



CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE
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CITY CIVIL SERVICE COMMISSION
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JOHN H. KORN, VICE-CHAIRPERSON
MARK SURPRENANT
RUTH WHITE DAVIS
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AMY TREPAGNIER
DIRECTOR OF PERSONNEL

Monday, June 22, 2026

Ms. Rhonda Oliver

Re: **Rhonda Oliver VS.
Sewerage & Water Board
Docket Number: 9684**

Dear Ms. Oliver:

Attached is the action of the Civil Service Commission at the Commission's meeting on Friday, 6/12/2026.

Yours very truly,

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

Stacie Joseph
Management Services Division

cc: Randy Hayman
Ashley Ian Smith
file

**CIVIL SERVICE COMMISSION
CITY OF NEW ORLEANS**

**RHONDA OLIVER,
Appellant**

Docket No. 9684

v.

**SEWERAGE & WATER BOARD,
Appointing Authority**

ORDER

Ms. Oliver filed a Motion to Enforce under Civil Service Rule II, Section 11.1 on April 22, 2026, seeking reinstatement, back pay, and emoluments. Rule II, § 11.1 provides that the Appointing Authority “where appropriate” must pay “reimbursement for all back wages and emoluments due.” The Commission heard oral argument on this motion at its June 12, 2026, regular meeting.

The Sewerage & Water Board terminated Oliver’s employment on November 21, 2024. The Commission denied Oliver’s appeal on July 21, 2025. The Fourth Circuit Court of Appeal reversed the Commission’s decision on March 4, 2026, on procedural due process grounds. *Oliver v. Sewerage & Water Board*, 2025-CA-0551 (La. App. 4 Cir. 3/4/26). Specifically, the Fourth Circuit relied on the discrepancies in the pre-termination notice and the letter of termination and the Sewerage & Water Board’s failure to consider Ms. Oliver’s written submission at the pre-termination hearing. The Fourth Circuit remanded the appeal to the Sewerage & Water Board to “reinstitute the termination proceedings against Ms. Oliver consistent with this opinion.” According to the parties, the Sewerage & Water Board held a pre-termination hearing on April 27, 2026, and issued another notice of termination to Ms. Oliver.

The Sewerage & Water Board has failed to reimburse Ms. Oliver for lost wages and emoluments because it argues the Fourth Circuit did not explicitly reinstate Oliver or award her back pay. In an analogous case, when the Commission granted an appeal on due process grounds but failed to award back pay, the Fourth Circuit amended the Commission's decision to provide that the employee was reinstated with back pay. *Perkins v. Sewerage & Water Bd.*, 95-1031 (La. App. 4 Cir. 2/29/96), 669 So. 2d 736, 730. *See also Matusoff v. Dep't of Fire*, 2019-0932 (La. App. 4 Cir. 5/20/20), 364 So.3d 240 (2020), *writ denied*, 2020-00955 (La. 10/20/20) (Love, concurring). The Fourth Circuit reasoned that the Commission lacked discretion about reinstatement and the award of back pay because "if the law was not followed in terminating an employee, then his status as a civil servant was not affected and he remained entitled to payment for the period of the illegal discharge." *Id.* at 739. "Because Mr. Perkins' termination was illegal, he retained his status as a civil service employee of the S&WB, and was entitled to receive payment of his salary until he was lawfully removed." *Id.*

In addition, Louisiana Revised Statute 49:113 provides that "[e]mployees in the state or city civil service, who have been illegally discharged from their employment, as found by the appellate courts, shall be entitled to be paid by the employing agency all salaries and wages withheld during the period of illegal separation, against which amount shall be credited and set-off all wages and salaries earned by the employee in private employment in the period of separation."

Therefore, when the Fourth Circuit Court of Appeal reversed the Commission's denial of Ms. Oliver's appeal, it necessarily ordered Ms. Oliver's reinstatement with back pay.

Ms. Oliver's Motion to Enforce is GRANTED. This motion is remanded to the hearing officer for a calculation of back pay. Within 10 days of this Order, in advance of any hearing, the

Appointing Authority shall submit to the hearing examiner the amount of back pay and emoluments from the date of Ms. Oliver's termination, November 21, 2024, to the date of the second termination, May 14, 2026. *Perkins*, 669 So. 2d at 730. The Appellant shall submit to the hearing officer tax returns for tax years 2024 and 2025, along with all attachments, and any record of earnings in 2026, so that the hearing officer may calculate the offset due to interim earnings.

La. R.S. 49:113.



Brittney Richardson (Jun 18, 2026 11:01:46 CDT)

BRITTNEY RICHARDSON, CHAIRPERSON



J H Korn (Jun 16, 2026 19:52:15 CDT)

JOHN KORN, VICE-CHAIRPERSON



Mark Surprenant, Commissioner (Jun 16, 2026 11:38:51 EDT)

MARK SURPRENANT, COMMISSIONER



Andrew Monteverde (Jun 16, 2026 10:41:55 CDT)

ANDREW MONTEVERDE, COMMISSIONER