



CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE
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CITY CIVIL SERVICE COMMISSION
BRITTNEY RICHARDSON, CHAIRPERSON
JOHN H. KORN, VICE-CHAIRPERSON
CLIFTON J. MOORE, JR.
MARK SURPRENANT
RUTH WHITE DAVIS

Thursday, June 1, 2023

AMY TREPAGNIER
DIRECTOR OF PERSONNEL

Ms. Giovan Jackson

Re: **Giovan Jackson VS.**
Recreation Department
Docket Number: 9448

Dear Ms. Jackson:

Attached is the action of the Civil Service Commission at the Commission's meeting on Thursday, 5/18/2023.

Yours very truly,

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

Doddie K. Smith
Chief, Management Services Division

cc: Larry Barabino
Max V. Camp
file

**CIVIL SERVICE COMMISSION
CITY OF NEW ORLEANS**

**GIOVAN JACKSON,
Appellant**

Docket No. 9448

v.

**RECREATION DEPARTMENT,
Appointing Authority**

ORDER

The Recreation Department moved for summary disposition of Ms. Jackson's appeal of her termination on the basis that Ms. Jackson has no right of appeal as a probationary employee under Rule II, § 4.1. The Commission heard oral argument on this motion at its April 17, 2023, meeting. The Commission requested additional briefing about the notice requirements for probationary periods when an employee is demoted from one classified position to another classified position during the probationary period of the original position. The Commission deferred consideration of the motion to its May 18, 2023, meeting. The parties submitted additional written argument and exhibits, including the job announcements, which were reviewed by the Commissioners. The Commission heard additional oral argument from both parties on this motion at its May 18, 2023, regular meeting.

The Commission grants the Recreation Department's Motion for Summary Disposition, as Ms. Jackson was a probationary employee at the time of her termination on February 17, 2023. The Recreation Department hired Ms. Jackson as a Recreation Program Manager II on January 10, 2022. This position had a one-year probationary period. Seven months into this probationary period, the Recreation Department asked Ms. Jackson to accept a demotion from the classified position of Recreation Program Manager II to the classified position of Recreation Activities

Coordinator. Ms. Jackson accepted the demotion on August 22, 2022, and her six month probationary period in the new position would have ended on February 21, 2023. The Recreation Department terminated Ms. Jackson's employment on February 17, 2023, so she has no right of appeal.

Ms. Jackson argued that the Recreation Department failed to inform her that she would be required to serve a new probationary period in the position of Recreation Activities Coordinator. Ms. Jackson applied for the position of Recreation Activities Coordinator through the nola.gov website, so she received actual notice in the job announcement that this position required a six-month probationary period. The Commission has required employees to meet the requirements of the job announcement, even when the employee failed to read or understand the information in the announcement. *McClendon v. Sewerage & Water Board*, No. 9386 (Civil Service Commission 5/11/23).

Therefore, because Ms. Jackson received notice of the six-month probationary period in the new position of Recreation Activities Coordinator and because the Recreation Department terminated her employment during this probationary period, Ms. Jackson has no right of appeal under Rule II, § 4.1.

Ms. Jackson's appeal is dismissed.

This the 1st day of June, 2023.



Brittney Richardson (May 29, 2023 14:53 CDT)

BRITTNEY RICHARDSON, CHAIRPERSON




JH Korn (May 20, 2023 14:18 CDT)

JOHN KORN, VICE-CHAIRPERSON


CJ MOORE (May 30, 2023 19:54 CDT)

CLIFTON J. MOORE, JR., COMMISSIONER


Mark C. Surprenant (May 19, 2023 23:39 EDT)

MARK SURPRENANT, COMMISSIONER


Ruth Davis (May 19, 2023 21:46 CDT)

RUTH DAVIS, COMMISSIONER