

CIVIL SERVICE COMMISSION  
REGULAR MONTHLY MEETING  
FRIDAY, APRIL 12, 2024

The regular monthly meeting of the City Civil Service Commission was held on Friday, April 12, 2024, in the City Council Chambers, 1300 Perdido Street, New Orleans, LA 70112. Ms. Doddie Smith, Personnel Administrator of the Management Services Division called the roll. Present were Vice-Chairperson John Korn, Commissioner Mark Surprenant, and Commissioner Andrew Monteverde. Commissioner Korn convened the meeting at 10:00 a.m. The Commission then proceeded with the docket. At 10:53 a.m. on the motion of Commissioner Surprenant and the second of Commissioner Monteverde, the Commission voted unanimously to go into executive session.

At 12:03 p.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes for March 8, 2024. Commissioner Surprenant motioned to approve the minutes. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #2 was the ratification of Public Integrity Bureau (PIB) extension requests. Commissioner Monteverde moved to approve the extension requests. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #3a under Rule Amendments was an introduction of an amendment to Rule II, Sections 4.3 and 4.12 to consolidate appeals of emergency suspensions with the final discipline imposed by the Appointing Authority and to continue appeals of emergency suspensions pending the Appointing Authority's decision on discipline. Executive Counsel, Christina Carroll explained that while awaiting final decisions on discipline from an Appointing Authority, Hearing Examiners regularly continue appeals of emergency suspensions. The amendment will create a procedure whereby appeals of discipline imposed following an emergency suspension shall also include the emergency suspension. Ms. Carroll added that this was an effort to address the issue with the Rule, but that Civil Service staff is open to suggestions from the City Attorney's Office and other interested parties that may have alternative recommendations. Approval of the proposed amendment will be considered at the next meeting.

Item #3b was an introduction of an amendment to Rule II, Sections 4.5 and 4.6 to remove disability discrimination and age discrimination as bases for employee appeals. Ms. Carroll stated that there was an appeal brought before the Commission where someone presented age discrimination as the basis. At present, Civil Service Rules state that “employees in the classified service” and “persons who shall have applied for, or shall have been examined for, the classified service and shall not have established their status as permanent classified employees” who allege age discrimination have the right to appeal to the Commission. Ms. Carroll stated that it was her legal opinion that the Commission does not have jurisdiction over age discrimination appeals as they are not included in the Constitution. Although there is some ambiguity in the current state of the law, this amendment is intended to bring the Rule into compliance with applicable law, and to provide employees with a reliable source for the rules and procedures of the Civil Service Commission.

Ms. Carroll stated the U.S. Supreme Court recently held that sexual orientation and gender identity are sex discrimination under federal anti-discrimination laws. Given that sexual harassment is also a judicial expansion of sex discrimination, Ms. Carroll recommended that “sexual orientation” be removed from Rule II, Sections 4.5 and 4.6. To adjust for this removal, sexual harassment, sexual orientation, and gender identity will be included in parentheses following “sex.” The Commission is expressing its intent continue to consider appeals on the basis of sexual orientation as part of its jurisdiction over sex discrimination appeals. Approval of the proposed amendment will be considered at the next meeting.

Item #3c was an introduction of an amendment to Section 10(B) of the Civil Service Commission’s Procedures for the Conduct of Business Meetings. Ms. Carroll stated that Commission Meeting Procedures do not reflect the Louisiana Code of Governmental Ethics which state that a commissioner who requests recusal because of a substantial economic interest, cannot participate in discussion. The amendment comes as a way to accurately reflect the updated Louisiana Code of Governmental Ethics. Approval of the proposed amendment will be considered at the next meeting.

Item #4a under Classification and Compensation Matters was a request from the Sewerage and Water Board to create the new classification of Utility Customer Service Manager. Personnel Administrator of the Classification and Compensation Division, Robert Hagmann, stated Civil Service staff had worked with the Sewerage and Water Board to establish a new management structure for their Customer Service Division. As a result of the study, staff is recommending the new job classification of Utility Customer Service Manager. This position would have an exempt FLSA status with a hiring rate of \$88,344 at pay grade 90, and there would be four

allocations in each one of the major sections of the Customer Service Division of the Sewerage and Water Board, with the aim being to improve the customer service experience for consumers.

Chief Customer Service Officer for the Sewerage and Water Board, Rene Gonzalez, approached the Commission asking for permission to create the Utility Customer Service Manager classification. He stated that the Board has been working to rebuild the public's trust and confidence, and acknowledge shortcomings, while also working hard to find solutions to meet the expectations of its customers. The creation of this position will add a layer of guidance and support that is missing within the Customer Service Division's structure. Mr. Gonzalez anticipates that the additional staff will create accountability as the Board implements a new automated meter reading system.

Commissioner Korn asked why billing and accounts receivable experience was excluded from the minimum qualifications for the classification when it is one of primary responsibilities someone hired into the position would be expected to perform. Mr. Hagmann responded that the supporting document summarizing the specifications of the new classification was merely a draft and elements could be revised. Commissioner Korn suggested that Civil Service staff consider adding billing and accounts receivable experience to the list of minimum qualifications. Rene Gonzales said that he appreciated the suggestion and that the minimum financial customer service qualifications would be added. Commissioner Surprenant asked Director Trepagnier what the position of the Civil Service Department was on the creation of this new classification. Director Trepagnier responded that the Civil Service staff is in support of the request and has the authority to work with City departments to modify minimum qualifications. She also clarified that Commission approval of the request would only authorize the new job classification to be created and added to the Pay Plan. Commissioner Surprenant moved to approve the new classification. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4b was a request from the Sewerage and Water Board to create the new Automated Metering Infrastructure (AMI) Data Analyst job series. Mr. Hagmann stated that the primary responsibilities of the classifications in this job series would be to perform data analysis and generate and validate reports in support of the new Automated Metering system for the Sewerage and Water Board. This new system and creation of the classifications are intended to allow the Sewerage and Water Board to take a proactive role in dealing with the issues related to meter functions. All classifications in the job series would have a non-exempt FLSA status and have

hiring rates ranging from \$51,144 at the entry level to \$76,109 for supervisors. These rates parallel a job series recently approved by the Commission that was relative to the operational functions of the Automated Metering Infrastructure (AMI).

Director Trepagnier stated that the Data Analyst job series would operate on the back end of the smart meter operations, reviewing the data generated from the meter reading infrastructure. Mr. Gonzalez stated while he expects that the new automated infrastructure will eliminate challenges relative to the physical nature of the meter reading job, the Utilities Division does not have the skillset of data analysis to process the significant number of readings from the meters that will be transmitted electronically. Director of Sewerage and Water Board Human Resources, Juli Sholar, stated that the Board has a commitment internally to work with their current staff as much as possible to implement training programs that will enable them to transition into roles related to the AMI project.

Commissioner Monteverde asked if the AMI project would make obsolete the practice of walking around on foot and reading meters by hand, and if so, what would that mean for the incumbents in those classifications. Ms. Sholar responded that reassignment to another classification would be dependent on skillset, but that the Board is utilizing gap analysis and training models to get incumbents in analog meter reading positions equipped to be reassigned to the new positions as much as they are willing and able. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4c was a request from the Sewerage and Water Board for hiring rates for the Attorney jobs series and the Legal Support job series. Director Trepagnier asked that the request be deferred to the next Commission meeting.

Item #4d was a request from Parks and Parkways to create the new classification of Landscape Architect Supervisor. Mr. Hagmann stated that the size of the Parks and Parkways landscape program is growing, and that the creation of this new Landscape Architect job classification is a reaction to that growth. Presently the program has a Landscape Architect and Landscape Architect Intern, but to address future expansion, we are taking a proactive step in creating this supervisory level position to oversee Landscape Architects and support staff in the management and planning of projects for the department. This classification will be exempt with hiring rates starting at \$76,109 annually at pay grade 84. Commissioner Monteverde motioned to approve the new classification. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4e was a request from the Department of Finance to create the new classification of HRIS Manager. Mr. Hagmann stated that the Human Resource Information System (HRIS) program for the City relative to the ADP payroll and human resource (HR) function is currently performed by a single incumbent. As the reporting and work required increase exponentially, the creation of a mid-level manager classification would provide a much needed supervisory back up to the present HR Coordinator. The HRIS Manager classification will be an exempt FLSA status position assigned to the pay grade of 90 with a hiring rate of \$78,024 annually, which is comparable to other bureau level chiefs who perform HR work. Civil Service staff is also recommending a corresponding pay policy that provides for an on-step pay increase which guarantees the incumbent in the HRIS Coordinator incumbent a 15% increase in base pay because of the six-pay grade difference between the HRIS Coordinator and the HRIS Manager classification. Director Trepagnier stated that the intent is to create this position and fill the current incumbent's position with additional support staff so that the City has some redundancy in the classification if a person leaves the service. Commissioner Monteverde motioned to approve the request. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #4f was a request from the Historic Districts and Landmarks Commission for hiring rates for the Historic Preservation Building Inspector job series. Mr. Hagmann stated that the request for hiring rates of a 2.5% increase in the Historic Preservation Building Inspector series proceeds from the intent to maintain equity with the Building Inspector series in the Department of Safety and Permits. Commissioner Monteverde moved to approve the hiring rates. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4g was a request from the New Orleans Aviation Board for a hiring rate for Airport Operations Analyst. Mr. Hagmann stated that this increase comes as a result of a job study completed on an airport services position that had an original assignment of indoor maintenance of the airport's terminals. Since the construction of the new airport, there have been two tasks: repurposing use of the old terminal and bringing new functions to the new terminal. With this change, the supervisory scope has greatly increased warranting an increase of 6.25% to the hiring rate. The pay grade for the classification will increase by five steps to bring the hiring rate from \$90,567 to \$96,370 annually. Commissioner Surprenant moved to approve the hiring rate. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4h was a request from the New Orleans Police Department for an adjustment to the hiring rate for Police Academy Administrator. Mr. Hagmann stated that the request adjusts the hiring rate from \$122,025 to \$105,126 annually to correspond with the removal of a doctorate degree and demonstrated publication record as key requirements to qualify for the position. The objective of this change in qualifications is to expand the pool of candidates. Commissioner Korn asked if lowering the hiring rates of the classification would have a negative impact on the number of applications received. Director Trepagnier stated that the market value of the position is impacted by the removal of those qualifications. She expects that lowering the starting salary won't have adverse effect on the applicant pool, but if the goal to increase applicants is not met, then Civil Service staff will return and ask that the hiring rates be readjusted. Commissioner Monteverde motioned to approve the request. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4i was a request from the Department of Public Works for a title change for the position of Utility Continuous Improvement Administrator. Mr. Hagmann stated that the title change would expand the utilization of Utility Continuous Improvement Administrator to Public Works Continuous Improvement Administrator classification to the Department of Public Works. Presently, it is only utilized by the Sewerage and Water Board, but this classification would play a similar role for the Department of Public Works. Commissioner Surprenant moved to approve the title change. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4j was a request from the New Orleans Police Department for an amendment to the French Quarter Supplemental Police Patrol Special Rate of Pay. Mr. Hagmann stated that the Commission had previously approved a special rate of pay of \$100 per four-hour shift for officers who assumed an additional shift beyond their usual work schedule for the French Quarter Supplemental Police Patrol Program (SPPP). This incentive pay is primarily used on the weekend, but the Police Department is now requesting that it be adjusted, and a smaller incentive pay be set where Officers who volunteer for difficult to fill shifts would be paid an incentive payment on an hourly basis of \$12.50 per hour for weekdays and \$25 hour for weekends. Director Trepagnier reiterated that this was a preexisting special rate of pay that would cover shifts that were difficult to fill throughout the whole week. The incentive was primarily utilized on the weekends, so to avoid creating competition between weekday and weekend shifts while still maintaining adequate staff during the week, NOPD opted to decrease the incentive pay for the weekday shifts. Additionally, the change to hourly pay simplifies administration of pay for time worked.

Commissioner Surprenant motioned to approve the amendment. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4k was a request from the Health Department (EMS) for a special rate of pay relative to difficult to fill shifts and assignments. Mr. Hagmann stated that the 10% special rate of pay would be given to Emergency Medical Services (EMS) employees who volunteer for additional shifts during peak periods to reduce their dependency on outside contracts. Chief of Emergency Medical Services, Bill Salmeron stated that the department must fill a minimum requirement of 19-21 ambulances daily. When the department fails to meet this quota, they then have to rely on an average of 4-6 contract trucks from Acadian Ambulance Service, a medical care and transportation service, to fill the gap. The department finds that providing an incentive pay to employees who work overtime or unscheduled shifts that are designated as hard to fill would be more cost effective than paying the Acadian contract cost that is estimated to be \$220 hourly, per truck.

Commissioner Surprenant asked if the incentive pay would create an unfair advantage for individuals scheduled to work at their normal hourly rate when there is a shortage of staff. Mr. Salmeron responded that their scheduling system allows for shift bidding and shift designation, so the department would have the ability to utilize the special rate of pay equitably, fairly, and only as needed. Representing the American Federation of State, County and Municipal Employees (AFSCME), and former employee of EMS, Leslie Bean spoke before the Commission to endorse the request. Ms. Bean explained that a pay incentive would encourage employees, who would otherwise not be working, to support staff, allowing the department to avoid having to pull EMTs from the streets, which reduces regular emergency street coverage and thus requires contract staff to be called in to assist. Commissioner Monteverde recused himself from the item, as he occasionally works overtime shifts for EMS. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Korn and approved by all voting commissioners.

Item #5a under Recruitment and Selection Matters was a request for the approval of examination announcements. Commissioner Monteverde motioned to approve the examination announcements 11017-11041. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #5b was a request from Police Lieutenant Sabrina Richardson to be permitted to sit for the Police Major's examination pending the outcome of a disciplinary appeal. Attorney Kevin Boschea who presently represents Ms. Richardson stated that she currently has an appeal before the Commission and Hearing Examiner Jay

Ginsberg that is pending an action with respect to her demotion from Captain to Lieutenant under case #9406. Ms. Richardson requested that she have the opportunity to sit for the Police Major examination, which she would otherwise be eligible to take if she wins her appeal. Mr. Boschea added that there have been prior instances where officers who were awaiting Commission action on their appeals were allowed to sit for examinations. Commissioner Surprenant asked Director Trepagnier if there was any adverse precedent. Director Trepagnier responded that it is consistent with the Commission's past practice to allow employees similarly situated to take an exam, but their scores are to be withheld until there is a decision on the appeal. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #6 was a request from Senior Police Officer Glenn Washington to change the classification of his injury from Workers Compensation to Injured on Duty. Director Trepagnier stated that this item appeared before the Commission in the previous meeting, where the parties involved were instructed to collaborate to come to a solution. Civil Service staff received correspondence from the Chief of Police who communicated that she supported changing the classification of Officer Washington's injury from Workers Compensation to Injured on Duty. With there being no opposition, Commissioner Surprenant motioned to approve the request. Commissioner Monteverde moved to second the motion, and it was approved unanimously.

Item #7 was a request from Assistant Comptroller Wayne Jones for a salary increase and associated retroactive pay. Assistant Comptroller for the Accounting Bureau, Wayne Jones, approached the Commission to request a salary adjustment, grade/step increase equivalent to the grade/step increase received by the Comptroller and associated retroactive pay. Mr. Jones contended that his primary duties are similar to that of the Comptroller; they manage the same staff, and in the event of a vacation or long-term vacancy of the Comptroller position, the Assistant Comptroller is the only qualified employee to fill the position. Director Trepagnier stated that the provisions of the Equity Pay rule cited by Mr. Jones as grounds for his request are not met. Commissioner Surprenant moved to deny the request. Commissioner Monteverde moved to second the motion, and the Commission's denial of the request was unanimous.

Director Trepagnier stated that there was an off-agenda item that Ms. Carroll would be reading into the record. Commissioner Monteverde moved to approve adding the item to the agenda. The motion was seconded by Commissioner Surprenant, and it was approved unanimously. Ms. Carroll informed the Commission of proposed



legislation, Senate Bill 181, which had passed the Senate and would be going to the House and Governmental Affairs Committee where it will be heard. The potential effect of this proposed legislation is that it would give the power to create unclassified positions to a legislative body, though it is unclear whether that would be the Louisiana Legislature and the City Council. Ms. Carroll prepared a legal memo which analyzes the bill. Commissioner Surprenant moved to adopt the memorandum Ms. Carroll prepared as the position of the Commission. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Commissioner Surprenant moved to adjourn the meeting at 1:11 p.m. Commissioner Monteverde seconded the motion to adjourn, and it was approved unanimously.



J H Korn (May 30, 2024 20:07 CDT)

John Korn, Vice-Chairperson



Mark Surprenant (May 30, 2024 20:15 CDT)

Mark Surprenant, Commissioner



Andrew Monteverde (May 30, 2024 20:05 CDT)

Andrew Monteverde, Commissioner