



# CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE  
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CITY CIVIL SERVICE COMMISSION  
BRITTNEY RICHARDSON, CHAIRPERSON  
JOHN KORN, VICE-CHAIRPERSON  
MARK SURPRENANT  
RUTH WHITE DAVIS  
ANDREW MONTEVERDE

AMY TREPAGNIER  
DIRECTOR OF PERSONNEL

Tuesday, December 30, 2025

Mr. Dane Urbeso  
2111 E Beauregard St  
Chalmette, LA 70043

Re: **Dane Urbeso VS.  
Sewerage & Water Board  
Docket Number: 9731**

Dear Mr. Urbeso:

Attached is the decision of the City Civil Service Commission in the above-referenced appeal.

This is to notify you that, in accordance with the rules of the Court of Appeal, Fourth Circuit, State of Louisiana, the decision for the above captioned matter is this date - 12/30/2025 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Orleans Tower, New Orleans, Louisiana.

If you choose to appeal this decision, such appeal must conform to the deadlines established by the Commission's Rules and Article X, Sec. 12(B) of the Louisiana Constitution. Further, any such appeal shall be taken in accordance with Article 2121 et. seq. of the Louisiana Code of Civil Procedure.

For the Commission,

A handwritten signature in blue ink that reads "Doddie K. Smith".

Doddie K. Smith  
Chief, Management Services Division

cc: Randy Hayman  
Ashley Ian Smith  
Bruce Hamilton  
file

**CIVIL SERVICE COMMISSION  
CITY OF NEW ORLEANS**

**DANE URBESO,  
Appellant**

**Docket No. 9731**

v.

**SEWERAGE & WATER BOARD,  
Appointing Authority**

**DECISION**

Dane Urbeso brings this appeal pursuant to Article X, § 8(A) of the Louisiana Constitution and this Commission's Rule II, § 4.1 seeking relief from a letter of reprimand issued by the Sewerage & Water Board on May 6, 2025. (Ex. HE-1). At all relevant times, Appellant had permanent status as a Laborer in Building Maintenance at the Central Yard of the Sewerage & Water Board. (Tr. at 14). A Hearing Examiner, appointed by the Commission, presided over a hearing on June 27, 2025.<sup>1</sup> At this hearing, both parties had an opportunity to call witnesses and present evidence.

The undersigned Commissioners have reviewed and analyzed the entire record in this matter, including the transcript from the hearing, all exhibits submitted at the hearing, the Hearing Examiner's report dated December 1, 2025, and controlling Louisiana law.

For the reasons set forth below, Mr. Urbeso's appeal is DENIED.

**I. FACTUAL BACKGROUND**

The Sewerage & Water Board issued a letter of reprimand to Mr. Urbeso for discourteous treatment of a supervisor, dishonesty, and threatening bodily harm to a supervisor. (Ex. HE-1). The discipline concerned a disagreement between Mr. Urbeso and Kederick Williams, his

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<sup>1</sup> The Chair extended the deadline for the Commission's decision for 90 days based on an internal administrative delay pursuant to Civil Service Rule II, § 4.17.

supervisor, on April 23, 2025, about the correct method to repair the wooden decking on a trailer. (Tr. at 15). The Sewerage & Water Board offered video of the incident into evidence, but no audio accompanies the video. (Ex. SWB-1). In the video, Mr. Urbeso is waving his arms and clearly arguing with Mr. Williams, his supervisor. (Ex SWB-1). The witnesses are also visible in the video. (Ex. SWB-1).

Mr. Williams testified that after Mr. Urbeso took the measurement to cut the replacement board for the trailer, Mr. Urbeso said to Mr. Williams, "I don't give a fuck about no fucking trailers or no fucking boards." (Tr. at 53). According to Mr. Williams, when pressed, Mr. Urbeso said he was repeating what Just Lamare, Mr. Williams' supervisor, had told him. (Tr. at 53). Mr. Williams responded that Mr. Urbeso was lying. (Tr. at 53). Mr. Williams testified Mr. Urbeso then told him he was going to "fuck him up" and "beat his ass." (Tr. at 54). Mr. Williams testified that he thought Mr. Urbeso was about to hit him, so he clocked out. (Tr. at 54). According to Mr. Williams, he never threatened Mr. Urbeso. (Tr. at 57). Mr. Williams testified that Mr. Urbeso was "rambling, rumbling, cussing, cussing at me, being disrespectful." (Tr. at 68).

Mr. Williams testified that Mr. Urbeso is a "superstar" as a worker, and he has "no problems" with his work performance. (Tr. at 73).

Mr. Urbeso testified that Mr. Lamare had told him earlier that there is only one correct way to put boards on a trailer because of an issue with the weight distribution of the machinery placed on the trailer. (Tr. at 15). Mr. Urbeso further testified that Mr. Lamare said, "I don't give an 'F' what anybody says. This is the way it needs to be done, and if they have an issue, tell them to come back to me and talk to me." (Tr. at 16). Mr. Lamare corroborated Mr. Urbeso's testimony that he had told him where to place the wood on the trailer. (Tr. at 92). Mr. Crayton, a Painter, testified

that Mr. Williams said the measurements were off, and Mr. Urbeso told him that Mr. Lamare wanted the repair done that way, and repeated this statement eight to ten times. (Tr. at 111).

Mr. Urbeso testified that Mr. Williams said, "'All right, well, let's go underneath the bridge and handle it,' and that's when he proceeded to walk, go clock out, and go sign his name, sign the time on the sheet.'" (Tr. at 17). Mr. Lamare then instructed Mr. Urbeso to go into Mr. Lamare's office. (Tr. at 21). Mr. Urbeso testified that this was not the first time he had been threatened by Mr. Williams. (Tr. at 21). Mr. Crayton testified Mr. Urbeso had reported to him on an earlier occasion that Mr. Williams had said, "Let's go under the bridge." (Tr. at 115).

Roynel Young, a Senior Painter who is standing on the trailer in the video, testified that Mr. Urbeso had cut the board, and Mr. Williams told Mr. Urbeso to wait. (Tr. at 35-36). Mr. Young testified that Mr. Urbeso then told Mr. Williams that Mr. Lamare told him to cut the board that way. (Tr. at 36). According to Mr. Young, Mr. Urbeso then "went off." (Tr. at 36). Mr. Young also testified that Mr. Williams said, "So we don't lose our job, let's clock out and go talk about it off the yard." (Tr. at 37-38). On cross-examination, Mr. Young admitted that after Mr. Urbeso threatened Mr. Williams, Mr. Williams said he wanted to "sign out and go under the bridge. (Tr. at 44).

Mr. Young denied that anyone asked him to write a statement. (Tr. at 42). Mr. Williams then testified that Mr. Lamare asked everyone, including Roynel Young, to write statements about the incident. (Tr. at 74).

Mr. Lamare, who testified he was 17 feet away from the trailer at the beginning of the disagreement, testified that Mr. Urbeso was the aggressor, telling Mr. Williams he would "beat his bitch-ass." (Tr. at 84).

## II. ANALYSIS

### A. Legal Standard for Commission's Review of Discipline

“Employees with the permanent status in the classified service may be disciplined only for cause expressed in writing. La. Const., Art. X, Sec. 8(A).” *Whitaker v. New Orleans Police Dep’t*, 2003-0512 (La. App. 4 Cir. 9/17/03), 863 So. 2d 572 (quoting *Stevens v. Dep’t of Police*, 2000-1682 (La. App. 4 Cir. 5/9/01)). “Legal cause exists whenever an employee’s conduct impairs the efficiency of the public service in which the employee is engaged.” *Id.* “The Appointing Authority has the burden of proving the impairment.” *Id.* (citing La. Const., art. X, § 8(A)). “The appointing authority must prove its case by a preponderance of the evidence.” *Id.* “Disciplinary action against a civil service employee will be deemed arbitrary and capricious unless there is a real and substantial relationship between the improper conduct and the “efficient operation” of the public service.” *Id.* “It is well-settled that, in an appeal before the Commission pursuant to Article X, § 8(A) of the Louisiana Constitution, the appointing authority has the burden of proving by a preponderance of the evidence: 1) the occurrence of the complained of activity, and 2) that the conduct complained of impaired the efficiency of the public service in which the appointing authority is engaged. *Gast v. Dep’t of Police*, 2013-0781 (La. App. 4 Cir. 3/13/14), 137 So. 3d 731, 733 (quoting *Cure v. Dep’t of Police*, 2007-0166 (La. App. 4 Cir. 8/1/07), 964 So. 2d 1093, 1094).

#### 1. The Appointing Authority must show the discipline was commensurate with the infraction

The Commission has a duty to decide independently from the facts presented in the record whether the appointing authority carried its legally imposed burden of proving by a preponderance of evidence that it had good or lawful cause for disciplining the classified employee and, if so,

whether such discipline was commensurate with the dereliction. *Durning v. New Orleans Police Dep't*, 2019-0987 (La. App. 4 Cir. 3/25/20), 294 So. 3d 536, 538, *writ denied*, 2020-00697 (La. 9/29/20), 301 So. 3d 1195; *Abbott v. New Orleans Police Dep't*, 2014-0993 (La. App. 4 Cir. 2/11/15); 165 So.3d 191, 197; *Walters v. Dept. of Police of the City of New Orleans*, 454 So. 2d 106 (La. 1984). The appointing authority has the burden of showing that the discipline was reasonable and not arbitrary or capricious. *Neely v. Dep't of Fire*, 2021-0454 (La. App. 4 Cir. 12/1/21), 332 So. 3d 194, 207 (“[NOFD] did not demonstrate . . . that termination was reasonable discipline”); *Durning*, 294 So. 3d at 540 (“the termination . . . deemed to be arbitrary and capricious”).

#### **B. The Sewerage & Water Board has Carried its Burden of Showing Cause**

The testimony of all the witnesses in this appeal is inconsistent. The Commission can credit little of the testimony with confidence. Therefore, the Sewerage & Water Board has not carried its burden of showing that Mr. Urbeso was dishonest. In particular, Mr. Lamare corroborated Mr. Urbeso’s testimony that he had instructed Mr. Urbeso about where to place replacement boards on a trailer, which was the substance of the claimed dishonesty.

The Sewerage & Water Board has also not carried its burden of showing that Mr. Urbeso threatened Mr. Williams because of the inconsistent testimony. In particular, the Commission notes Mr. Williams’ denial of offering to settle the disagreement “under the bridge.” Mr. Urbeso and Mr. Crayton, a witness called by the Sewerage & Water Board, testified to this threat. In addition, Mr. Williams admitted he clocked out during the argument.

The Sewerage & Water Board has shown that Mr. Urbeso was discourteous to Mr. Williams based on the video offered into evidence. Mr. Urbeso is waving his arms and arguing with Mr. Williams.


Discourtesy to a supervisor impairs the efficient operation of the Sewerage & Water Board. Mr. Lamare testified that Mr. Urbeso's argument with Mr. Williams interrupted the work and required time away from other tasks to address the behavior. (Tr. at 86-87). The argument also affects employee morale. (Tr. at 87).

**1. The discipline is commensurate with the infraction**

A letter of reprimand, the least severe form of discipline, is commensurate with Mr. Urbeso's discourteous treatment of Mr. Williams.

Mr. Urbeso's appeal is DENIED.

WRITER:

  
[Ruth Davis, Commissioner \(Dec 30, 2025 06:26:20 CST\)](#)  
RUTH DAVIS, COMMISSIONER

CONCUR:

*John Korn, Vice-Chairperson*  
[John Korn, Vice-Chairperson \(Dec 29, 2025 17:34:04 CST\)](#)  
JOHN KORN, VICE-CHAIRPERSON

  
[Andrew Monteverde, Commissioner \(Dec 29, 2025 15:17:33 CST\)](#)  
ANDREW MONTEVERDE, COMMISSIONER