

CIVIL SERVICE COMMISSION  
REGULAR MONTHLY MEETING  
MONDAY, DECEMBER 18, 2023

The regular monthly meeting of the City Civil Service Commission was held on Monday, December 18, 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 Chairperson Brittney Richardson, Vice-Chairperson John Korn, Commissioner Ruth White Davis, Commissioner Mark Surprenant, and Commissioner Andrew Monteverde. Chairperson Richardson convened the meeting at 10:12 a.m. The Commission then proceeded with the docket. At 10:26 a.m. on the motion of Korn and the second of Monteverde, the Commission voted unanimously to go into executive session.

At 11:34 a.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the approval of the minutes for November 13, 2023. Commissioner Korn moved to approve the minutes. Commissioner Richardson seconded the motion, and it was approved unanimously.

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

Item #3a under Rule Amendments was an introduction of an amendment to Rule IV, Section 9.7 regarding overtime usage. Personnel Director Amy Trepagnier stated that this item regularly appears before the Commission because the Rule requires public safety agencies and agencies substantially responsible for staffing special events to make a request to the Commission when an employee will exceed 750 hours of overtime in a calendar year. At this time, the Rule is not practical because departments are frequently requesting the Commission's approval to exceed allotted overtime usage after the 750-hour limit has been exceeded.

The proposed amendment would require the Personnel Director to conduct a yearly audit of overtime usage in excess of the allotted 750-hours per calendar year and

report any irregularities in overtime usage to the Commission. At the beginning of each year, Civil Service staff will review overtime reports in terms of usage in the previous calendar year. Departments will be expected to provide an explanation for what necessitated the use of additional hours and how employees who worked the overtime were selected. The latter is to ensure that there is transparency and fairness in the selection of employees who work overtime, and that employees are performing overtime work that is in the scope of their role and classification. For example, a supervisor should not be performing the work of a laborer to clock additional time. Irregularities found in the audits will be discussed with the departments in which they were found and brought to the Commission if further action is required.

Commissioner Surprenant asked if a department was brought before the Commission due to irregularities found in the annual audit, what actions would the Commission be able to take to correct the improper conduct. Director Trepagnier responded that if a department needed to be brought before the Commission, a meeting to remediate the issue would have already taken place and the appearance before the Commission would be to share what was identified as the problem and how the department planned to resolve the problem.

Commissioner Davis asked how often the audits would be performed. Director Trepagnier stated the audits would be performed annually, and that reports on overtime usage for the 2023 calendar year could be presented to the Commission in early Spring 2024. Commissioner Davis stated that her concern with the frequency of the audits is that they would be more reactive instead of proactive. Commissioner Davis suggested a quarterly or bi-annual audit to collect more data points about where departments stand in their overtime usage. Director Trepagnier agreed with the increased frequency. Approval of the proposed amendment will be considered at the next meeting.

Item #3b was an introduction of an amendment to Rule IV Section, 2.8(c) to update a reference to another rule. Director Trepagnier stated that this was merely a cleanup to the Pay Equity Adjustment Rule (Rule IV, Section 2.8), because Section 2.8 (c), references Rule IV, Section 14. The intention of adding Rule IV, Section 14 was to reference the prescriptive period for back pay claims, which is no longer in Section 14. The prescriptive period for back pay claims is now in Section 16. The proposed amendment does not alter the purpose or intent of the rule; it only provides the

correct citation. Approval of the proposed amendment will be considered at the next meeting.

Item #4a under Classification and Compensation Matters was a request from the City Council to increase the rate of pay of the Council of Utilities Regulatory Office (CURO) Deputy Chief of Staff. Councilmember Jean-Paul Morrell explained that the City Council operates a Utilities Regulatory Office, and that New Orleans is currently one of the only cities in the United States that regulates its own utilities. As such the City Council expanded CURO to reduce reliance on outside counsel, which has saved the City millions of dollars. Councilmember Morrell stated that the individuals who work in CURO have extremely specialized skills and experience that allow them to perform the roles that the office requires. Given the office's growth and expansion in operations, the City Council is seeking a competitive salary to retain someone in that role who has the unique skills and experience to deal with utility regulatory matters. Councilmember Morrell stated if they lose their Deputy Chief of Staff at CURO the inability to replace her due to competitive market rates in the private sector, would cause the City to rely on private attorneys again at high hourly rates.

Erin Spears, CURO Chief of Staff, stated that at the current compensation rate for their Deputy Chief of Staff stated that when the position was created CURO was regulating one utility and is now up to regulating three utilities, with a smaller staff than the average utility commission. Ms. Spears also added that the requirements to qualify for the position would make an appointment very difficult because energy and public utilities law is niche practice, and not many attorneys have ten plus years of experience in that area.

Director Trepagnier stated that when Civil Service staff assessed the position in a recent job study, they found that the work performed was consistent with what was defined in the description of the job when the position was created. They were therefore unable to upgrade the position to a higher job classification and pay grade. A market pay survey was not done for the position because there has not been an issue with recruitment or retention. Commissioner Surprenant urged the staff to find a way to exercise flexibility in order to allow the department to retain this employee whose expertise would allow her to pursue much higher compensation elsewhere. Director Trepagnier stated she would be comfortable with a more wholistic approach to compensation flexibilities for all positions at that level. She stated staff would work on a proposal for consideration at the next meeting.

Item #4b was a request from the New Orleans Police Department to amend the Pay Plan to include Law Enforcement Officer Incentive Pay as provided for by LA RS 40:1669. Robert Hagmann, Personnel Administrator, stated that the State of Louisiana will be providing a \$5,000 benefit that will be afforded to newly hired law enforcement officers hired as Police Recruits or lateral officers. State funding will be provided between July 1, 2023 and July 2025, or until funding is exhausted. The law enforcement officer must retain employment for two years. If they fail to do so, they will be required to pay the dispensed funds back via their taxes. Director Trepagnier clarified that this is not funded by the City, but staff would like to document they payment in the Pay Plan. This would be similar to the current note in the pay plan relative to state supplemental pay.

Commissioner Surprenant motioned to approve the request. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #4c was a request from the Department of Property Management to create the new classifications of Cemetery Attendant I and II. Mr. Hagmann stated that this is a restoration of these former classifications back to the pay plan. The positions were previously consolidated into the Maintenance job series. The positions would be dedicated to preparing tombs and graves for burials and performing general maintenance such as whitewashing of the area, pesticide application, and the delivery of supplies to all six of the city-owned cemeteries.

Commissioner Davis moved to approve the motion. The motion was seconded by Commissioner Korn seconded the motion and it was approved unanimously.

Item #4d was a request from the Fire Department to create the new civilian classification of Fire Training Instructor. Mr. Hagmann stated this would be a civilian training position for the Fire Department. Employees in the position would be non-exempt, making them eligible for overtime, and they would be compensated at a starting annual rate of \$64,759. Currently the NOFD faces difficulty recruiting Fire Education Officers. The expectation is that the classification would attract retirees or experienced fire personnel to join the training team and improve student to instructor ratios in Recruit training courses and certification classes.

Local 632 President Aaron Mischler expressed a concern with civilianizing the position before looking at why the Fire Education Officer (FEO) position faces extended vacancies and the inability to recruit from staff in-house. He requested a deferment of the item. Director Trepagnier noted that for several years Civil Service

has had a civilian police instructor position working in NOPD due to their inability to fill the position with in-house staff.

Superintendent Nelson added that the rationale behind the need for the position is not to replace the current fire staff in these positions, but to enable the department to have several instructors performing the work full-time because there are currently not enough firefighters that want to be employed as FEOs. He added that a temporary rate of pay was created to use firefighters who are not Fire Education Officers in a temporary capacity to teach classes, but it was met with limited response. He believes this response is due to firefighters' unwillingness to work five days a week when their schedules call for 24-hour shifts and 48-hour period off-duty. Additionally, NOFD has been hiring nonstop for the past five years, which gives them a relatively young department and young leadership, which has contributed to a deficiency in experienced employees within the department that are looking to become a Fire Education Officer. Commissioner Monteverde moved to defer this item to the next Commission meeting. The motion for deferment was seconded by Commissioner Surprenant, and it was approved unanimously.

Item #4e was a request to create a new special rate of pay for bilingual skills. Mr. Hagmann stated that the bilingual special rate of pay has reached a "tipping point." The bilingual special rate of pay is currently available to NOPD, NOFD, and New Orleans Public Library (NOPL). There have been two additional requests from the Juvenile Justice Intervention Center and the Department of Safety and Permits, so Civil Service staff is requesting that a bilingual special rate of pay be opened to all departments. Director Trepagnier stated that the 5% premium will only be applied to departments who have employees that serve in a translator capacity and have successfully passed the assessment for bilingual skills. Additionally, departments will need to designate the eligible employee as a translator making it so that they will be required to serve in that capacity. Commissioner Davis motioned to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4f was a request from the Office of Community Development for hiring rates for the Urban Rehabilitation Specialist job series. Mr. Hagmann stated that the Urban Rehabilitation series is a combined role consisting of building inspector and contractor duties. In this position, employees would be responsible for ensuring that the money being used for the construction, repair, and maintenance projects for affordable housing units are being completed on time and are in compliance with

City ordinances and codes. This item comes as a response to the difficulty the Department of Housing has faced with filling positions in the series that have been vacant for over a year. The proposed rate adjustment would place the entry Urban Rehabilitation Specialist at an annual compensation of \$51,000, and the Urban Rehabilitation Specialist Supervisor at \$62,000. Commissioner Surprenant moved to approve the request. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #4g was a request from the Sewerage and Water Board for hiring rates for the Operations job series. Mr. Hagmann stated that the Operations job series is the core of the services provided by the Sewerage and Water Board. Classifications in this series perform several duties including water purification, drainage and pumping, networks and power dispatching, steam plant power production, and facility maintenance. Despite their non-exempt status, these are classifications of leadership, with positions acting as second- or third-line supervisors. The Sewerage and Water Board's difficulty in filling the vacancies in these roles has had a direct effect on motivating lower-level staff. Mr. Hagmann attributes this in part to the preference amongst employees to accept service level responsibilities rather than have supervisory responsibilities that entail directing people, setting goals, planning workflows, and managing scheduling. Commissioner Korn moved for approval. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4h was a request from the Sewerage and Water Board to create a new Automated Metering Infrastructure (AMI) job series. Mr. Hagmann stated the creation of the AMI series comes as a result of a change in duties. Employees will be undergoing training to troubleshoot the automated systems. This automated meter reading system comes as a solution to address issues with billing. The entry compensation rate for the series will start at \$40,000 with the rates for supervisors and managers starting at \$70,000 and \$76,000, respectively. Commissioner Korn motioned to approve the request. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4i was a request from the Office of Housing and Community Development to retitle the classification of Code Enforcement Field Supervisor to Code Enforcement Inspection Supervisor and increase the hiring rate. Mr. Hagmann explained that this request would function in conjunction with the hiring rates that were previously approved by the Commission for the Code Enforcement Inspector series. The proposed hiring rate would bring the annual compensation from \$42,000 to \$49,000,

which would be consistent with what was done for the Code Enforcement Inspector series. Commissioner Davis moved for approval. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4j 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 Monteverde moved to approve the request. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #5a under Recruitment and Selection Matters was a request for the approval of examination announcements 10960-10982. Commissioner Davis moved for approval. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #6 was a request from the Chief Administrative Office for the transfer of a functional unit in accordance with Rule III, Section 8, relative to the creation of the chartered department of Code Enforcement. Director Trepagnier stated that this was a measure on the ballot to make a charter change to create a dedicated Department of Code Enforcement for the City. That change becomes effective on January 1, 2024. Civil Service Rule III, Section 8 requires that anytime a unit of a department is moved to another department, there needs to be notification provided to employees regarding that move. Commissioner Korn moved for approval. Commissioner Davis seconded the motion, and it was approved unanimously.


Item #7 was a report on the effectiveness of recent amendments to the Civil Service Pay Plan. Director Trepagnier noted that Civil Service staff was reviewing metrics to determine the effectiveness of hiring rates, new classifications, and lump sum payments approved by the Commission and City Council from 2022 to June 2023. A before and after comparison in terms of the number of employees in job classifications was made to indicate retention rates and departments' ability to refill positions that became vacant. In general, there has been a positive net change for the number of individuals in classifications that have received an increase in their hiring rate. Notably, several vacancies in Social Worker, Grounds Patrol Officer, Physician, Criminalist, and Security positions have been filled. Departments are still working to recruit for positions such as Library Branch Manager, Police Academy Administrator, and Police Academy Legal Instructor, but recruitment strategies are being developed to address this difficulty.

Regarding new classifications created by the Commission, departments have seen a lot of movement in filling vacancies, particularly in the Infrastructure Job Manager

position. Currently, NOPD has chosen not to move forward with the Chief Operating Officer position. Filling the vacancy for the Industrial Hygienist, along with three other newly created positions, has taken an extended amount of time. To address the delay in filling the job openings created, Civil Service staff will work with departments to see if any changes to the minimum qualifications of these positions are needed and explore other approaches to broaden the applicant pool.

The methodology used to determine the effectiveness of special rates of pay has been to identify the frequency of their use. At the request of administration in March 2022, the referral pay of \$4,000, which was originally for NOPD employees who referred new hires to the Police Recruit position, was expanded to all City employees. There have been three city employees who have received that incentive. Similarly, there was a referral payment created at the request of the administration for difficult to fill positions, which has netted seventeen users. In her discussions with departments that face the potential loss of employees for alternative employment opportunities, Director Trepagnier has urged department heads to utilize the Outside Offer Pay, which she states has been used five times. EMS has managed to employ four new hires and NOPD is down from where they started. Director Trepagnier stated that determining the vehicle of the success rate of lump sum payments is complicated because there are several variables involved. She was able to confirm that within the group of employees who left their jobs, there was no individual who cited pay as a reason for separation.


Commissioner Davis moved to adjourn the meeting at 1:07 p.m. Commissioner Monteverde seconded the motion, and it was approved unanimously.

  
[Brittney Richardson \(Apr 21, 2024 09:57 CDT\)](#)

Brittney Richardson, Chairperson

**J H Korn**  
[JH Korn \(Apr 22, 2024 21:44 CDT\)](#)

John Korn, Vice-Chairperson

  
[Ruth Davis \(Apr 21, 2024 14:55 CDT\)](#)

Ruth White Davis, Commissioner



***Mark C. Surprenant***

[Mark C . Surprenant \(Apr 19, 2024 11:49 CDT\)](#)

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Mark Surprenant, Commissioner



[Andrew Monteverde \(Apr 19, 2024 10:46 CDT\)](#)

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Andrew Monteverde, Commissioner