



CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE
SUITE 900 – 1340 POYDRAS ST.
NEW ORLEANS LA 70112
(504) 658-3500 FAX NO. (504) 658-3598

CITY CIVIL SERVICE COMMISSION
BRITTNEY RICHARDSON, CHAIRPERSON
JOHN KORN, VICE-CHAIRPERSON
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ANDREW MONTEVERDE

AMY TREPAGNIER
DIRECTOR OF PERSONNEL

Monday, December 22, 2025

Mr. Ryan Gautro

Re: **Ryan Gautro VS.
Sewerage & Water Board
Docket Number: 9748**

Dear Mr. Gautro:

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 - 12/22/2025 - 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
Jay Ginsberg
file

**CIVIL SERVICE COMMISSION
CITY OF NEW ORLEANS**

**RYAN GAUTRO,
Appellant**

Docket No. 9748

v.

**SEWERAGE & WATER BOARD,
Appointing Authority**

DECISION

Ryan Gautro 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 demotion, five-day suspension, and a loss of eligibility for on-call duty for 60 days. (Ex. HE-1). The Sewerage & Water Board imposed this discipline by letter dated June 25, 2025. (Ex. HE-1). At all relevant times, Appellant had permanent status as a Utility Master Maintenance Supervisor in the Machine Shop. (Tr. at 7, 147). A Hearing Examiner, appointed by the Commission, presided over a hearing on August 27, 2025. 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 November 23, 2024, and controlling Louisiana law.

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

I. FACTUAL BACKGROUND

Mr. Gautro has worked in the Machine Shop at the Sewerage & Water Board since 2009. (Ex. HE-1, Tr. at 147). Mr. Gautro progressed from the position of Helper, to Machinist, to Machinist II, and then, in 2020, to a Supervisor. (Tr. at 148-49). Mr. Gautro holds a license to operate a crane, which is an asset to the Sewerage & Water Board. (Tr. at 46, 156). For almost all

of his tenure, he has worked with Donald Case, who he knows from high school, and Leroy Chauvin. (Tr. at 148-49). Mr. Case, Mr. Chauvin, and Mr. Gautro worked together as Supervisors until Mr. Case took over the job duty of managing the Machine Shop after the retirement of Mr. Higginbotham in about 2022. (Tr. at 37). In July of 2024, the Sewerage & Water Board promoted Mr. Case to the position of Manager of the Machine Shop and Mr. Chauvin to the position of Deputy Manager of the Machine Shop. (Tr. at 13, 37, 94). Mr. Case currently manages the Machine Shop, and Mr. Chauvin reports to Mr. Case. (Tr. at 94). Mr. Chauvin manages the Machine Shop in Mr. Case's absence. (Tr. at 94-95). As a Supervisor, Mr. Gautro managed two or three crews comprised of a machinist and a helper. (Tr. at 72).

Following the promotion of Mr. Case and Mr. Chauvin, Mr. Gautro's working relationship with these managers deteriorated. (Tr. at 126). Sharita Curtis, the Interim Human Resources Manager, testified that Mr. Case and Mr. Chauvin eventually reported to her that Mr. Gautro became insubordinate and verbally aggressive, including having outbursts in the presence of other staff members. (Tr. at 126). In August of 2024, a neighbor called the Sewerage & Water Board to complain that Mr. Gautro was driving the Sewerage & Water Board vehicle while intoxicated and in an erratic manner. (Ex. SWB-5). After an investigation, including a search of Mr. Gautro's vehicle on the work premises, the Sewerage & Water Board disciplined Mr. Gautro for having a crossbow in his vehicle. (Ex. SWB-5; Tr. at 22). Mr. Case testified that Mr. Gautro, who Mr. Case believed was intoxicated, regularly called him complaining about work issues, often hanging up on Mr. Case. (Tr. at 36-37).

On January 16, 2025, after Mr. Gautro was absent from work to attend a court hearing about a dispute with a neighbor, Mr. Gautro called Mr. Case after work hours to complain about Mr. Chauvin's termination of an employee under Mr. Gautro's supervision. (Tr. at 16). Mr. Case

testified that Mr. Gautro called him repeatedly on January 16, and Mr. Case believed Mr. Gautro was intoxicated. (Tr. at 35-36). Mr. Case added Mr. Chauvin to the third or fourth call so that Mr. Chauvin could hear the conversation without Mr. Gautro's knowledge. (Tr. at 36). During the call, Mr. Gautro complained about his working conditions following the promotions of Mr. Case and Mr. Chauvin. (Tr. at 98). Mr. Gautro made specific complaints about Mr. Chauvin, so Mr. Chauvin responded to Mr. Gautro during the call. (Tr. at 36). According to Mr. Case, Mr. Gautro "immediately cussed [Mr. Chauvin] out, ending with I'm going to f--- you up." (Tr. at 36). Mr. Case then informed Mr. Gautro he had threatened a supervisor, and Mr. Gautro hung up the phone. (Tr. at 36).

Mr. Gautro testified he stated during this conversation on January 16 that he was tired of being belittled and pushed aside, and he asked Mr. Case to "keep Leroy out of my f---ing face." (Tr. at 17). Mr. Gautro denied calling his supervisors while intoxicated or having an alcohol problem. (Tr. at 19-20).

Mr. Chauvin testified he was concerned about Mr. Gautro's threat against him. (Tr. at 100). Mr. Case testified that "I didn't know what he would do." (Tr. at 42). Mr. Case explained that "he knows where I live," and "[h]e knows where Mr. Chauvin lives." (Tr. at 42). "We didn't know if he'd show up at our house or what." (Tr. at 42). Mr. Case was also concerned about safety at the workplace: "And really concerned about the next day, you know, when he comes to work, how is he going to be?" (Tr. at 42).

Because of what he viewed as a verbal threat, Mr. Case consulted Human Resources, and Mr. Chauvin provided a written description of the conversation. (Tr. at 98, 126).

The Sewerage & Water Board issued several warnings to Mr. Gautro for a variety of infractions after the telephone conversation. On February 4, 2025, Mr. Chauvin issued an

Employee Warning Notice for failing to follow the correct procedure for requesting leave on January 16, 2025. (Ex. SWB-1, Tr. at 40-41, 52). On May 5, 2025, the Sewerage & Water Board issued an Employee Warning Notice to Mr. Gautro based on his failure to complete an assigned task related to a heat exchanger and a second Employee Warning for failing to inspect bald tires on a crane. (Exs. SWB-6-7; Tr. at 57-58).

On June 25, 2025, the Sewerage & Water Board imposed a five day suspension and a demotion to Utility Master Maintenance Specialist II (a demotion of one step) on Mr. Gautro. (Ex. hHE-1, Tr. at 7). In addition, the Sewerage & Water Board disqualified Mr. Gautro from on-call duty, with the possibility of reinstatement of eligibility for on-call duty after 60 days. (Ex. HE-1). This discipline was based on the January 16 telephone conversation and the warnings for other infractions. (Ex. HE-1).

Mr. Case explained that Mr. Gautro would work as a mechanic without a supervisor following the demotion. (Tr. at 47). Because Mr. Gautro possesses a crane operator license and was a long-term employee, the Sewerage & Water Board did not terminate Mr. Gautro's employment. (Tr. at 65).

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 Sewerage & Water Board has carried its burden of showing cause for the discipline of Mr. Gautro. Mr. Case and Mr. Chauvin testified about the statements Mr. Gautro made during the January 16 call, including a threat of violence. The Sewerage & Water Board has shown a deterioration in Mr. Gautro’s work performance, including a failure to perform specific work tasks. The Sewerage & Water Board has also shown that Mr. Gautro committed other work infractions, such as bringing a knife to work.

A threat of violence impairs the efficient operation of the Sewerage & Water Board, as the Sewerage & Water Board must take measures to ensure the safety of their employees. Also, threats cause emotional distress to the employee subject to such threats. Poor performance of job duties assigned to Mr. Gautro also impaired the efficient operation of the Sewerage & Water Board.

1. The discipline is commensurate with the infraction

The suspension, demotion, and removal of eligibility for on-call duty are commensurate with the infractions. Cursing a supervisor and threatening a supervisor are serious infractions, so the severe penalty of a demotion, in addition to the suspension and loss of eligibility for on-call duty, are appropriate. In particular, because of the demotion to a Machinist II, Mr. Gautro no longer supervises other employees. The threats of violence and erratic behavior impair his effectiveness as a supervisor. The discipline is also commensurate with the infractions because Mr. Gautro had poor performance and engaged in other work infractions.

Mr. Gautro’s appeal is DENIED.

WRITER:



Andrew Monteverde, Commissioner (Dec 22, 2025 10:04:10 CST)

ANDREW MONTEVERDE, COMMISSIONER

CONCUR:



Brittney Richardson, Chairperson (Dec 22, 2025 11:13:05 CST)

BRITTNEY RICHARDSON, CHAIRPERSON


Ruth Davis, Commissioner (Dec 22, 2025 15:15:45 CST)

RUTH DAVIS, COMMISSIONER