

CIVIL SERVICE COMMISSION
REGULAR MONTHLY MEETING
MONDAY JULY 18, 2022

The regular meeting of the City Civil Service Commission was held on Monday July 18, 2022 in 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 Clifton Moore, Jr. Commissioner Korn convened the meeting at 10:01 a.m.

Item #1 was the minutes from the June 17, 2022 meeting. Commissioner Surprenant moved to approve the minutes. The motion was seconded by Commissioner Moore and approved unanimously.

Item #2 was the ratification of Public Integrity Bureau (PIB) extension requests. Commissioner Moore motioned to approve the extension requests. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #3a under Rule Amendments was an amendment to Rule IV Section 8.1 to provide for a prospective 2% yearly longevity pay increase for commissioned Police Department employees from their third through twenty third year of service. Personnel Director Amy Trepagnier stated this item had been introduced at the June meeting. It was the result of a Council motion that asked staff to explore creating a yearly pay increase for Police Officers similar to that currently received by Firefighters. She reported that staff had convened a committee of stakeholders to discuss police pay on July 6th. The committee included Commissioners Korn and Richardson, Councilperson Harris, representatives from the Chief Administrative Office, NOPD, the unions, and the New Orleans Police Justice Foundation. At that meeting, Civil Service staff proposed a plan to move both the base salaries for police positions and the salaries of individuals on a yearly basis to remain competitive in the market and to retain existing employees. Staff believes the proposed plan addresses both recruitment and retention. The plan was well received, and the Chief Administrative Office staff was reviewing it to determine what the City can afford moving forward. Director Trepagnier stated it is important to provide a framework to increase minimum rates of pay to keep us competitive in the market and also to retain existing employees by increasing salaries on a yearly basis for the next nine years. Commissioner Moore noted his concern that under a plan that gives increases from the third to twenty-third years of employment, the most senior officers do not receive raises.

Item #3b was the introduction of an amendment to Rule IV Section 1.3(b) and Rule IV Section 9.2(b) relative to the overtime pay cycle for non-exempt fire protection employees. Robert Hagmann, Personnel Administrator, stated that presently the Fire Department is working a four-week, twenty-eight day 212 hour pay cycle which is permissible under the Fair Labor Standards Act (FLSA). NOFD and the Firefighters Association are requesting a change to the Rules to permit a two-week 106 hour pay cycle. The Rule change is being introduced. It will be held over until the next meeting for any feedback.

Item #4 was a notice from the Chief Administrative Office regarding Merit Pay for 2022. Director Trepagnier noted this item has been before the Commission at a previous meeting because there is a provision in the Merit Pay Rule which states that if the Chief Administrative Office notifies the Commission that the funding is not available for merit pay, then it is not paid out for that year. The Commission and staff believe that merit-based pay is an essential component of a successful civil service system. We need a way to distinguish between those employees who do the bare minimum to get by and those who give their all to City government every day. Director Trepagnier noted staff had met with the Administration regarding employee pay on June 28th and they would be meeting again the day after the Commission meeting. The administration would like to look at different ways to increase pay and of course staff supports that, but we also believe that merit pay is important because we want departments to recognize exceptional performance in City government.

Claude Schlesinger, representing the Fraternal Order of Police, stated there have been 93 separations from NOPD so far this year. There are currently 971 Officers. There were 1746 at the time of Hurricane Katrina, so we are down about 700 officers. We are at a tipping point. It is disingenuous for the Administration to say they cannot afford merit pay. Merit pay was the carrot for the Great Place to Work Initiative. There have been over 3,000 Public Integrity Bureau cases and not one single meritorious recognition. The annual performance evaluations are called for in the Consent Decree, but nothing comes of a good evaluation. Performance Evaluations have little value if not coupled with some reward. Two days before the administration submitted the letter stating they could not afford merit pay, they received \$155 million dollars in American Rescue Plan funds from the federal government. Last Thursday, the City Economist came before the Council and stated that revenues had been exceeding expectations again. There are 93 police vacancies this year that would fund a merit increase for the entire city. Everyone should be alarmed about the attrition rate. The merit pay plan is the only proposal that could help now. We urge the Commission to follow its rules and do so. Commissioner

Surprenant stated that he is strongly in favor of the merit pay increase. If you do not reward the people who are doing an excellent job and giving a 100% everyday for the City, you are going to continue to lose those people. Mr. Schlessinger stated the city was late, it should have been done in June. It is minimal fiscal impact for the City due to the number of current vacancies. You can take action.

Josh Zuckerman, representing the Chief Administrative Office, stated the Administration has been hard at work with Civil Service staff and the City Council. We are very close to having a plan we can put in place. While the ARP funds of \$150 million seem like a lot of money, they are one-time funds and we cannot use one-time funds to spend on recurring costs. That is not fiscally prudent. Using budgeted vacancies to increase our payroll is difficult. Increasing pay and working conditions is a priority especially in this labor market. We are close to creating a plan that will be good for everyone.

Eric Hessler, representing the Police Association of New Orleans, stated we have heard that the Administration is working on a plan before. As we wait for these plans, we have people being killed, carjacked, robbed, and moving out of the city because they don't believe a plan is coming. We have heard talk of a plan, but we never see the results. We have no one looking to come here and replace those police officers. It is time to act as opposed to waiting for a plan. Director Trepagnier then requested deferral of the item until the September meeting.

Item #5a under Classification and Compensation Matters was a request from NOPD for a hiring rate for Police Human Resources Administrator. Robert Hagmann stated the proposal increases the hiring rate for this position from \$92,000 to \$100,000. It has been difficult to fill this position. The proposed hiring rate will assist with recruitment for this position. Commissioner Surprenant motioned to approve the hiring rate. Commissioner Moore seconded the motion, and it was approved unanimously.

Item #5b was a request from Sewerage and Water Board for a hiring rate for Utility Human Resources Administrator. Mr. Hagmann stated this is also a high demand position. This position oversees human resources, payroll, and pension. Staff is recommending a flexible hiring range of up to \$120,519 based on qualifications. Commissioner Moore motioned to approve the hiring rate. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #5c was a request from the Administration to designate a listing of difficult to fill positions as referral pay eligible. Director Trepagnier noted the Commission had

previously approved a rule that would provide referral pay for current employees who refer successful applicants for difficult to fill positions. Employees receive \$1000 when the new employee starts work and an additional \$1000 after the hire completes one year of work. Under this rule, the Administration comes to the Commission with the list of positions that are eligible for this pay. The positions either have high turnover, low application numbers, undesirable work, or have been vacant for long periods. Commissioner Surprenant encouraged Civil Service staff and the Administration to reach out to the business community for assistance with filling these positions. Commissioner Surprenant motioned to approve the listing. The motion was seconded by Commissioner Moore and approved unanimously.

Item #5d was a request from the Sewerage and Water Board for an exception to Rule IV, Section 9.7(a) relative to individuals exceeding overtime limits for 2022. Director Trepagnier noted that Sewerage and Water Board has put in place a proactive process to request exceptions to the overtime maximum of 750 hours and provide sufficient details regarding the reasons for the overtime use. Commissioner Surprenant moved to approve the request. Commissioner Moore seconded the motion, and it was approved unanimously.

Item #6a under Recruitment and Selection Matters was the approval of examination announcements 10650-1062. Commissioner Moore motioned to accept the announcements. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #6b was a request to extend the Police Lieutenant Eligible List. Director Trepagnier stated the exam for a new eligible list was being administered that day. NOPD is asking to extend the eligible list retroactively through the end of July until the new list is created to correct an administrative error by NOPD resulting in the promotion of two people after the list had expired. Staff anticipates releasing the new list in early September.

Aaron Mischler, representing the New Orleans Firefighters Association, stated he supports the extension. He then noted the Fire Captain's eligible list expires September 1st. There are still names on the list, the new list will not be created until 2023 at the earliest, and there is no August Commission meeting.

Commissioner Moore motioned to extend the Police Lieutenant's list to July 31st. Commissioner Surprenant seconded the motion, and it was approved unanimously.

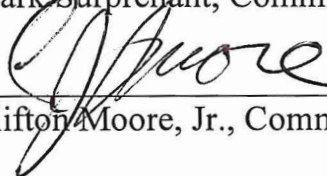
Commissioner Surprenant then motioned to add the item relative to the Fire Captain's eligible list to the agenda. Commissioner Moore seconded the motion, and it was approved unanimously.

Commissioner Surprenant motioned to extend the current Fire Captain's eligible list to the September Commission Meeting contingent upon the written support of the Chief of Fire. The motion was seconded by Commissioner Moore and approved unanimously.

Commissioner Moore moved for adjournment at 11:18 a.m. The motion was seconded by Commissioner Surprenant and approved unanimously.



John Korn, Vice-Chairperson

Mark Surprenant, Commissioner

Clifton Moore, Jr., Commissioner