

CIVIL SERVICE COMMISSION
SPECIAL MEETING
MONDAY, AUGUST 25, 2014

A special meeting of the City Civil Service Commission was held on Monday, August 25, 2014 in the City Council Chambers, First Floor, City Hall. Present were Commission Chairman Kevin Wildes, S.J., and Commissioners Joseph S. Clark, Michelle D. Craig, Edward P. Cohn and Ronald P. McClain. The Chairman convened the meeting at 10:09 a.m.

The first item on the agenda was a welcome by Chairman Wildes.

Item #2 on the agenda was the Great Place to Work Initiative (GPTWI) Item #2(a) was a report from Commissioner Craig on the Commission's Request for Submittals regarding the Rule of Three. Commissioner Craig requested that representatives submit to the Commission any jurisprudence related to the rule of three that supports their position. Mr. Donovan Livicarri, representative of the Fraternal Order of Police (FOP), informed the Commission that FOP had already submitted their research on the constitutional convention to the Commission. Mr. Eric Hessler, representative of the Police Association of New Orleans (PANO), expressed that the jurisprudence is the Louisiana State Constitution, Article X, Section 7, which requires Civil Service Commissions to engage and support competitive testing and also requires the use of the rule of three. Mr. Nicholas Felton, President of the Firefighters Association, and Mr. Randolph Scott, representing the Concerned Classified City Employees (CCCE), addressed the Commission expressing their objection to the changes.

Next, Commissioner Cohn read a motion, "I make a motion to approve the Great Place to Work Initiative as proposed. Should any rule, section, subsection, clause, sentence, phrase, or part of the Great Place to Work Initiative for any reason be held, deemed, or construed to be unconstitutional or invalid, such decisions shall not affect the remaining provisions of the Great Place to Work Initiative, and the Commission hereby declares that it would have passed the Great Place to Work Initiative, and each rule, section, subsection, clause, sentence, phrase, or part thereof, irrespective of the fact that one or more of the sections, subsections, clauses, sentences, phrases, or parts thereof, is declared unconstitutional or invalid; to this end, the provisions of the Great Place to Work Initiative are hereby declared severable." Commissioner McClain seconded the motion. Director Hudson then made comments on the Great Place

to Work Initiative process. She expressed that timelines were set for groups to respond to the administration's June 12 proposal. She informed the Commission that the administration did not submit anything within this timeline, but that they submitted changes on August 20. She expressed that this did not give staff sufficient time to review and respond to those changes. She further explained that staff did not agree that the administration's rule changes are in keeping with the State Civil Service Rules and merit system tenants. Director Hudson responded to the administration's statement that reforms of merit pay and performance evaluations are before the Commission due to the administration's recent proposals. Director Hudson explained that the merit pay Rule has been in existence since 1990 and that staff proposed changes to this Rule since that time; however, merit pay has not been funded by any administration. She further noted that staff had been requesting funding for more than twenty years to create a new performance evaluation system, but the funding was never received. Director Hudson requested that the Commission consider alternatives presented by staff before making a final decision on the administration's rule recommendations.

Next, Ms. Stolp addressed the Commission regarding fifteen new rules and several rule amendments, three of which are major amendments that were submitted by the administration days before the Commission meeting. Ms. Stolp and Director Hudson reviewed the new and amended rules and gave staff's position on these rules. Ms. Stolp informed the Commission that staff had issues with the language in some of the new rules and expressed concern with how staff would apply these rules.

Next, Ms. Alexandra Norton, a Service and Innovation Manager, addressed the Commission regarding the Great Place to Work Initiative process. Ms. Norton felt that staff's statement that the most recent proposals included multiple new rules was misleading. She stated that there were no new topics and that many of the rules were edited and also that rule number 38 was added. Ms. Norton informed the Commission that the administration worked with staff to come up with a compromise on some of the proposals and that the administration had withdrawn seven of the originally proposed rule changes, amended thirty-four of the proposed rule changes, and left two of the proposed rules unchanged. Ms. Norton stated that there were a total of thirty-six rule revisions that were being submitted to the Commission. After some discussion on how the administration's rule change regarding the rule of three would be applied, the

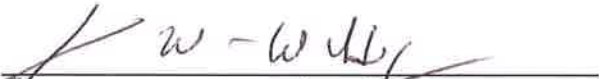
Commission heard comments from the public, including employee union groups.

After the public comment section of the meeting, Commissioner McClain moved to amend the original motion to allow more discretion in the hiring process and to keep the rule of three in relation to promotions. The amendment was not seconded and thus reverted back to the original motion. Commissioner Cohn re-read the motion and a vote was taken. The motion to approve the Great Place to Work Initiative (GPTWI) was approved by a vote of three yeas (Chairman Wildes and Commissioners Cohn and Craig), one nay, Commissioner Clark, and one abstention, Commissioner McClain. Chairman Wildes requested that the Civil Service Department and the administration submit a report to the Commission on a regular basis with the first report due within three months, again in six months and then again in one year. Commissioner McClain moved to adopt PANO's proposed new rule, Rule VI, Section 6.1 as follows: Hearings on Appeals from appointments, allocations and promotions: If any qualified candidate or employee, whose name appears on a verified appointment or promotional list, believes that his appointment, allocation or promotion has been improperly denied, he may protest the the denial of such by presenting such forms or documents as the Director of Civil Service may prescribe. The Director or any person designated by him may hold special hearings to determine the facts of each case and the Director shall make his decision on the basis of the written statements and forms presented by the employee and on the facts brought out in the hearing. The employee shall have the right to appeal to the Commission if dissatisfied with the action of the Director. The motion was seconded by Commissioner Cohn and was approved unanimously.

Mr. Scott asked to address the Commission and objected to the Commission's approval of the Great Place to Work Initiative because the groups did not have a chance to review the new rules that were proposed by the administration and submitted at the present meeting.

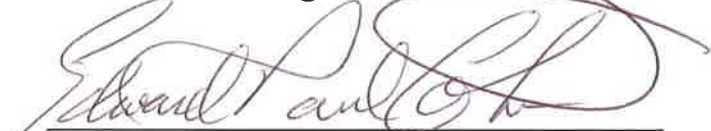
The next item on the agenda was item #2(c) regarding a consideration of the \$10.10 minimum wage Pay Plan Amendment. Commissioner Craig moved to approve the \$10.10 minimum wage pay plan amendment. The motion seconded by Commissioner McClain and unanimously approved.

On motion of Commissioner Cohn and seconded by Commissioner Clark, the Commission voted unanimously to adjourn the meeting at 12:32 p.m.


Rev. Kevin W. Wildes, Chairman


Joseph S. Clark, Commissioner


Michelle D. Craig, Commissioner


Rabbi Edward Paul Cohn, Commissioner


Ronald P. McClain, Commissioner