

CIVIL SERVICE COMMISSION  
REGULAR MONTHLY MEETING  
THURSDAY, MAY 30, 2024

The regular monthly meeting of the City Civil Service Commission was held on Thursday, May 30, 2024 in the City Council Chambers, 1300 Perdido Street, New Orleans, LA 70112. Ms. Doddie Smith, Personnel Administrator of the Management Services Division called the roll. Present were Vice-Chairperson John Korn, Commissioner Mark Surprenant, and Commissioner Andrew Monteverde. Commissioner Korn convened the meeting at 10:01 a.m. The Commission then proceeded with the docket. Chairperson Richardson and Commissioner Davis arrived At 10:13 a.m. At 11:50 a.m. on the motion of Commissioner Surprenant and second of Commissioner Monteverde, the Commission voted unanimously to go into executive session. At 11:51 a.m. the Commission re-opened the docket. At 11:59 a.m. on the motion of Commissioner Monteverde and Commissioner Korn, the Commission unanimously voted to go into executive session.

At 12:46 p.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes for April 12, 2024. Commissioner Korn motioned to approve the minutes. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #2 was the ratification of Public Integrity Bureau (PIB) extension requests. Commissioner Surprenant moved to approve the extension requests. The motion was seconded by Commissioner Davis and approved unanimously.

Item #3a under Rule Amendments was a proposed amendment to Rule II, Section 4.3 and 4.12 to consolidate appeals of emergency suspensions with the final discipline imposed by the Appointing Authority and to continue appeals of emergency suspensions pending the Appointing Authority's decision on the discipline. Director Trepagnier stated that the rule amendment was introduced at the Commission meeting in April. She requested that the Commission defer the item while staff considered feedback it had received. Commissioner Davis moved to defer the item. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #3b was a proposed amendment to Rule II, Section 4.5 and 4.6 to remove disability discrimination and age discrimination as bases for employee appeals. Christina Carroll, Executive Counsel for the Commission, explained that the rule amendment intends to ensure that the Civil Service Commission is not misleading classified employees about the possible bases for an appeal. The Commission has decided to follow the U.S. Supreme Court precedent on what sex discrimination includes. Although the Civil Service websites, official forms, and Commission rules state that an age or disability discrimination appeal can be brought forth to the Commission, the Courts have ruled that the Commission does not have the jurisdiction to do so. The amendment brings the rule in line with actual practice. Commissioner Korn motioned to adopt the proposed amendment. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #3c was a proposed amendment to Section 10(B) of the Civil Service Commission's Procedures for the Conduct of Business Meetings. Ms. Carroll stated that the current procedures state that a Commissioner who requests recusal from voting on a matter may still participate in its discussion. According to the Louisiana Code of Governmental Ethics, a Commissioner cannot participate in the discussion of a matter they are recused from voting on. This amendment would align the Commission's Business Meeting Procedures with the applicable statutes and the State Board of Ethics. Commissioner Davis moved to approve the proposed amendment. Commissioner Monteverde seconded the motion, and it was adopted unanimously.

Item #3d was an introduction of a proposed amendment to Rule V, Section 9.13 to remove the substance abuse screening requirement for a "near miss". Director Trepagnier stated that the request comes as a result of an audit that the Sewerage and Water Board's Chief Auditor performed relative to occupational safety. Commission Rules require an employee involved in a near miss to undergo substance abuse screening. The audit found that the substance abuse testing requirement, which requires the supervisor and employee to relocate from the job site to perform the screening, has had a "chilling effect" on the reporting of near misses. The reporting of near misses is necessary so training can be put in place to mitigate or prevent similar incidents in the future. The Sewerage and Water Board recommended either removal of the near miss rule language or a change to the definition of what near miss means. Director Trepagnier recommended an amendment to Rule V to remove

the near miss testing requirement. She noted that the safeguard of the requirement for substance abuse testing in cases of reasonable suspicion of use remains in effect, so if a supervisor believes a near miss is the result of substance abuse the rules would still provide a mechanism to require testing. This amendment will be considered for approval at the next meeting.

Item #4a under Classification and Compensation Matters was a request from the New Orleans City Council to create the new classification of Council Public Information Officer. Robert Hagmann, Personnel Administrator of the Classification and Compensation Division, stated that the new job classification would allow the City Council to bring its communication program in-house. An individual in this position would be responsible for the Council's communications, public relations, social media, and its media relations. The salary range would be between \$92,000 and \$128,000. Civil Service staff anticipates the flexible hiring rate will allow the Council to hire a person with the level of experience needed for the role. Commissioner Korn moved to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4b was a request from the New Orleans Inspector General's Office to create the new classification of Intelligence Analyst (OIG). Mr. Hagmann stated that this classification would assist the Inspector General's departmental investigations units with their research, report writing, case preparation, and communications. The objective is to provide uniformity for report writing through this department of the Office of the Inspector General. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4c was a request from the Sewerage and Water Board for a new special rate of pay and hiring rates for the Attorney job series and the Legal Support job series. Mr. Hagmann stated that the hiring rate amendments aim to support the retention efforts within the Sewerage and Water Board relative to its Attorney and Legal Support positions. In conjunction with the pay plan adjustments, staff proposes the establishment of a special rate of pay, as requested by the Sewerage and Water Board. The special rate would grant a 5% increase for any non-exempt employee licensed as a notary who performs those duties. Commissioner Korn motioned to approve the request. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4d was a request from the Sewerage and Water Board to create the new classification of Utility Fleet Manager. Mr. Hagmann stated that the classification would be a second-level, non-exempt supervisor. The Utility Fleet Manager would be responsible for managing and supporting the Sewerage and Water Board's Fleet Management program's activities and would have a hiring rate of \$79,987. Commissioner Monteverde moved to approve the request. The motion was seconded by Commissioner Korn and approved unanimously.

Item #4e was a request from the New Orleans Public Library to create the new classifications of Library Security Coordinator and Librarian II, Lead. Mr. Hagmann stated that the Library Security Coordinator would be a non-exempt classification responsible for the safety and security program that encompasses all sixteen of the City's library facilities. The new Librarian II, Lead position would be an exempt classification, essentially operating as a team lead or managing special projects and programs related to the library's operations. Commissioner Monteverde motioned to approve the request. Commissioner Davis seconded the motion, and it was approved unanimously.

Item #4f was a request from the Office of Community Development to retitle the Urban Rehabilitation Specialist job series to Housing Rehabilitation Construction Specialist. Mr. Hagmann stated that the intent of the request is to have a class title that better reflects the inspectional and cost-estimation work performed by the employees who participate in the renovation and rehabilitation of community properties. Director Trepagnier stated that the Office of Community Development faced some difficulty filling positions in this classification. The Commission previously approved a hiring rate increase and staff had approved changes in minimum qualifications for this position. Staff anticipates that the title changes to provide clarity on the duties performed will also assist the department with filling their vacancies. Commissioner Davis 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. Commissioner Korn moved to approve announcements 11042-11084. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #5b was a request from Police Lieutenants Troy Lyles and Christopher Johnson to be permitted to take the Police Captain's Exam. Attorney Theodore Alpaugh represented Lt. Lyles and Lt. Johnson. He stated these employees were the last two employees to be promoted from the Police Lieutenant promotional list due to additional requirements introduced by NOPD in the promotion criteria. Mr. Alpaugh explained that the change delayed their promotions. Given a previous extension of the deadline from April 2nd to April 12<sup>th</sup> which was requested by three Lieutenants earlier in the year, he now seeks another extension for the Police Captain's examination to allow Lt. Lyles and Lt. Johnson to sit for the exam.

Commissioner Richardson sought clarification on whether the exam application date had been extended before. Director Trepagnier confirmed a prior extension, while the application period was still open, as permitted by Civil Service Rules. However, Lt. Lyles and Lt. Johnson will not complete the required two years as Police Lieutenants until sometime in June, rendering them ineligible to take the examination. An exam date has been set, and due to the contractual obligations with hotels and assessors, reopening and extending the application deadline by would be impractical and unfair to the thirty-one applicants who are currently eligible. Commissioner Korn motioned to deny the request. The motion was seconded by Commissioner Surprenant and was unanimously approved.

Item #6 was a request for approval of an agreement between Police Officer Robert Cravatta and the New Orleans Police Department relative to a delayed promotion to Senior Police Officer caused by an open disciplinary investigation. Director Trepagnier clarified that the Senior Police Officer classification is a routine promotion for Police Officers who have acquired the necessary experience and training. Unlike a Sergeant position which involves additional supervisory responsibilities and completion of promotional testing, the purpose of this promotion is to serve as a retention tool. Elizabeth Robins, representing NOPD, confirmed that based on a review of Officer Cravatta's disciplinary history he should have been promoted to Senior Police Officer. She noted that typically, if a serious offense is sustained by the Superintendent, the promotion is prohibited. However, in Officer Cravatta's case, there was a pending investigation into a level four use of force, which had not yet reached the Superintendent. On his Public Integrity Bureau record, only the investigator recommended sustaining the charges, not the Superintendent. Ms. Robins recommended a settlement between the Police Department and Officer Cravatta, to include his retroactive promotion to Senior Police Officer on December

2, 2021. Commissioner Surprenant motioned to approve the request. Commissioner Davis seconded the motion, and it was approved unanimously.

Item #7 was a report on Performance Evaluations for the 2023 observation year. Director Trepagnier noted that 55% of employees who received ratings were rated as exceeds expectations, 44% received ratings of meets expectations, and less than 1% received ratings of fails to meet expectations. The percentage of employees receiving a rating of exceeds expectations is up 7% over the previous year. Staff will be monitoring the ratings distributions and providing training to try to ensure that the ratings accurately reflect actual performance. Commissioner Surprenant asked who is tasked with ensuring that the ratings are accurate and that not everyone receives a rating of exceeds expectations. Director Trepagnier responded that each person's rating is approved by both the first and second level supervisor, so ultimately it is the responsibility of each department.

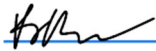
Director Trepagnier noted that while 55% of employees who received a rating were rated as exceeds expectations, this would not translate directly to merit pay eligibility because staff is ensuring that employees only receive merit pay when all of the timelines in the rules were followed. She noted that participation was up 16% over the previous year. This is likely attributed to the recent change in the merit pay rules.

Director Trepagnier stated that there was a request for an item to be added to the agenda. Commissioner Korn moved to add the item. The motion was seconded by Commissioner Monteverde and approved unanimously. Ms. Carroll explained that Senate Bill 181, which the Commission formally opposed at its April 12, 2024 meeting, still has a chance to be adopted. It is her recommendation that the Commission prepare an informational document regarding its position on SB 181. Commissioner Monteverde moved to support transparency and releasing communications regarding Senate Bill 181. Commissioner Davis moved to second the motion, and the Commission's approval was unanimous.

Director Trepagnier requested that another off-agenda item be taken up by the Commission. Commissioner Surprenant moved to approve adding the item to the agenda. Commissioner Davis seconded the motion, and it was approved unanimously. Director Trepagnier explained that the Business Council has a committee dedicated to Civil Service reform and improvement and asked that the Civil Service staff, Commissioner Richardson, and Commissioner Surprenant

participate in the sub-committee's working group. Commissioner Korn moved to authorize participation of the Civil Service staff and Commissioners. The motion was seconded by Commissioner Monteverde and approved unanimously.

There being no additional business to consider, Commissioner Surprenant moved for adjournment at 1:32 p.m. The motion was seconded by Commissioner Monteverde and approved unanimously by the Commission.



[Brittney Richardson \(Jul 18, 2024 09:22 CDT\)](#)

Brittney Richardson, Chairperson



[J H Korn \(Jul 18, 2024 17:31 CDT\)](#)

John Korn, Vice-Chairperson



[Mark Surprenant \(Jul 16, 2024 13:04 CDT\)](#)

Mark Surprenant, Commissioner



[Ruth White Davis \(Jul 16, 2024 20:14 CDT\)](#)

Ruth White Davis, Commissioner



[Andrew Monteverde \(Jul 16, 2024 14:23 CDT\)](#)

Andrew Monteverde, Commissioner