

CIVIL SERVICE COMMISSION
SPECIAL MEETING
MONDAY, NOVEMBER 3, 2014

A special meeting of the City Civil Service Commission was held on Monday, November 3, 2014 at 1340 Poydras Street, Room 964. Present were Commission Chairman, Michelle D. Craig, Vice-Chairman, Edward P. Cohn, and Commissioners, Joseph S. Clark and Ronald P. McClain. Commissioner Kevin W. Wildes was absent.

The Chairman convened the meeting at 10:03 a.m. Vice-Chairman Cohn, then moved to go into executive session to discuss ongoing litigation in the matter of *Walter Powers, Crescent City Lodge No. 2, Fraternal Order Of Police, Inc. And Its Members, and James Gallagher, Plaintiffs, v. Civil Service Commission, City of New Orleans, Defendant, and Intervenors, the City of New Orleans, New Orleans Fire Fighters, Local 632, I.A.F.F., Police Association of New Orleans and Michael Glasser, and the Business Council of New Orleans and the River Region*, Civil District Court, No. 2014-8409. On second by Commissioner McClain, the Commission voted unanimously to go into executive session. The Commission completed its executive session at 11:21 a.m., at which time the Commission proceeded with the business meeting.

Vice-Chairman Cohn made a motion to address amendments to Rule VI, Section 3.1 and Rule VI, Section 4.1, which was not on the agenda. The motion was seconded by Commissioner McClain. Copies of the amendments were passed out to the audience. Chairman Craig then called for public comments. Mr. Claude Schlesinger, attorney representing the Fraternal Order of Police (FOP) objected to the Commission adding these items to the agenda. He expressed that the agenda only called for an executive session and that the appropriate thing to do would be to place the items on the regular agenda and allow for public comment. Mr. Randolph Scott, representing the Concerned Classified City Employee Group, agreed with Mr. Schlesinger's statement and asked that the Commission give everyone time to review the changes since any changes would have a lasting impact on city employees. Chairman Craig then called for a vote. The motion to amend the agenda and take up the matter was approved unanimously.

Commissioner McClain then moved to amend Rule VI, Section 3.1 as read by Director Hudson. Director Hudson then read the amendment: Upon a request from the appointing authority to fill a position other than by demotion, transfer, or reinstatement, the Department shall provide to the appointing authority the names of all

candidates certified by the Department to meet the minimum qualifications, to have passed the examination, if any, and met any selective certification requirements requested by the appointing authority and approved by the Personnel Director. The number of names to be certified shall not be less than three. The Personnel Director may authorize an appointing authority to conduct examinations and may establish policies for appointing authority administered examinations. Such examinations shall be job-related and designed to assess applicants based on merit, efficiency, fitness, and length of service. Vice-Chairman Cohn seconded the motion. Chairman Craig called for comments. Mr. Randolph Scott objected to the rule amendment. Ms. Charrell Simms, attorney with the Law Department, stated that the Law Department is in support of the amendment and feels that it is consistent with the Great Place to Work Initiative (GPTWI). Mr. Claude Schlesinger objected to the amendment. He further stated that it is inappropriate and unethical to take a vote on any rule changes since it was not listed on the agenda and no one was given notice of the matter being addressed at this meeting. Chairman Craig called for a vote. The amendment was approved by a vote of three, with Chairman Craig and Commissioners Cohn and McClain voting in favor of the amendment and Commissioner Clark abstaining.

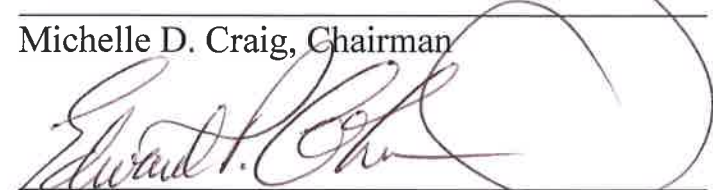
Next, Commissioner McClain moved to amend Rule VI, Section 4.1 as read by Director Hudson. Director Hudson then read the amendment: Persons who were separated from their positions for reasons other than fault or delinquency on their part, except as provided in Rule IX, and who, at the time of their separations, had attained permanent status in that class of positions in accordance with the Law and Rules may be included on employment lists as reemployment candidates. Reemployment candidates are required to take the most recent examination that was used to certify candidates for that register. The appointing authority shall take length of service into consideration when making an appointment or promotion from an employment list. In accordance with Rule VI, Section 4.3, preferred reemployment candidates eligible for veterans preferences outlined in Article X of the Louisiana Constitution and Rules, shall precede general employment lists in certification and shall be accorded any preference to which they are entitled under Article X, Section 10 of the Louisiana Constitution. In accordance with Rule VI, Section 3.2(a) the names of eligible on the preferred reemployment list shall be exhausted first. Except as allowed in Rule XII, Section 6.1, a person who has voluntarily retired may be reinstated, with the approval of the Personnel Director, only to the position the person last held, and in the event of reinstatement, said employee waives all pension rights while so employed. The motion was seconded by Chairman Craig. Ms. Simms also supported this amendment and indicated that it is consistent with the Great Place to Work Initiative (GPTWI). Mr.

Scott opposed the rule change and asked for clarification. Chairman Craig responded that the rule is applied as read by Director Hudson. Mr. Schlesinger asked the Commission to describe what the amendment does and for what changes were made. Chairman Craig referred him to the amendment as read. Mr. Schlesinger again opposed voting on the amendment stated that it was improper to change the rules in this manner. He stated that the amendments should be on a regular meeting agenda for the public's viewing and comment. Ms. Joycelyn Evans, a Concerned Classified City Employee, asked for clarification on the purpose of the amendment and was referred to the rule as written. Chairman Craig then called for a vote. The rule amendment passed with a unanimous vote.


On motion of Commissioner Cohn and seconded by Commissioner McClain, the Commission voted unanimously to adjourn the meeting at 11:38 a.m.



Michelle D. Craig, Chairman



Edward P. Cohn, Vice-Chairman



Joseph S. Clark, Commissioner



Ronald P. McClain, Commissioner