

CIVIL SERVICE COMMISSION
REGULAR MONTHLY MEETING
FRIDAY, SEPTEMBER 13, 2024

The regular monthly meeting of the City Civil Service Commission was held on Friday, September 23, 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 Chairperson Brittney Richardson, Vice-Chairperson John Korn, and Commissioner Andrew Monteverde. Commissioner Richardson convened the meeting at 10:03 a.m. The Commission then proceeded with the docket. At 11:15 a.m. on the motion of Commissioner Korn and the second of Commissioner Richardson, the Commission voted unanimously to go into executive session.

At 11:39 a.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the election of Chair and Vice Chair of the Civil Service Commission in accordance with Rule II Section 1.6. Commissioner Korn motioned to nominate Brittney Richardson as Chairperson, and on his motion, seconded by Commissioner Monteverde, the re-election of Commissioner Richardson as Chairperson passed unanimously. Chairperson Richardson motioned to nominate Commissioner Korn as Vice-Chairperson. Her motion was seconded by Commissioner Monteverde and approved unanimously.

Item #2 was the minutes for June 26, 2024 and July 12, 2024. Amy Trepagnier, Personnel Director of the Civil Service Department, asked that the Commission defer the June 26, 2024 minutes. Commissioner Richardson motioned to approve the July 12, 2024 minutes. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #3 was the ratification of Public Integrity Bureau (PIB) extension requests. Commissioner Monteverde moved to approve the extension requests. The motion was seconded by Commissioner Korn and approved unanimously.

Item #4a under Rule Amendments was a proposed amendment to Rule II Section 4.3 to include the submission of disciplinary appeals via email. Director Trepagnier stated that the rule amendment was introduced at the last meeting. The rule will codify that the Civil Service Department accepts disciplinary appeals by email. Director Trepagnier also clarified that the date of the appeal will be the date and time

stamped on the document if received in the Civil Service Department or the date and time the appeal is received via email.

William Goforth, Deputy City Attorney, addressed the Commission and asked if the Civil Service Department will identify the proper email address to be used by those seeking to file an appeal. He explained that he would want to make sure there is no confusion about what constitutes an appropriate filing. Christina Carroll, Executive Counsel to the Civil Service Department, suggested that it be put into the rule that appeals be sent to the email address that appears on the department's website and appeal form. In the event the email used to receive appeals changes, an amendment to the rule will not be required.

Commissioner Monteverde asked if all City departments and employees could be notified of this change once it is approved in its final form. Director Trepagnier answered that staff would prepare a message to be sent out to all City departments and employees. Commissioner Richardson asked if employees submitting appeals via email will receive a response confirming its receipt and acceptance. Stacie Joseph, an employee of the Management Services Division, stated that all appeals submitted to the office receive an acknowledgement receipt. Commissioner Korn moved to approve the proposed amendment with the additional language discussed. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Commissioner Richardson announced that there were speakers present to make public comments on the PIB extension requests and that the Commission would return to Item #3. Sergeant Charles Hoffacker stated that he was notified of the investigation on July 19, 2024, but he remains unaware of the nature of the investigation. He has been unable to get in contact with the investigator. Sgt. Hoffacker explained that when he is investigating a case, he speaks to the accused immediately out of courtesy, and so they are made aware of what is happening in the investigation. Commissioner Richardson asked Sgt. Hoffacker if he has received any updates. Sgt. Hoffacker answered that he received an email stating that an investigator was assigned to the PIB case and what the accusations were, but he was not provided any further details. He expressed that he is not in opposition of the investigator's request for more time but would like to receive more information on the matter.

Lieutenant Omar Garcia of the Public Integrity Bureau addressed the Commission and state that the employee being investigated did receive communications from the investigator regarding the nature of the violations. He stated the investigator may

require additional time to provide the accused with more information given their request for an extension and asked Sgt. Hoffacker if he received notification from the investigator to render a statement. Sgt. Hoffacker answered that he had not received a notification to render a statement and expressed that it has been sixty days since the investigation began and he only wishes to know more about the investigation so that he can formulate an argument or statement against the accusations being made. Lt. Garcia stated that the investigator did articulate their reasons for the extension at the extension request hearing.

Detective Chad Cockerham addressed the Commission and stated that he has an ongoing investigation with PIB. He expressed his concerns about the extension that has been granted for the investigation of his case. Formerly a part of the Federal Bureau of Investigations Violent Crimes Task Force, Mr. Cockerham stated that he has been reassigned for the last eight weeks due to the investigation and that the reassignment is hindering the progress of the investigations he had been working on. Mr. Cockerham expressed that he is in objection to the extension because he believes that PIB should already have the information needed to rule on his case. He explained that the nature of the accusations entails the examination of records that could be obtained through audits that are made regularly. An extension to continue the investigation would prevent him from completing the work in his former assignment and fulfilling his financial responsibilities to his family.

Commissioner Monteverde inquired about the timeline of PIB disclosing the nature of an allegation to those accused. Ms. Carroll responded that there is an initiating form with a complaint tracking number that is referenced in all cases. Mr. Goforth added that an investigator may contact the accused and provide information regarding the investigation, but there is no requirement to provide that information until the accused officer is asked to render a statement. Commissioner Richardson asked if the investigation would be resolved within one hundred fifty days. Lt. Garcia stated that it was his understanding that there was also a criminal aspect to the investigation, which may have warranted the granted extension. Commissioner Richardson expressed her sympathies to Mr. Cockerham and stated that the Commission had approved the extension request on record and does have to allow the investigation to run its course within the approved timeframe. Commissioner Monteverde inquired about the professional consequences of being in an ongoing investigation. Lt. Garcia answered that the consequences include ineligibility for promotions and overtime opportunities, adding that overtime and detail opportunities are a privilege, as such they are not always guaranteed.

Commissioner Monteverde stated that when investigations are prolonged, opportunities to supplement income are being taken away, which is why investigations should be strictly held to timelines and procedures, so the employees aren't being financially disadvantaged for a pending outcome that may rule in their favor. Ms. Carroll explained that the investigations are required by the Consent Decree and the department is hopeful that the City will move into the sustainment period soon. The two-year sustainment period will permit more flexibility in what NOPD chooses to investigate. Ms. Carroll added that NOPD is also understaffed, which makes it very difficult to say that extensions are not warranted for the investigators to complete their work. Commissioner Monteverde asked if the staffing problem in PIB was one that NOPD was working to address. Director Trepagnier answered that NOPD is trying to resolve their staffing deficiencies within PIB with the hiring of civilian personnel, but there is still a requirement for commissioned officers to perform roles within the division.

Item #4b was a proposed amendment to Section 8 of the Civil Service Commission's Procedures for the Conduct of Business Meetings to allow for the submission of online public comment. Director Trepagnier stated this item was introduced at the Commission's last meeting and originated as a suggestion from Commissioner Monteverde. She explained with the proposed amendment people can now submit electronic comments from the time the business meeting agenda is published up to two hours before the meeting. The procedure will provide people who cannot attend the meeting with the ability to participate. Commissioner Monteverde motioned to approve the proposed amendment. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #5a under Classification and Compensation Matters was a request from the Health Department to create the new classification of Public Relations Supervisor. Robert Hagmann, Personnel Administrator of the Classification and Compensation Division, stated that there is a need for a supervisory position within the Public Relations Analyst series. Commissioner Korn moved to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #5b was a request from the Sewerage and Water Board to create the new classification of Utility Fleet and Maintenance Administrator. Mr. Hagmann stated that the incumbent of this position would act as the second-in-command to the Chief of Support Services for the Sewerage and Water Board. Support Services is responsible for all building and grounds maintenance, as well as fleet administration

and warehousing. The classification will have a pay range from \$113k to \$126k. Commissioner Richardson inquired about the skills and qualifications required for the position. Director Trepagnier responded that the department is seeking candidates who have high-level facilities maintenance and fleet experience. She stated that it is common to receive an application where the applicant has experience in facility maintenance or fleet administration, but to find a candidate that possesses the skills of both in addition to an extensive history in the field is rare. Commissioner Monteverde moved to approve the request. The motion was seconded by Commissioner Korn and approved unanimously.

Item #5c was a request from the City Planning Commission for a hiring rate for Planning Administrator. Mr. Hagmann stated that the Commission recently approved hiring rate amendments for related positions in the Vieux Carre Commission and Historic Districts Landmarks Commission. This increase is meant to address similar recruitment and retention concerns for the City Planning Commission. Commissioner Monteverde moved to approve the request. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #5d was a proposed hiring rate adjustment for Chief Zoning Official. Director Trepagnier explained that Civil Service staff came before the Commission to request an increase to the hiring rates of the Chief Zoning Official in 2023. The amended hiring rate was based on the addition of duties and responsibilities to the position. At the beginning of this year, staff received a request from Safety and Permits to remove those responsibilities from the position. As a result staff proposed reducing the hiring rate and restoring it to the previous rate. As of two weeks ago, Safety and Permits was in favor of proceeding with the request; however, now the department wishes to keep the duties of the position and the hiring rate the same. As such, staff is withdrawing its recommendation.

Tammie Jackson, Director of Safety and Permits, stated that she wished to withdraw the request because she foresees the Chief Zoning Official position requiring an incumbent with experience in matters relative to the application and administration of new legislation pertaining to short-term rentals. Commissioner Richardson asked what caused the assessment that led to the request to reduce the responsibilities and pay of the classification. Ms. Jackson answered that an assessment of the entire department was performed.

Director Trepagnier stated that Councilmember Jean Paul “JP” Morrell submitted a letter to the Commission stating that he would be opposed to the removal of any

qualifications and reductions in the salary of this position. She also reiterated that the Commission would not need to make a motion on the request.

Item #5e was a proposed amendment to Rule IV, Section 1.6 Shift Differentials. Mr. Hagmann stated that the objective of the recommended new shift differential is to encourage EMS staff to take undesirable shifts the department has had trouble filling on a consistent basis. There would be a 5% increase in pay for work assignments beginning between the hours of 12 pm and 5 pm. and a 10% increase in pay for work assignments beginning between the hours of 5 pm and 10 pm. Chief of Emergency Medical Services, Bill Salmeron, addressed the Commission and thanked them for their consideration of the request. Commissioner Monteverde moved to approve the proposed amendment. The motion was seconded by Commissioner Korn and approved unanimously.

Item #5f was a request from the Fire Department to amend the normal work hours for 911 Liaison Officer. Commissioner Monteverde recused himself. Mr. Hagmann stated that the law requires that if there is a change in the normal hours of employees, the department must receive the Commission's approval. The 911 Liaison Officer is currently on a regular 40-hour schedule and will be moving to an alternating 48/36-hour weekly schedule. Commissioner Korn moved to approve the proposed amendment. Commissioner Richardson seconded the motion, and it was approved unanimously.

Item #6 under Recruitment and Selection Matters was a request for the approval of examination announcements. Commissioner Korn moved to approve examination announcements 11120-11162. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #7 was a request from the Department of Safety and Permits to transfer five positions in the Department of Safety and Permits and the Department of Code Enforcement to the Central Adjudication Bureau in the Chief Administrative Office in accordance with Rule III, Section 8 Transfer of a Functional Unit. Director Trepagnier stated that many City departments conduct adjudications of alleged violations of City law. This transfer will move the positions to the Chief Administrative Office, consolidating all adjudication operations within a single agency, the Central Adjudication Bureau (CAB). The CAB will serve as the administrative center for adjudications for individual departments (e.g. Health; Safety and Permits; Code Enforcement). Commissioner Monteverde moved to

approve the request. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #8 was a request from the Fire Department to allow for the retroactive start of the probationary period for Fire District Chief James Vance. Director Trepagnier explained that Chief Vance was a provisional employee and the Fire Department's Human Resource division did not submit the requisition to change him over to probationary employee in a timely manner. The objective of the request is to restore the intended start date of Mr. Vance's probationary period and the time spent in that working test period. Commissioner Monteverde moved to approve the request. The motion was seconded by Commissioner Korn and approved unanimously.

Item #9 was a request from Mubashir Maqbool for retroactive application of Rule IV, Section 2.7 Extraordinary or Superior Qualifications, Experience, Credentials. Director Trepagnier explained that Mr. Maqbool was stating that his supervisor's intent was to award him extraordinary qualifications pay at the time of his promotion. However, staff was not provided any dated documentation to show that the department expressed intent to distribute extraordinary qualifications pay during the time of Mr. Maqbool's promotion. Director Trepagnier stated that Mr. Maqbool's department's leadership supports Mr. Maqbool's request, but there is no evidence of that intention from 2021. In terms of what the rule requires to reward someone with extraordinary qualifications pay, neither the department nor Mr. Maqbool has provided sufficient documents that would justify retroactive application of superior qualifications to his pay.

Commissioner Richardson asked Director Trepagnier if the department or supervisor followed up with corrected or additional documentation that would support Mr. Maqbool's request after Civil Service communicated that what was provided was insufficient. Director Trepagnier stated that they did not, and that staff considers the request deficient based on the timeliness of the request. Commissioner Richardson asked Mr. Maqbool why he was making the request three years later. Mr. Maqbool answered that his new appointment was contemporaneous with salary increases and he did not perform calculations of his salary until multiple other increases had been applied. Director Trepagnier reiterated that the Civil Service Department has not received any dated documents from the time of his promotion in which the department or his supervisor demonstrates their intent to request extraordinary qualifications pay on his behalf.

Commissioner Richardson asked if the department was aware that request and requisition needed to be submitted simultaneously. Director Trepagnier stated that the Rule has been in effect for ten years. Mr. Maqbool stated that at the time of his promotion, his supervisor had only recently transferred to the Sewerage and Water Board from the Department of Public Works. He expressed frustration that he should not receive what was promised to him at the fault of someone else. Director Trepagnier stated that she would be more inclined to assist the department and Mr. Maqbool if there was dated documentation that validated that an offer was made at the time of Mr. Maqbool's promotion.

Commissioner Richardson asked Mr. Maqbool if there was any documentation he could produce from the time of his promotion. Mr. Maqbool stated that he provided a copy of an email sent to David Callahan, Chief Administrative Officer of the Sewerage and Water Board, where he asks about the progress of his official promotion. Mr. Hagmann stated that because Mr. Maqbool's classification is a multiple-incumbent position, the Rule requires that staff review the qualifications of every employee in that classification to analyze if their experience would qualify them for the special rate of pay.

Commissioner Richardson stated that the Commission would be inclined to defer the matter to allow Mr. Maqbool and the department additional time to provide dated documentation of the Sewerage and Water Board's offer of a special rate of pay during the time of his promotion. Director Trepagnier stated that she would be happy to support the request if there is documentation from that time. Commissioner Richardson moved to defer the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

There being no additional business to consider, Commissioner Monteverde moved for adjournment at 12:35 p.m. The motion was seconded by Commissioner Richardson, and it was approved unanimously.



Brittney Richardson (Oct 21, 2024 11:10 CDT)

Brittney Richardson, Chairperson



John Korn, Vice-Chairperson



Andrew Monteverde (Oct 21, 2024 10:37 CDT)

Andrew Monteverde, Commissioner