



# CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE  
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CITY CIVIL SERVICE COMMISSION

BRITNEY RICHARDSON,  
CHAIRPERSON  
CLIFTON J. MOORE, JR, VICE-  
CHAIRPERSON  
JOHN KORN  
MARK SURPRENANT  
RUTH WHITE DAVIS

Monday, November 15, 2021

AMY TREPAGNIER  
DIRECTOR OF PERSONNEL

Ms. ReOinne Gifford

Re: **ReOinne Gifford VS.**  
**Department of Safety & Permits**  
**Docket Number: 9197**

Dear Ms. Gifford:

Attached is the decision of the City Civil Service Commission in the matter of your 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 - 11/15/2021 - 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: Tammie Jackson  
Eraka Williams Delarge  
Jay Ginsberg  
file

**CIVIL SERVICE COMMISSION  
CITY OF NEW ORLEANS**

**REOINNE GIFFORD,  
Appellant**

**Docket No. 9197**

v.

**DEPARTMENT OF SAFETY &  
PERMITS,  
Appointing Authority**

**DECISION**

Appellant, ReOinne Gifford 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 letter of reprimand dated October 26, 2020.<sup>1</sup> (Exhibit HE-1). At all relevant times, Appellant had permanent status as a Taxicab Investigator. (Tr. at 7, 13; HE-1). A Hearing Examiner, appointed by the Commission, presided over a hearing on October 27, 2020. 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 December 29, 2020, and controlling Louisiana law.

For the reasons set forth below, Ms. Gifford's appeal is DENIED.

**I. ANALYSIS**

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

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<sup>1</sup> The Department of Safety & Permits issued a three-day suspension to Ms. Gifford on August 18, 2020, but reduced the discipline to a letter of reprimand on October 26, 2020. (Ex. HE-1).

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). 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 suspending and terminating the classified employee and, if so, whether such discipline was commensurate with the dereliction. *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).

Wesley Pfeiffer, the Deputy Director of Utilities, and Ms. Gifford's supervisor in August of 2020, testified that when he had a meeting with Ms. Gifford in his office about her use of a blender in the office, she became combative and refused to leave his office. (Tr. at 18). In addition, Ms. Gifford, whose work day ended at 3:30 PM, left work immediately after the meeting at 3:00. (Tr. at 22). Billy Byrd, the Operations Supervisor for the Taxicab Bureau and Gifford's immediate supervisor, was in the meeting, and testified that Gifford was loud and that no one gave her permission to leave work. (Tr. at 34-35). Deishon Brown, the Operations Supervisor for the Ground Transportation Bureau, testified that Gifford was "angry" and "yelling," and when Gifford left Pfeiffer's office, Brown heard Gifford say, "Y'all can take his bullshit because I am not," and "He's going to learn to respect me." (Tr. at 40-42).

The Appointing Authority has carried its burden of showing that the complained-of conduct occurred. Ms. Gifford behaved in a disruptive and unprofessional manner, in violation of CAO Policy Memo 83 and the Standards of Professional Behavior of the Department of Safety & Permits. (Ex. DPS-1; Ex. DPS-2). Ms. Gifford's conduct impaired the efficiency of the public

service, as Ms. Gifford was disruptive, disturbing other employees and employee morale. (Tr. at 56). The undersigned Commissioners further find that the penalty is commensurate with the infraction.

The appeal is DENIED.

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This the 15<sup>th</sup> day of November, 2021

WRITER:

J H Korn

J H Korn (Oct 12, 2021 21:24 CDT)

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JOHN KORN, COMMISSIONER

CONCUR:

Brittney Richardson

Brittney Richardson (Oct 21, 2021 23:28 CDT)

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BRITTNEY RICHARDSON, CHAIRPERSON

CJ Moore

CJ Moore (Nov 15, 2021 08:36 CST)

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CLIFTON J. MOORE, JR., VICE-CHAIRPERSON