



# 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 H. KORN, VICE-CHAIRPERSON  
MARK SURPRENANT  
RUTH WHITE DAVIS  
ANDREW MONTEVERDE

AMY TREPAGNIER  
DIRECTOR OF PERSONNEL

Monday, November 13, 2023

Mr. Eric Hessler  
PANO 320 N. Carrollton Avenue #202  
New Orleans, LA 70119

Re: **John Macaluso VS.**  
**Department of Emergency Medical Se**  
**Docket Number: 9499**

Dear Mr. Hessler:

Attached is the action of the Civil Service Commission at the Commission's meeting on Monday, 11/13/2023.

Yours very truly,

A handwritten signature in blue ink that reads "Doddie K. Smith".

Doddie K. Smith  
Chief, Management Services Division

cc: Dr. Megan Marino, Interim  
Arthur Williams  
John Macaluso

file

**IN RE: John Macaluso v. Department of Emergency Medical Services**

**Docket No: 9499 - Civil Service Commission**

**ORDER**

Before the Commission was a motion by the Parties for the Commission to approve a settlement agreement reached by the parties. Upon consideration, the Commission finds that Parties have reached an amicable resolution which is attached hereto. Therefore:

The Parties' motion is hereby GRANTED.

Judgment rendered this 13<sup>th</sup> day of November, 2023

CITY OF NEW ORLEANS CIVIL SERVICE COMMISSION

YEA

  
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JOHN H. KORN, VICE-CHAIRPERSON

  
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MARK SURPRENANT, COMMISSIONER

  
\_\_\_\_\_  
ANDREW MONTEVERDE, COMMISSIONER

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CIVIL SERVICE DEPT.  
NEW ORLEANS

OCT 18 2023

CITY OF NEW ORLEANS CIVIL SERVICE COMMISSION  
STATE OF LOUISIANA

JOHN MACALUSO

v.

NEW ORLEANS EMERGENCY MEDICAL SERVICES  
CS No. 9499

AGREEMENT

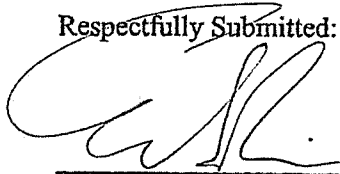
The parties herein, through their respective counsel, have reached an Agreement to resolve *John Macaluso v. EMS*, CS 9499, pursuant to Civil Service (CS) Rule II, Section 6.7, prior to and in lieu of proceeding with the CS appeal hearing scheduled for October 13, 2023.

The New Orleans Emergency Medical Services ("NOEMS") has agreed to reduce the remaining one working day suspension without pay (12hrs) for using a vaping device while riding in the cab of an EMS ambulance on July 30, 2023, to a Letter of Reprimand. NOEMS will reimburse Macaluso for the 12hrs of suspension without pay, and all emoluments associated with that wage reimbursement. Further, as this Agreement represents a modification of the discipline, (not a rescission) the original discipline letter and the amended discipline letter will remain in the personnel file, and this Agreement will be also be placed in the personnel file.

In response to the terms of resolution offered by NOEMS, as detailed herein, the Appellant, John Macaluso, through undersigned counsel, agrees to withdraw his appeal under Civil Service docket number 9499.

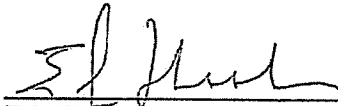
WHEREFORE, the parties confirm their agreement to the terms of resolution as stated herein by the signatures of their counsel below, and request that this Agreement be presented at the Commission's next monthly meeting for acknowledgement.

Respectfully Submitted:



Elizabeth S. Robins, LSB #25224  
Deputy City Attorney  
1300 Perdido St, Rm 5E03  
New Orleans, LA 70112  
Counsel for NOEMS

Date: 10.18.23



Eric Hessler, LSB # 27453  
Counsel for Appellant, John Macaluso  
320 N. Carrollton Ave., Suite 202  
New Orleans, LA 70119

Date: 10/17/23