



# CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE  
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CITY CIVIL SERVICE COMMISSION  
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AMY TREPAGNIER  
DIRECTOR OF PERSONNEL

Monday, May 11, 2026

Ms. Stephanie Dovalina  
via email

Re: **Stuart Harrison VS.  
Department of Safety & Permits  
Docket Number: 9798**

Dear Ms. Dovalina:

Attached is the action of the Civil Service Commission at the Commission's meeting on Friday, 5/8/2026.

Yours very truly,

A handwritten signature in purple ink that reads "Stacie Joseph".

Stacie Joseph  
Management Services Division

cc: Tammie Jackson  
Max V. Hagan-Camp  
Stuart Harrison  
file

**CIVIL SERVICE COMMISSION  
CITY OF NEW ORLEANS**

**STUART HARRISON,  
Appellant**

**Docket No. 9798**

v.

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

**ORDER**

Mr. Harrison appealed a two-day suspension on November 12, 2025. Mr. Harrison has moved for summary disposition of his appeal on the basis that the hearing of this matter did not occur within 60 days or by January 11, 2026.

Civil Service Rule II, Section 4.12 provides as follows:

The Commission shall initiate a hearing of the appeal within sixty (60) calendar days after the appeal is filed with the Commission. Any Party to an appeal may submit a written request for a continuance to the hearing examiner with a copy to the Commission. The hearing examiner may grant the request only upon a showing of good cause by the requesting party. However, if such a motion is filed less than five (5) calendar days prior to the appeal hearing, the hearing examiner will grant the request only upon a showing of extraordinary circumstances. The hearing examiner shall grant further continuances only when the party requesting the continuance establishes extraordinary circumstances. If a continuance is granted, the parties to the appeal must select a new date for the hearing and advise the hearing examiner and Commission of the rescheduled date within seven (7) calendar days . . . .

The hearing date set by the Department of Civil Service was January 7, 2026. At Mr. Harrison's request, the hearing officer continued the matter to January 26, 2026. A winter storm resulted in the closure of City offices on January 26, 2026, so the matter was continued. The parties agreed by email on a new hearing date. On January 28, 2026, the Department of Civil Service emailed the notice confirming the rescheduled hearing date of March 24, 2026, to all counsel. In

the text of the email Civil Service Staff stated “Scheduling notice for 3/24/2026 is attached.” Following the transmittal of this notice, the Department of Civil Service sent out a notice by U.S. Mail on January 29, 2026, with a typographical error setting the hearing for March 4, 2026. Counsel for Mr. Harrison issued subpoenas on February 4, 2026, requiring attendance on March 24, 2026. Neither Mr. Harrison nor his counsel appeared on March 4 for a hearing. On March 23, 2026, the Department of Safety & Permits requested a continuance because of the abrupt departure of the attorney handling the appeal. The hearing officer granted this request.

Civil Service Rule II, Section 4.12 provides that “[t]he Commission shall initiate a hearing of the appeal within sixty (60) calendar days after the appeal is filed with the Commission.” Section 4.12 also provides that either party may request a continuance from the hearing examiner. The standard for granting a continuance is “good cause” unless the request is made within five (5) calendar days prior to the hearing.

In this case, the hearing examiner granted a continuance to Mr. Harrison because of the recent enrollment of counsel, which is good cause. Weather conditions prevented the hearing from going forward on January 26, 2026, constituting extraordinary circumstances. The Department of Safety & Permits’ March 23, 2026, request to continue the March 24, 2026, hearing was also based on extraordinary circumstances, namely, the abrupt departure of counsel assigned to the matter. The reason for the departure received press attention.

To the extent that Mr. Harrison relies on the erroneous date in the January 29 letter mailed to him, the Commission finds that this reliance is disingenuous based on the actions of Mr. Harrison and counsel following receipt of the notice.

Mr. Harrison argues that his appeal should be granted because more than 60 days has elapsed without a hearing of this matter. Rule II, Section 4.12 requires only that the hearing be set

within 60 days of the filing of the appeal. Civil Service Staff scheduled the hearing for January 7, 2026, within 60 days of November 12, 2025. Therefore, Civil Service Staff complied with the first sentence of Rule II, Section 4.12.

Immediately following the requirement that a hearing be set within 60 days of the appeal, Rule II, Section 4.12 addresses continuances and the standards for granting continuances. Based on the inclusion of continuances of hearings in the same paragraph as the first setting of a hearing, the Commission recognized that hearings might not take place on the initial date scheduled by Civil Service Staff.

The hearing examiner complied with the standards for continuances set forth in Rule II, Section 4.12. The Commission finds that all of the continuances granted by the hearing examiner met the legal standards under Rule II, Section 4.12. Therefore, the Civil Service Staff, hearing examiner, and the Commission have complied with Civil Service Rule II, Section 4.12, even though the hearing of this matter has not taken place within 60 days of the filing of the appeal.

Even if Civil Service Rule II, Section 4.12 required the hearing to take place within 60 days of the filing of the appeal, granting Mr. Harrison's appeal on this basis would not be warranted. "[P]rovisions designed to secure order, system, and dispatch in proceedings by guiding the discharge of a governmental official's duties are usually construed as directory even if worded in the imperative, especially when the alternative is harshness or absurdity." *Bannister v. Dep't of Streets*, 95-0404 (La. 1/16/96), 666 So. 2d 641, 646 (considering Commission's failure to comply with 90-day deadline to issue decision following hearing examiner's report). The Louisiana Supreme Court held that the 90-day time limit for issuing a decision was directory in nature and that granting an appeal based on the Commission's failure to comply with the rule would result in "deciding civil service proceedings on the basis of mere technicalities, rather than the merits, and

would thus undermine the fundamental purpose of the civil service system. *Id.* Even if the Civil Service rule at issue is read to require a hearing to occur within 60 days of the filing of an appeal, this requirement would be directory. Summary disposition on this basis would not be appropriate.

Mr. Harrison's motion for summary disposition is denied.



Brittney Richardson (May 7, 2026 19:43:02 CDT)

BRITTNEY RICHARDSON, CHAIRPERSON



John Korn (May 7, 2026 12:46:05 EDT)

JOHN KORN, VICE-CHAIRPERSON

*Mark Surprenant, Commissioner*

Mark Surprenant, Commissioner (May 5, 2026 10:40:19 CDT)

MARK SURPRENANT, COMMISSIONER



Ruth Davis (May 5, 2026 11:56:27 CDT)

RUTH DAVIS, COMMISSIONER



Andrew Monteverde (May 6, 2026 10:50:47 EDT)

ANDREW MONTEVERDE