & Repair Worker 2	New Hire	11/20/15
Johnson, Cedric M.	Maint & Repair Worker 2	New Hire	12/14/15
Lampkin, Edward D.	Maint & Repair Worker 2	New Hire	12/01/15
Tippit, James R.	Maint & Repair Worker 2	New Hire	12/01/15
Freeman, Jeremy L.	Maint & Repair Worker 3	New Hire	11/20/15
Miller Jr, Randall	Program Coordinator	Promotion	12/18/15
^Reffett, Kristin E.	Recreation Leader	Transition - Civil Service	11/20/15

\*Voluntary Reduction in Grade from M&R Worker 3 (TG6) to M&R Worker 1 (TG3)

^Transition to CS from Part Time Status

POLICE

Hooper, Daniel J.	Admin Assistant	Promotion	12/16/15
Bouchie, Courtney R.	Crime Scene Technician 1	New Hire	12/01/15
Fulton, Kayla M.	Crime Scene Technician 1	New Hire	12/01/15
*Terry Jr, John D.	Crime Scene Technician 1	Department Transfer/Transition - CS	12/01/15
Taylor, Dwayne L.	Human Resources Analyst 1	Promotion	12/01/15
^Snowden, David G.	Police Officer 2	Class Change	12/10/15
^Wolterbeek, Michael J.	Police Officer 2	Class Change	12/10/15
Brooks, Jared H.	Police Operations Asst 1	New Hire	12/16/15
Henning, Jennifer E.	Police Operations Asst 1	New Hire	12/16/15
Powell, Devon B.	Police Operations Asst 1	New Hire	12/16/15
Wherry, Shatara D.	Police Operations Coord 1	Promotion	12/01/15

\*Department Transfer from Public Defender (Criminal Investigator-NCS) to Police (Crime Scene Tech 1)

^Class Change from Police Officer 1 to Police Officer 2

PUBLIC LIBRARY

Piper, Erin N.	Circulation Asst 1	New Hire	12/06/15
Derkach, Evanna J.	Circulation Supervisor	Promotion	12/06/15
Darrow, Ryan P.	Librarian 1	Promotion	11/22/15
Meyer, Jessica M.	Library Assoc 1	New Hire	12/06/15
Subhawong, Rebecca W.	Library Manager 2	Promotion	12/06/15
Rose, Kathryn P.	Office Support Spec 2	New Hire	12/06/15
*Tatum, Clinton S.	Program Specialist 2	Re-Classification	11/22/15

\*Reclassification from Library Associate (SR6) to Program Spec 2 (SR8) due to a Position Audit performed by Human Resources

PUBLIC WORKS

McKinnon, Kyle M.	Cust Svc Field Rep 1	New Hire	12/08/15
Fite, William T.	Equipment Operator 2	Promotion	12/07/15

**APPOINTMENTS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<b><u>PUBLIC WORKS</u></b>			
*Johns, Robert A.	Equipment Operator 3	Department Transfer/Class Change	12/05/15
Rabasca, George R.	Skilled Craft Worker 1	Promotion	12/07/15

\*Department Transfer from Water (Water Maint Tech 2, TG4) to Public Works (Equipment Op 3, TG8)

**SHERIFF**

Byers, Michael B.	Correctional Officer 2	Promotion	12/13/15
Celentano Jr, Ralph J.	Correctional Officer 2	Promotion	11/22/15
Cole, Paul J.	Correctional Officer 2	Promotion	12/13/15
Dalton Jr, Larry C.	Correctional Officer 2	Promotion	12/13/15
Graves, William B.	Correctional Officer 2	Promotion	12/13/15
Harvey, Michael J.	Correctional Officer 2	Promotion	12/13/15
Johnson, Brandon L.	Correctional Officer 2	Promotion	11/22/15
McGee, Marcus A.	Correctional Officer 2	Promotion	11/22/15
Pensari, Nicholas E.	Correctional Officer 2	Promotion	12/13/15
Robledo, Oscar I.	Correctional Officer 2	Promotion	12/13/15
Vongsamphanh, Patrick D.	Correctional Officer 2	Promotion	11/22/15
Waller, Marcus M.	Correctional Officer 2	Promotion	12/13/15

**SOCIAL SERVICES**

Rucker, Nicole J.	Social Worker 2	New Hire	12/07/15
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**WATER SERVICES**

Randolph, Richard M.	Cust Svc Field Rep 2	New Hire	12/10/15
Alexander, Brian K.	Engineering Tech 3	Promotion	11/21/15
Flournoy, Thaddeus E.	Engineering Tech 3	Promotion	11/21/15
Harmon, Randy L.	Engineering Tech 3	Promotion	11/21/15
Haynes, Thomas E.	Engineering Tech 3	Promotion	12/05/15
Kelley, James H.	Engineering Tech 3	Promotion	11/21/15
Marlow, James S.	Engineering Tech 3	Promotion	11/21/15
Perry, Danny C.	Engineering Tech 3	Promotion	11/21/15
Salmon, James A.	Engineering Tech 3	Promotion	11/21/15
Petty, Jacquelyn Stephanie	Envir Compliance Officer 1	Re-hire	12/05/15
Wilson, Elizabeth L.	Envir Compliance Officer 1	New Hire	12/10/15
Moore, Virginia C.	Water Quality Analyst 1	New Hire	11/21/15

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

**(C) TERMINATIONS/ PENSIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DEPT</u>	<u>DATE</u>
Madden Jr, Charles E.	Fire Captain	Pension	Fire	11/20/15
Gardner, Michael S.	Paramedic 2	Resignation	Fire	12/09/15
McNair, Joseph A.	Master Technician	Resignation	General Services	12/16/15
Sorrow, Lou E.	Administrative Specialist	Pension	Human Resources	12/18/15
Robinson, Sharon L.	Application Tech 3	Pension	Human Resources	12/11/15
Newton, Mary T.	Info Systems Division Manager	Dismissal	ITS	12/10/15
Boyd, Christi M.	Recreation Leader	Resignation	Parks	11/24/15
Lymon, Mary Anna	Recreation Leader	Dismissal	Parks	12/17/15
Addleman, Lisa K.	Crime Lab Forensic Scientist 2	Pension	Police	12/02/15
Grice, Viviana A.	Police Crisis Counselor 2	Resignation	Police	12/07/15
Nelms, Matthew R.	Police Officer 1	Resignation	Police	12/08/15
Krukowski, George J.	Police Officer 2	Resignation	Police	12/12/15
Mann, Clifford W.	Police Officer 2	Pension	Police	11/17/15
Dunlap, Michael H.	Police Security Guard 1	Pension	Police	12/15/15
Barnes, Matthew B.	Police Sergeant	Resignation	Police	11/30/15
Granberry, Marita L.	Police Sergeant	Pension	Police	12/07/15
Ellison, Laura A.	Program Specialist 2	Resignation	Public Library	12/17/15
Porter Jr., David L.	Maintenance & Repair Worker 1	Resignation	Public Works	12/08/15
Young, Dustin C.	Correctional Officer 1	Resignation	Sheriff	12/03/15
Feggins, Vincent E.	Correctional Officer 2	Pension	Sheriff	12/01/15
Montgomery, Suzanne K.	Van Driver	Dismissal	Social Services	12/04/15
Maxwell, Brian E.	Engineer 2	Resignation	Water Services	11/24/15
Davis, Roger A.	Industrial Technician Master	Pension	Water Services	12/04/15

***MOTION: After some discussion, Vice-Chairman Corbitt moved to accept the amended 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>
Sanitation Worker	Public Works	26	Cont.	11/17/15	E
Maintenance & Repair Worker 1	Public Works	26	Cont.	11/18/15	E
IS Operations Analyst 3 - Field Support	ITS	4	Dept	11/23/15	E
Office Support Specialist 2 - ECC	MECC	133	Open	11/24/15	E
Human Resources 1 - Police	Police	5	Dept	11/25/15	E
Correctional Officer 1	Sheriff's Office	25	Cont.	11/25/15	E
Administrative Services Officer 2 - Metro Clerk	Metro Clerk	1	Dept	11/30/15	E
Office Support Specialist 2	Library	107	Open	11/30/15	E
Facility Coordinator - Fitness/Tennis	Parks	1	Dept	12/02/15	E
Circulation Supervisor	Library	43	Open	12/03/15	E
Archives Assistant 3	Library	71	Open	12/07/15	A
Engineer-In-Training	Public Works	14	Cont.	12/09/15	E
IS Manager - Juvenile Court	Juvenile Court	1	Dept	12/10/15	E
Administrative Assistant - Police HR	Police	3	Dept	12/11/15	E
IS Operations Analyst 2 - EAC	ITS	1	Dept	12/11/15	E
IS Applications Technician 1	Library	56	Open	12/15/15	A

<u>CLASSIFICATION</u>	<u>DEPT</u>	<u>ON LIST</u>	<u>TYPE</u>	<u>DATE</u>	<u>ESTABLISH/ ABOLISH</u>
Fire District Chief - EMS	Fire	39	Dept	12/15/15	E
Fire District Chief - Suppression	Fire	76	Dept	12/15/15	E
Recreation Leader - Community Recreation	Parks	319	Open	12/16/15	A
Office Support Rep 2 - Library Receiving	Library	56	Open	12/17/15	A
Industrial Maintenance Supervisor 1 - Operations	Water	30	Dept	12/18/15	E
Van Driver	Social Services	432	Open	12/18/15	A

**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

#### CODES ADMINISTRATION AND WATER SERVICES

- (1: **Request for an extension to apply Policy 5.7 C-I, Exempt Overtime Pay (in Emergency Situations) and to designate specific classifications as Exempt Overtime Eligible**

Water Services Deputy Director John Kennedy and Human Resources Assistant Director Michael Taylor were before the Commission.

Water Services Deputy Director Kennedy said the request is to continue allowing exempt employees in Development Services overtime pay in emergency situations. Nashville continues to grow, the city is currently seeing a record number of requests to review plans and issue permits. The employees who work in Development Services who review plans for compliance are exempt employees and are not eligible for overtime. Metro Water has considered hiring more employees to assist with the work load, but the option is not as viable if the city's current demand diminishes. Also, Water has tried to hire consultants to do the work, but they require too much training. So previously, Metro Water and Codes asked, and the Civil Service Commission authorized the departments to pay overtime. It has been very successful, so Metro Water and Codes ask approval to continue paying overtime until there is no longer a need.

**MOTION:** *After some discussion, Vice-Chairman Corbitt moved to approve Policy 5.7 C-I Exempt Overtime Pay (in Emergency Situations) through December 31, 2016, and designate specific classifications as Exempt Overtime eligible. Seconded by Commissioner Sanders, and the Commission approved without objection.*

#### JUVENILE COURT

- (2: **Judge Sheila Calloway requests approval for an advance of increment for the following:**

- a. **Charlene Williams, Social Work Technician – SR06**
- b. **Bettie Owens, Social Work Technician – SR06**
- c. **Wanda Peoples, Social Work Technician – SR06**

Court Administrator Kathryn Sinback, representing Judge Sheila Calloway, and Human Resources Analyst Patrick Kennedy were present before the Commission. Court Administrator Sinback explained these are long-term employees in the Metro Student Attendance Center who work in reducing truancy. A year ago, these employees were misclassified as Group Care Aides, and there is no group care facility associated with Juvenile Court. In spite of that classification, their work is more in line with the Social Work Tech classification. When they were recently moved into that classification from SR04 to SR06, these employees received a modest increase in pay. However, based on their dedication and years of service, Juvenile Court would like to move them from step one, \$29,752.84, to step 2, \$30,745.11. This has been approved by the Office of Management and Budget (OMB), and it more accurately reflects the level of work they are performing. Chairman Farmer asked for a job description of the employees' duties. Court Administrator Sinback replied they assist case managers for truancy cases, or unruly cases that come before the court where children are not going to school. Case managers work in partnership with MNPS and MNPD to provide services and assistance to get those kids to school. These Social Work Techs assist those case managers by going out to schools, pulling attendance reports, talking to the children and families, and assisting with the day-to-day work of the Metro Student Attendance Center. Also, Juvenile Court is held every afternoon at three, for all of the students who are picked-up for loitering during school hours, and the Social Work Techs assist with those dockets.

***MOTION: After some discussion, Commissioner North moved to approve the increment advances. Seconded by Commissioner Sanders, and the Commission approved without objection.***

## PARKS

**(3: Director Tommy Lynch requests approval for an Open Range Increase for the following:**

- a. Monique N. Odom, Special Projects Manager - SR15**
- b. Richard J. Taylor V, Assistant Director - SR15**
- c. Timothy F. Netsch, Special Projects Manager - SR15**
- d. Sara S. Davis, Special Projects Manager - SR15**
- e. James R. Hester, Special Projects Manager - SR15**
- f. John R. Holmes Jr., Special Projects Manager - SR15**
- g. Shain T. Dennison, Special Projects Manager - SR15**

Director Tommy Lynch, Human Resources Analyst Jason Lusk, and Human Resources Assistant Director Michael Taylor were present before the Commission. Chairman Farmer observed that each employee was an SR15, Special Projects Manager, with the exception of Assistant Director Taylor. Director Lynch explained they all serve basically the same function of overseeing a division within the Department: Ms. Odom, Assistant Director for Finance and Administration; Mr. Taylor, Assistant Director for Maintenance; Mr. Netsch, Assistant Director of Planning and Facility Development; Ms. Davis, Assistant Director of Community Recreation; Mr. Hester, Assistant Director for Environmental Education; Mr. Holmes, Assistant Director of Revenue Producing Facilities; Ms. Dennison, Assistant Director for Greenways. The purpose of the Parks Department's request is to establish equity among the division managers as a result of restructuring due to the growth of services and responsibilities of each assistant director, as well as establish a deputy director. As division head for many years, Director Lynch believes the Assistant Director of Finance and Administration needs to have the leadership, supervisory and oversight of the other division heads, in order to get business done properly. The Parks Department has experienced expansion in facilities and acreage over the past five to six years, which has increased the responsibilities and number of employees reporting to these Assistant Directors; these employees need to be paid accordingly. Director Lynch also noted this request had been approved by OMB. The Commissioners asked if this request compared these Assistant Directors' salaries with other Assistant Director salaries within the market. Human Resources Assistant Director Taylor said with the proposed increases would bring each Assistant Director within market range. Commissioner Sanders asked if these employees would receive additional increases with the Deloitte study.

Human Resources Assistant Director Taylor said no. Commissioner Link asked for the last time these employees received an open range increase. Human Resources Assistant Director Taylor said July 2015. Under normal circumstances, the cap is fifteen percent, but at that time departments were limited to a four percent increase, and most departments granted a two percent increase.

***MOTION: After some discussion, Commissioner North moved to approve the increases. 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: Job Description Revision**

- **Planning Executive Director**

Metropolitan Planning Commission Chairman Jim McLean and Human Resources Assistant Director Michael Taylor were present before the Commission. Metro Planning Commission Chairman McLean explained that the Metro Planning Commission feels it is very important for the Planning Executive Director to have an understanding of planning, as well as an understanding of the law, and how the city works. This position goes to the State Legislature and advocates for language and changes which may adversely or may not adversely affect planning. The Metro Planning Commission feels that it's more important, rather than to have a planning degree and be restricted to that, that the candidate has planning knowledge, but also has a background in law or public administration. Chairman Farmer asked for clarification on what in the job description would guarantee the candidate has planning experience. Human Resources Assistant Director Taylor explained currently the requirement is a Master's Degree in Planning and planning experience. The proposed changes increase the level of experience to include legal or public administration experience, and retain the Master's Degree in Planning. They also add the option for a Doctor of Jurisprudence degree, and include experience, in any combination, in legal, planning, or public administration. These will broaden the pool from having just candidates with a Master's Degree in Planning and planning experience. The Commissioners observed that the revision would possibly qualify a candidate who had a law degree and ten years of law experience, with no planning experience. Human Resources Assistant Director Taylor responded that Human Resources had written the job description to encourage a broad pool of candidates, and then through the interview process, the department or hiring authority, based upon what they are looking for in the qualifications for that job and through the interview questions, would complete the interview and determine the best candidate. Commissioner Sanders asked, with the revisions on the first category, would a candidate qualify in that category if they had legal experience, but was not necessarily a lawyer. Human Resources Assistant Director Taylor said yes.

***MOTION: Vice-Chairman Corbitt moved to approve the job description revision. Seconded by Commissioner North, and the Commission approved without objection.***

**(5: Request Waiver to Extend IOD in accordance with Civil Service Rule 4.8 - Period of Compensation for Police Officer, Stephen Soule**

Human Resources Manager Stephen Cain and Officer Stephen Soule were present before the Commission. Mr. Cain stated that Officer Soule has submitted a request to extend his Injury on Duty Leave. He was injured in June 2015, while arresting a suspect. He has undergone extensive rehabilitation. Mr. Soule's IOD time expires on February 12, 2016, and he anticipates returning to work near the end of March, maybe April. So he has asked to be extended through April, without anticipating using all of that time. The request is 55 days.



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

**(6): Appeal of Human Resources Final Decision that Complaint is Non-Grievable, Firefighter Christy Burnett**

**(7): Appeal of Human Resources Final Decision that Complaint is Non-Grievable, Firefighter Jade Medders**

Union Representative Mark Young, Emergency Medical Services (EMS) Representative for Fire Emily McClintock, and Human Resources Manager Jamie Summers were present before the Commission to discuss the appeal. Chairman Farmer asked if the issues of whether or not scheduling is grievable were the same for items six and seven. Union Representative Young said yes. Chairman Farmer asked the Commission to consolidate the two for the hearing. Firefighter Jade Medders came before the Commission. Chairman Farmer questioned the expectation for the Commission to rule every time there was a scheduling change in a department. Union Representative Young said these complaints came forth because a schedule change request had previously been allowed for another employee within the same group. The rotational assignment personnel (RAP) program started in 2012. It's a program where the employees rotate between two divisions, the EMS division and the Suppression division. Employees spend six months in EMS, and then a year in Suppression. The two schedules are different: the EMS schedule is four twelve hour shifts: the first two days are AM hours, the next two days are PM hours, and then off duty four days; the Suppression schedule is 24 hours on duty and 48 hours off duty. Before you today are two employees, and the EMS schedule would better fit their lives. Chairman Farmer asked if the Fire Department allowed a RAP employee to, basically, choose their schedule, but these two employees can't. Human Resources Manager Summers replied, three years ago within the first group in the RAP program, one employee made a request to permanently stay within the EMS group. At that time, there was also an employee within EMS who had previously been fire trained, so they were able to make an even swap. In this case, if these two employees were allowed to go into EMS permanently, it would short staffing on the Suppression side. In addition, it doesn't allow for the other employees in the RAP program to make their request for where they would like to be. It would unbalance the staffing schedule.

Chairman Farmer stated the issue before the Commission is whether or not this issue is grievable. Human Resources Manager Summers agreed, and said the position of the Fire Department is that management has the right to schedule work assignments for the business and the safety of the city, and one incident over the course of three years doesn't constitute a practice. Firefighter Jade Medders said that within the RAP Program there had only been one scheduling exception made, but outside of the RAP Program within the Fire Department there have been many scheduling exceptions made for family and children. She asked that the Commission consider that before making a decision. Chairman Farmer expressed the Commission was not unsympathetic to Firefighter Medders' situation, and felt very empathetic about it. The problem is that the Commission has to abide by the Civil Service Rules and Policies. If the Commission ever recognized scheduling issues as grievable, it would set a precedent. The Civil Service Rules are very clear that the Civil Service Commission should not be involved in a manager's decision to approve or disapprove a schedule change request. Commissioner Link agreed, and asked if the Fire Department tried to resolve this complaint by trying to find someone who could change schedules. Human Resources Manager Summers said yes, but they had been unable to make an even switch within the RAP Program. The Fire Department has also recommended that Firefighter Medders apply for Family and Medical Leave (FMLA). Chairman Farmer asked if Firefighter Medders had applied for FMLA. Firefighter Medders said no, and she did not want to apply; on the EMS schedule she has not had a need for it. Chairman Farmer asked the Commission's Legal Counsel for Metro Legal's opinion on whether or not the complaints were grievable. Attorney Eke said, in her opinion, the complaints were not grievable. The Civil Service Rules specify Management rights to schedule and organize work, to make assignments, and to prescribe methods and procedures by which work is performed, as non-grievable. Also, the Metro Charter Section 8.303 specifies that it is the duty of the Fire Chief to assign members of the Fire Department to stations, shifts, details, and duties, consistent with their rank. The Metro Charter specifically provides that such scheduling issues are within the authority of the Fire Chief. It's within the Fire Chief's jurisdiction.

**MOTION:** *After some discussion, Vice-Chairman Corbitt moved to uphold Human Resources' decision that the complaint is non-grievable. Seconded by Commissioner Sanders and the Commission approved without objection.*

**(8: Pay Plan Update**

Water Services Deputy Director John Kennedy and Human Resources Assistant Director Michael Taylor were before the Commission. Water Services Deputy Director Kennedy told the Commission the proposed pay plan included a comprehensive compensation assessment, plus a custom survey for Police and Fire, both completed by Deloitte. It has been distributed to Department Heads, Elected Officials, and Human Resources Coordinators. Last Week, Human Resources met with the Fire Union and the Fraternal Order of the Police. Human Resources is also in the process of scheduling a meeting with SEIU, and meetings are set with all of the departments to discuss the proposed pay plan in detail. Does the Commission have any comments, questions, or concerns? Commissioner Sanders noted starting at step five on some classifications, they hold a person at the same step for two years, while others do not, and then questioned the rationale for holding someone at the same step for two years. Water Services Deputy Director Kennedy responded the goal of a pay plan is for an employee to move to the market rate, the mid-point of our ranges, which is step five. Once you get to the mid-point, you slow down because you are at market. Originally, all of the classifications were like that, but the pay plan has been modified over the years, particularly in Police and Fire, and those steps have been reduced from two years to one year. Commissioner Sanders asked if an employee is promoted into a higher step, would they have to start off at step one. Human Resources Assistant Director Taylor said no, there is an equation for calculating promotional increases. Commissioner Link asked if there were any recommended increases in the Trades and Labor classifications. Water Services Deputy Director Kennedy explained, there are recommended increases, but we're not proposing any adjustment to the scales. Instead, where we found a position to be off market or had discussions with a department that they are having high turnover, we adjusted the grade for those positions. Commissioner Link asked if the salaries were listed based on an annual rate for a forty hour work week. Water Services Deputy Director Kennedy said yes. Commissioner Link asked why the Correctional Officers were not listed hourly. Water Services Deputy Director Kennedy responded that most employees work a forty hour work week, but there are some exceptions. In Corrections, there is an established annual salary, and then your hourly rate varies according to your schedule. Chairman Farmer mentioned a federal lawsuit which disputed an old pay plan, and wanted to ensure Metro Legal reviewed the proposed pay plan before approval, so it could not be misconstrued. Human Resources Director Frazier said Metro Legal had reviewed the proposed pay plan with that lawsuit in mind. Water Services Deputy Director Kennedy said it was his understanding that Human Resources would be presenting the Commission a policy, which addresses overtime specific to the Sheriff's office, to clarify that issue. Commissioner Link said he would like to have a better understanding of the hourly and annual salary breakdown before approving the proposed pay plan.

**MOTION:** *After some discussion, Commissioner Sanders moved to hold a public meeting on the proposed pay plan at the next regularly scheduled meeting. Seconded by Commissioner North and the Commission approved without objection.*

**(9: Administrative Law Judge Hearing Calendar**

Chairman Farmer asked if the Administrative Law Judge was aware of the report. Ms. Tullos replied yes. The calendar refers to appeals submitted by Metro employees. As changes occur, updates are made each month in conjunction with the assigned Attorneys at Metro Legal. A copy is then forward to the State Administrative Procedures Division where in the State provides a copy for each Judge to evaluate their case.

**(10: Human Resources Updates**

Human Resources Director Veronica Frazier announced the Human Resources Department partnered with the Mayor's Office, Get Covered Tennessee, and the Tennessee Foreign Language Institute to take Affordable Care Act enrollment sign up to the community. We have assisted with sign-ups at several locations.

Human Resources and Metro 3 recently completed videos highlighting and promoting the Sheriff's Department, which will air on Metro 3 and the Nashville Education Community and Arts Television (NECAT) Network. We hope to reach a diverse audience and encourage interest in working for Metro. Our next video projects will spotlight the Fire and Water Departments.

In an effort to reach the broader community, Human Resources is now sending out current job openings, along with instructions on how to apply, to congregations, neighborhood groups and anyone who contacts our office and would like to receive our job openings.

Effective January 1, 2016, we have a contracted with a new employee assistance (EAP) vendor, Deer Oaks. We are changing the name of our EAP program to the Metro Nashville Work Life Program to better reflect all of the services for metro employees and management. Most programs can assist with many different types of problems, such as elder care and child care; this program also assists with pet care. With this new program, if an employee is driving and unable to continue driving, that person can pull the car over and take a cab, and will be reimbursed for the cab ride.

***ACTION: This was for a report only.***

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

There were none.

**With nothing further, the regular meeting adjourned at 9:55 a.m.**

**ATTEST:**

**APPROVED:**

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

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