

CIVIL SERVICE COMMISSION  
REGULAR MONTHLY MEETING  
FRIDAY, JUNE 23, 2023

The regular monthly meeting of the City Civil Service Commission was held on Friday, June 23, 2023 at 1300 Perdido Street, City Council Chambers, New Orleans, LA 70112. Ms. Doddie Smith, Personnel Administrator of the Management Services Division, called the roll. Present were Commissioner Clifton Moore, Jr., Commissioner Mark Surprenant, and Commissioner Ruth White Davis. Commissioner Surprenant convened the meeting at 10:00 a.m. The Commission then proceeded with the docket. At 12:23 p.m. on the motion of Commissioner Davis and the second of Commissioner Moore the Commission voted unanimously to go into executive session. At 12:32 p.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes for May 18, 2023. Commissioner Moore motioned to approve the minutes. Commissioner Davis seconded the motion, and it was approved unanimously.

Item #2 was the ratification of Public Integrity Bureau (PIB) extension requests. Commissioner Surprenant called for public comment. There being none, Commissioner Moore motioned to approve the extensions. The motion was seconded by Commissioner Davis and approved unanimously.

Item #3a under Rule Amendments was an amendment to Rule I definitions 71 and 72 and Rule VIII Section 2.5 relative to sick leave usage. Personnel Director Amy Trepagnier stated the amendment had been introduced at the previous meeting and that no additional feedback had been received. She stated the amendment would allow employees to use paid sick leave to accompany an immediate family member to a medical, dental, or optical appointment with appropriate documentation and appointing authority approval. Commissioner Surprenant motioned to approve the amendment. The motion was seconded by Commissioner Moore and approved unanimously.

Item #3b was an introduction of an amendment to Rule VII Sections 1.2, 1.3, and 1.4 relative to working test periods. Director Trepagnier stated that currently all classified positions have a minimum of a six-month probationary period with some positions having a year long probationary period. All six-month probationary

periods can be extended up to a year with proper notice to the employee. For efficiency and transparency staff is proposing a rule change that would standardize all probationary periods to one year. It eliminates the need for departments to extend the probationary period. This proposed change will lie over until the next meeting.

Item #4a under Classification and Compensation Matters was a request from the City Planning Commission for hiring rates for the City Planner job series. Robert Hagmann, Personnel Administrator over the Classification and Compensation Division, stated staff is proposing increases of approximately 15% in an effort to reduce turnover in the City Planning Department. These rates are consistent with what was recently approved for the Historic Districts Plan Reviewer job series. Commissioner Moore motioned to approve the request. Commissioner Davis seconded the motion, and it was approved unanimously.

Item #4b was a request from the Department of Finance to create the new classification of Purchasing Supervisor. Mr. Hagmann stated this position will function as the first line supervisor of the Purchasing Division of the Finance Department. Commissioner Davis moved for approval. The motion was seconded by Commissioner Moore and approved unanimously.

Item #4c was a request from the Department of Safety and Permits for hiring rates and new titles for construction inspector job classifications. The proposed rates provide for more competitive rates within the market for construction personnel. The hope is to reduce contractual labor for the inspector positions. Commissioner Moore moved for approval. The motion was seconded by Commissioner Davis and approved unanimously.

Item #4d was a request from the Sewerage and Water Board for hiring rates and a new title for the Plumbing Inspector job series. Mr. Hagmann stated these proposed rates piggyback on the Inspector rates just approved for Safety and Permits. There has been difficulty recruiting licensed plumbers. Commissioner Moore moved for approval. The motion was seconded by Commissioner Davis and approved unanimously.

Item #4e was a request from the Office of Community Development for hiring rates for the Code Enforcement Inspector job series. Mr. Hagmann stated these rates are being increased in an effort to recruit additional staff. Commissioner Davis moved for approval. The motion was seconded by Commissioner Moore and approved unanimously.

Item #4f was a request from the Department of Property Management for hiring rates for plumbing positions and a new Plumber Assistant job classification. Mr. Hagmann stated there are only two in-house plumbers in City government. These rates will help to attract employees and reduce the reliance on contractors. Commissioner Davis moved for approval. The motion was seconded by Commissioner Moore and approved unanimously.

Item #4g was a request for the New Orleans Recreation Development Corporation for an increase in the maximum pay rate for the Lifeguard job series. Mr. Hagmann stated the proposal expands the pay range to allow for seasonal variability in the labor market. These expanded rates will allow the department pay flexibility in the summer months when demand is high. Commissioner Davis noted there is a national shortage of lifeguards. Commissioner Davis moved for approval. The motion was seconded by Commissioner Moore and approved unanimously.

Item #4h was a request from the Sewerage and Water Board for an exception to Rule IV, Section 9.7(a) relative to individuals exceeding overtime limits. Commissioner Surprenant asked if staff asks follow up questions regarding what S&WB submits. Director Trepagnier stated that Mr. Hagmann's team reviews the submitted documents. Commissioner Moore moved for approval. The motion was seconded by Commissioner Davis and approved unanimously.

Item #5a under Recruitment and Selection Matters was the approval of examination announcements 10877-10889. Commissioner Moore motioned to accept the announcements. Commissioner Davis seconded the motion, and it was approved unanimously.

The Commission took up item #7. Item #7 was a request from Sean Thomas to adjust his longevity pay date. Director Trepagnier stated Mr. Thomas returned to employment on July 26, 2015. Unfortunately, the Rule Mr. Thomas is asking the Commission to apply was not in effect until August 1, 2015. She stated staff is recommending that the Commission deny the request because the Rule was not in effect on the date Mr. Thomas was reemployed. Mr. Thomas stated he came back on July 26, 2015. If he had known the rule would be in effect days later, he would have elected to postpone his return to the effective date. Commissioner Surprenant stated he understands Mr. Thomas's position and that it is unfortunate, but the law is the law, and he does not see any compelling reason to go against what the law requires. We are bound by the effective date of the law. Commissioner Davis stated


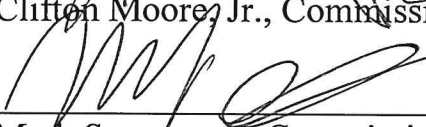
she does not think the Commission is in the position to go against this established law. Commissioner Moore asked Mr. Thomas what the practical effect of approval would be. Mr. Thomas responded it would be financial. Director Trepagnier stated the bottom line is that the Commission is being asked to exercise a rule on a date the rule did not exist. She stated that Mr. Thomas stated he is not asking for back pay; he is asking for approval going forward. Approval of his request will cause requests from other employees who will seek backpay. Commissioner Surprenant moved to deny the request. Commissioner Davis seconded the motion. Commissioner Moore stated he does not agree. The motion to deny carried two votes to one.

The Commission returned to item #6. Item #6 was a request from the Fire Union to address the Commission regarding the Fire Department's Sick Leave Policy. Commissioner Surprenant stated a robust discussion was had on this topic at the May meeting. He asked if a deferral for further discussion would be meaningful. Louis Robein, representing the Local 632 said no. Elizabeth Robins, representing the Law Department stated additional meetings would be beneficial. Aaron Mischler, representing the Local 632, stated the union has been discussing this with the Fire Administration since September. He stated being disciplined based on something a doctor refuses to do is the employees' only issue at this point. Commissioner Surprenant stated Mr. Robein had indicated the issue was disclosing the nature of the illness or injury. Those are two different things. Commissioner Surprenant stated he has no issue with disclosing the nature of the illness or injury, but he does have an issue with discipline if the physician refuses to provide the information. Additional discussion followed. Commissioner Surprenant suggested an investigation limited to discipline being imposed if the firefighter is unable to get the needed documentation. Ms. Robins asked that the scope of the investigation not be narrowed because the union has also said they do not want to provide the nature of the illness. We need to include what documentation is acceptable and what information must be included. Commissioner Surprenant agreed to that amendment. Commissioner Surprenant motioned to grant the request for investigation limited to what he had stated and by what Ms. Robins stated. Mr. Mischler requested a moratorium on discipline until this is investigated. Commissioner Surprenant stated the Commission is not going to make a global stay. Commissioner Davis seconded the motion, and it was approved unanimously.

Director Trepagnier stated there is a request from Municipal and Traffic Court to add an item to the agenda relative to a request for a new unclassified position of Community Court Director. Commissioner Surprenant motioned to add the item to the agenda. Commissioner Moore seconded the motion, and it was approved unanimously.

Gilbert Buras, representing the Municipal and Traffic Court, stated this new unclassified position is being funded by the Department of Justice. In May Civil Service staff allocated the position as a classified position. Mr. Buras stated this position should be unclassified because it is appointed en banc by all judges. It is created by the Court as a whole. The court itself is in the unclassified service. Commissioner Surprenant stated that while there is a statute that limits the unclassified staff of each judge to four, this position would not fall under that statute because the position is en banc. He noted the Clerk of Court is unclassified and is appointed by the judges but the people who work in the Clerk's office are hired by the Clerk and those people are or should be classified. Mr. Buras agreed and stated positions under the Director of Community Court would be classified. Commissioner Surprenant motioned to approve the new unclassified position. Commissioner Moore seconded the motion, and it was approved unanimously.

Commissioner Surprenant moved to adjourn the meeting at 1:49 pm. Commissioner Davis seconded the motion, and it was approved unanimously.

  
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Clifton Moore, Jr., Commissioner  
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Mark Surprenant, Commissioner  
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Ruth White Davis, Commissioner