

CIVIL SERVICE COMMISSION  
SPECIAL MEETING  
MONDAY, APRIL 28, 2014

The special meeting of the City Civil Service Commission was held on Monday, April 28, 2014 at 1340 Poydras Street, Suite 964. Present were Commissioners Joseph S. Clark, Michelle D. Craig, Edward P. Cohn and Ronald P. McClain. Chairman Kevin W. Wildes, S.J., was absent. Commissioner Clark convened the meeting at 10:03 a.m. Commissioner McClain then moved to go into executive session to discuss matters taken under advisement and pending litigation. Commissioner Craig seconded the motion and the Commission voted unanimously to go into executive session. At 10:43 a.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

The first item on the agenda was a request from the City to amend the Pay Plan for NOPD employees to provide Bonus Pay for Police Officers who refer people who become Police Recruits. Ms. Shelly Stolp, Personnel Administrator of Classification and Compensation informed the Commission that the New Orleans Police Department is requesting to amend the classified pay plan for employees of the Police Department to provide additional compensation for successfully assisting in recruitment efforts. She explained that all classifications in the Police Department would be eligible to receive the special rate of pay upon the satisfactory completion of recruitment and mentoring duties. She explained that eligible employees would receive \$500 upon a Police Recruit or lateral transfer's start of the academy and an additional \$500 upon the same recruit or lateral transfer's start date as a Police Officer I. Ms. Stolp listed a set of guidelines that must be followed in order to receive the special rate of pay. Ms. Stolp informed the Commission that staff's recommendation was to seek an opinion from the State Attorney General to ensure that these special rates of pay are not in violation of Article VII, Section 14 of the State Constitution. Commissioner McClain asked a question regarding the timeliness of receiving an opinion. After discussion on the length of time it could take to get an opinion, Mr. Nicholas Felton, President of the Fire Fighters Association, stated that he would help to get the opinion expedited. Ms. Melanie Talia, of the New Orleans Police and Justice Foundation, addressed the Commission informing them that similar programs where officers received a sign-on bonus were successful in bringing new officers to the force. Commissioner McClain

moved that the Commission seek an opinion from the Attorney General's Office. The motion was seconded by Commissioner Cohn and approved unanimously.

Item #2 on the agenda was a request from the Police Association of New Orleans (PANO) to create a Police Lieutenant, Police Captain and Police Major examination. Mr. Eric Hessler, representing the Police Association of New Orleans (PANO), addressed the Commission requesting that competitive exams be given for the positions of Police Lieutenant, Police Captain and Police Major. He expressed that there are vacancies for the Police Lieutenant and Police Captain positions and one vacancy for the position of Police Major. Police Superintendent, Ronal Serpas, explained that the Police Major's position was being phased out and that he did not intend to fill that vacancy. He also informed the Commission that staff submitted a draft bulletin to the Police Department announcing that the Police Lieutenant's examination is being created and that a register should be established by the end of 2014. Director Hudson explained that staff is in need of psychometricians to help in creating tests. She explained that Mr. Richard Carter, Personnel Administrator, is currently the only person in the Test Development Division. She informed the Commission that she would like to hire a psychometrician to work on Police Department exams and one to work on Fire Department exams. She also informed them that requests were made in the department's budget to fund more staff, but the requests have not been approved. Director Hudson stated that she would make another request to the administration to consider filling these positions.

Item #3 on the agenda was a request from the New Orleans Association of Fire Chiefs to create a Fire Deputy Chief examination. Mr. Richard Hampton, President of the New Orleans Association of Fire Chiefs, addressed the Commission informing them that the last time the Fire Deputy Chief examination was given was in 1999. He requested that the Commission and Civil Service staff create a promotional examination for Fire Deputy Chief as soon as possible. Mr. Felton expressed his support for the creation of this examination. Director Hudson also expressed her support for the creation of this examination and explained that there is only one person currently working in the testing division. Director Hudson stated that she would ask Chairman Wildes for support in requesting additional staff to help with creating promotional examinations for the Police and Fire Departments. Chief Timothy

McConnell, Superintendent of the Fire Department, agreed that promotional exams are needed, but that Fire Deputy Chief is not a priority.

Commissioner McClain left the meeting at 11:16 a.m.

Item #4 on the agenda was Classification and Compensation Matters. Item #4(a) was a review of the Office of Inspector General's unclassified School Construction Fraud positions. The matter was deferred until later in the meeting since no one was present to represent the Office of Inspector General.

Item #4(b) on the agenda was Emergency Overtime Pay Rule Change Proposals. Mr. Hagmann, Personnel Administrator, gave a brief overview of the proposed rule changes that were introduced at the March 17, 2014 Commission meeting. On motion of Commissioner Cohn and seconded by Commissioner Craig, the Commission voted unanimously to approve the amendments to Rule IV, Section 11.1 and Rule IV, Section 9.

Item #4(c) on the agenda was the Civil Service staff report on ICOs within the Police Department. Ms. Elizabeth Robins, attorney with the Law Department, addressed the Commission requesting a delay in the commission taking action on the ICO report until the active litigation cases with the same information are concluded so that the Police Department can fully respond to the surveys. Chief Serpas stated that staff made three key recommendations and that the Police Department made changes that make those recommendations no longer applicable. Chief Serpas addressed the key recommendations as well as the changes. Director Hudson informed the Commission that staff would like the opportunity to review and respond to the Chief's comments. Mr. Brett Prendergast explained that there is no reason why the Commission cannot take action on ICO report based upon PANO's request. Mr. Prendergast, representing Integrity Control Officers, and Mr. Hessler both agreed that the investigation of the ICOs working out of class and the federal litigation are not related and there is no reason they can't proceed at the same time. On motion of Commissioner Craig and seconded by Commissioner Clark, the Commission voted unanimously to take the matter under advisement.

Item #4(d) on the agenda was a "Special Rate of Pay" for New Orleans Fire Department (NOFD) Division Heads. Mr. Hagmann informed the Commission that staff was proposing a new special rate of pay of ten percent over the normal rate of pay for individuals in the classification of Fire District Chief who

oversee the Fire Department's division of safety, logistics, training, compliance, planning or special operations. Mr. Hagmann stated that the Fire Department also asked that individuals who have been acting in this capacity be granted temporary pay for acting time. Chief McConnell expressed that he had been working with staff and was in support of staff's recommendations. Mr. Nicholas Felton asked for clarification on whether or not the special rate of pay would be temporary and how individuals would be appointed to the positions. Director explained that the special rate of pay would be a permanent change to the pay plan and that the Fire Superintendent would decide who gets the special assignments. Mr. Richard Hampton expressed concern with the job duties of the position. After discussion on the duties and responsibilities of the position, Commissioner Cohn moved to accept the recommendation of the Fire Superintendent and staff. Director Hudson expressed her desire to meet with staff and the Fire Superintendent on this matter. Commissioner Cohn withdrew his motion and moved to defer the matter. On second by Commissioner Clark, the matter was deferred.

Item #4(e) on the agenda was a request for back pay related to Hurricane Katrina from Mr. Robert Gebrian. Mr. Gebrian was unable to attend the meeting and asked that the matter be deferred.

Item #5 on the agenda was Recruitment and Selection Matters. Item #5(a) on the agenda was Examination Announcements #8915 through #8927. On motion of Commissioner Clark and seconded by Commissioner Craig, the announcements were approved unanimously.

Item #5(b) on the agenda was a request from NOFD for a Provisional Appointment for Fire District Chief Gary Haydel to Fire Deputy Chief. Ms. Amy Trepagnier, Personnel Administrator of Recruitment and Selection, addressed the Commission asking them to deny the Fire Department's request to grant the approval of a provisional appointment to Mr. Gary Haydel to the position of Fire Deputy Chief. She informed them that the Fire Department was denied this same request in 2012 because Mr. Haydel did not meet the educational requirement of an associate's degree in Fire Technology, which has been in place since 1999. Chief McConnell informed the Commission that Mr. Haydel has 36 years of service with the Fire Department, including twenty four years as a Fire District Chief. He stated that he is in favor of keeping the current qualifications for Fire Deputy Chief in place, but asked that Mr. Haydel be allowed to substitute his years of experience for the eight hours that he is short



of the Fire Technology Degree. On motion of Commissioner Craig and seconded by Commissioner Clark, the Commission voted unanimously to deny the request to grant a provisional appointment of Fire Deputy Chief to Mr. Gary Haydel.

Item #5(c) on the agenda was an explanation of HB 1167 which proposes to allow the Louisiana Office of State Examiner of Municipal Fire and Police Civil Service to administer entrance and promotional exams for employees of the Fire and Police departments. Chief McConnell informed the Commission that he spoke to Mr. Robert Lawrence, State Examiner for the Office of State Examiner of the Fire and Police Civil Service System, regarding the State Examiner's Office administering examinations for the Fire Department. He explained that he was advised that the office could not legally administer examinations to the New Orleans Fire Department. Chief McConnell stated that there is a bill before the state legislature that would allow the State Examiner's Office to administer examinations to the New Orleans Fire Department. Mr. Lawrence addressed the Commission and advised that he has concerns with administering exams to the New Orleans Fire and Police Departments because their system is completely different and also that it would put a financial burden on the state of Louisiana should the bill pass. Mr. Felton expressed concern with HB1167 and stated that he supports adequate funding of all promotional testing. Director Hudson explained that staff was not consulted or informed about this bill and that staff is in support of testing within the Civil Service Department if it is adequately funded. Director Hudson again stated that she would ask for funding for additional positions as well as funding to create and administer these examinations. Mr. Donovan Livaccari also expressed concern with HB1167 and spoke in favor of Commission requesting additional funding on behalf of the Civil Service Department.

Item #6 on the agenda was the Ratification of Public Integrity Bureau (PIB) 60 Day Extension Requests. This item was deferred to the next month.

The Commission then returned to item #4(a) on the agenda. Item #4(a) was a review of the Office of Inspector General's unclassified School Construction Fraud positions. Suzanne Wisdom, Counsel for the Office of Inspector General, addressed the Commission informing them that two employees working in the Fraud Construction project positions have given notice that they were leaving the department because of the uncertainty of their jobs going from the unclassified service to the classified service. She explained that if the

Commission approves the two positions to remain in the unclassified service, they will begin recruiting for those positions. Ms. Stolp reminded the Commission that staff reviewed the duties of those jobs and maintains its position that the positions should be placed in the classified service. Mr. Quatrevaux, Inspector General, explained that the positions are temporary and stated that he would not hire classified people in those positions. After discussion on the criteria for positions being placed in the unclassified system, Commissioner Cohn moved to support the Inspector General and approve the positions in the unclassified service. The motion was seconded by Commissioner Craig and approved unanimously.

Item #7 on the agenda was Communications. Item #7(a) on the agenda was an update on the status of establishing a Citywide Compensatory Time Policy. Mr. Hagmann informed the Commission that staff had met with the stakeholders involved in setting the compensatory time policy and that they expect to meet again. He expressed that staff will present the final recommendations soon.

Item #7(b) on the agenda was an update on the status of Fire Fighters Association regarding New Orleans Fire Department employees working out of class. Mr. Hagmann informed the Commission that staff is continuing to work with Fire Department management to get relevant information to be used in the investigation and will soon bring the investigation to a close.

Item #7(c) on the agenda was an Investigation of Fire Department pay practices as it relates to Holiday Pay and Leave Accrual. Mr. Hagmann explained that this investigation is the result of a number of questionable practices that came about during the implementation of the ADP payroll system. He explained that once the investigation has been completed, staff will bring recommendations to the Commission, if necessary.

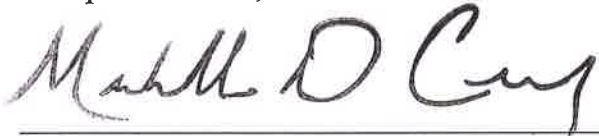
Item #7(d) on the agenda was a report on ADP Implementation. Director Hudson informed the commission that staff wrote a letter to the ADP steering committee informing them of staff's concerns. She further explained that the City addressed the concerns and was able to alleviate some of the issues. Director informed the Commission that the City was planning to go live with the ADP system with the next payroll cycle.

With no other communications to consider, on motion of Commissioner Clark and seconded by Commissioner Craig, the Commission voted unanimously to adjourn the meeting at 12:45 p.m.



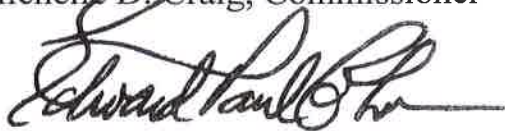
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Joseph S. Clark, Commissioner



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Michelle D. Craig, Commissioner



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Rabbi Edward Paul Cohn, Commissioner



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Ronald P. McClain, Commissioner