



CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE
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CITY CIVIL SERVICE COMMISSION
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JOHN KORN, VICE-CHAIRPERSON
MARK SURPRENANT
RUTH WHITE DAVIS
ANDREW MONTEVERDE

AMY TREPAGNIER
DIRECTOR OF PERSONNEL

Monday, October 6, 2025

Ms. Zuri McCormick

Re: **Zuri McCormick VS.
New Orleans Public Library
Docket Number: 9673**

Dear Ms. McCormick:

Attached is the decision of the City Civil Service Commission in the above-referenced appeal.

This is to notify you that, in accordance with the rules of the Court of Appeal, Fourth Circuit, State of Louisiana, the decision for the above captioned matter is this date - 10/6/2025 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Orleans Tower, New Orleans, Louisiana.

If you choose to appeal this decision, such appeal must conform to the deadlines established by the Commission's Rules and Article X, Sec.12(B) of the Louisiana Constitution. Further, any such appeal shall be taken in accordance with Article 2121 et. seq. of the Louisiana Code of Civil Procedure.

For the Commission,

A handwritten signature in blue ink that reads "Doddie K. Smith".

Doddie K. Smith
Chief, Management Services Division

cc: Emily Painton
De'Jonique Carter
Jay Ginsberg
file

**CIVIL SERVICE COMMISSION
CITY OF NEW ORLEANS**

**ZURI McCORMICK,
Appellant**

Docket No. 9673

v.

**NEW ORLEANS PUBLIC LIBRARY,
Appointing Authority**

DECISION

Appellant, Zuri McCormick, brings this appeal of an October 8, 2024, Notification of Counseling pursuant to Article X, Section 8 of the Louisiana Constitution and Civil Service Rule II, Section 4.1. (Ex. HE-1). At all relevant times, Appellant was a permanent employee working as a Library Associate II. (Tr. at 155).

The Commission denied the New Orleans Public Library's Motion for Summary Disposition at its regular meeting on January 10, 2025. The Commission based this ruling on Ms. McCormick's representations that a representative from Human Resources was present at the meeting on October 8, 2024, and that she was instructed to email the completed form to Human Resources. *See McCormick v. New Orleans Public Library*, No. 9673 (City of New Orleans Civil Service Comm'n 1/15/25).

A Hearing Examiner, appointed by the Commission, presided over a hearing on February 27, 2025. At this hearing, both parties had an opportunity to call witnesses and present evidence.

The undersigned Commissioners have reviewed and analyzed the entire record in this matter, including the transcript from the hearing, all exhibits submitted at the hearing, the Hearing Examiner's report dated July 11, 2025, and controlling Louisiana law.

For the reasons set forth below, Ms. McCormick's appeal is DISMISSED.

I. FACTUAL BACKGROUND

Anthony Alexis, the security officer at the New Orleans East Regional Library, called Ms. McCormick at the circulation desk to unlock the restroom for a patron upstairs, and Ms. McCormick said, “like I give a fuck.” (Tr. at 9, 14-15). Kerry Lamare, who was also working at the circulation desk, testified that Ms. McCormick said, “Do you know how many fucks I give? None.” (Tr. at 27-28). Mr. Alexis complained to Michael Perriat, who in turn notified Sharon Aymami, the Regional Director over the Martin Luther King branch and the New Orleans East branch. (Tr. at 16, 50, 144).

Ms. McCormick was late for work on September 9, 2024. (Tr. at 106).

Ms. Aymami, testified she counseled Ms. McCormick about Ms. McCormick’s conversation with Mr. Alexis and Ms. McCormick’s tardiness in a meeting with Ms. McCormick and April Martin, the District Manager of the New Orleans East branch, on October 8, 2024. (Tr. at 94, 104, 144). Ms. Aymami emailed a Notification of Counseling to Ms. McCormick, and Ms. McCormick responded on October 25, 2024. (Tr. at 104, Ex. HE-1). Ms. Aymami testified the Notice of Counseling was not placed in a physical file and only existed in electronic format in her email. (Tr. at 118).

Ross Matthews, the Personnel Division Chief for New Orleans Public Library, testified that he maintains personnel files for all employees, and the October 8, 2024, Notice of Counseling was not placed in Ms. McCormick’s personnel file. (Tr. at 129-130). April Martin sent the Notice of Counseling to Mr. Matthews via email, and Mr. Matthews testified he intends to sign the notice. (Tr. at 133).

Emily Painton, the Executive Director of the Library, testified she approves all discipline, and she did not see the counseling notice at the time it was issued. (Tr. at 137-39).

II. ANALYSIS

A. Motion for Summary Disposition based on Absence of Right of Appeal

As a threshold matter, the Commission must determine whether Ms. McCormick has a right of appeal. Permanent employees may appeal discipline under Civil Service Rule II, Section 4.1. Under Civil Service Rules, counseling is not discipline. Ms. McCormick contends that the Notice of Counseling is a letter of reprimand. Civil Service Rule I, paragraph 43 defines a “letter of reprimand” as follows:

a letter of reprimand is an early step in a progressive disciplinary system. It points out job performance areas that need improvement. It may be used to support additional disciplinary steps and, as such, is kept in a centralized personnel file to be referred to as needed. This characteristic distinguishes it from other documentation, such as a documentation of oral counseling, which is not kept centrally.

In 2019, considering a motion for summary disposition, the Commission ruled that a counseling form was a letter of reprimand because it prevented an employee from being eligible for promotion for six months. *McCormick v. New Orleans Public Library*, No. 8821 (City of New Orleans Civil Service Comm’n 11/20/18). The Commission has also previously ruled that a written warning was a letter of reprimand when the letter contained the following statement: “Any additional violations of the employee conduct expectations outlined in pages 15-17 of the Staff Handbook (see attached) will be cause for immediate further disciplinary action.” *McCormick v. New Orleans Public Library*, No. 8821 (City of New Orleans Civil Service Comm’n 7/2/2020).¹ The Commission decided that this language was a part of the Appellant’s disciplinary record, relying on *Burkart v. New Orleans Police Dep’t*, 2001-1237 (La. App. 4 Cir. 2/13/02), 811 So. 2d 42, 43–44.

¹ nola.gov/getattachment/139745c6-f51c-45fc-97c9-f7c4632b6c9a/McCormick,-Zuri-8821/

The Fourth Circuit based its holding in *Burkart* that classified employees could appeal letters of reprimand on the permanent nature of the record: “[T]he letter of reprimand will remain as a permanent black mark in his personnel record and might be weighed against him when employment decisions were made affecting him in the future at a time when appellant would have no means of correcting the record.” *Burkart*, 811 So. 2d at 43–44.

In this case, Shannon Aymami, who issued the Notification of Counseling, testified that this document was not placed in Ms. McCormick’s personnel file, and that it only existed in electronic format in her email account at the time of the hearing. (Tr. at 118). Ms. Aymami also testified that she intended the counseling to be “a conversation between the two of them,” and that the counseling would have no impact on promotion. (Tr. at 125, 127). Ross Matthews, who maintains personnel files of New Orleans Public Library employees, also testified that the Notification of Counseling was not placed in Ms. McCormick’s personnel file. (Tr. at 129-30). Mr. Matthews testified that he received the Notification of Counseling via email from a manager, and that he intended to sign it. (Tr. at 133-35). Mr. Matthews testified that it is “standard” for Human Resources to sign a Notice of Counseling. (Tr. at 132).

Ms. McCormick was mistaken when she informed the Commission that a representative from Human Resources was present at the October 8, 2024, meeting, and no record evidence exists that Ms. McCormick was instructed to send the signed form to Human Resources.

Civil Service Rule II, Section 6.4 provides that “[i]f the Commission denies the request [for summary disposition] or refers it to the merits, it may later reconsider the request at any time prior to the final disposition of the appeal. Civil Service Rule II, Section 6.5 provides that the “Commission, on its own motion, may at any time summarily dispose of an appeal on any of the grounds listed in either Section 6.1 or Section 6.3 of this Rule.”

Therefore, the Commission grants summary disposition pursuant to Civil Service Rule II, Section 6.4 on the basis that Ms. McCormick has no legal right of appeal because she suffered no discipline. Civil Service Rule II, Section 6.1(b).

Therefore, Ms. McCormick's appeal is DISMISSED.

WRITER:

 Ruth Davis, Commissioner (Sep 30, 2025 14:26:42 CDT)

RUTH DAVIS, COMMISSIONER

CONCUR:

 John Korn, Vice-Chairperson (Oct 2, 2025 08:52:28 CDT)

JOHN KORN, VICE-CHAIRPERSON

DISSENT BY COMMISSIONER MONTEVERDE

I disagree with the majority's decision that the Notification of Counseling was not discipline. Ross Matthews, the Personnel Division Chief testified that a manager emailed the Notification of Counseling to him. (Tr. at 134). Mr. Matthews also testified that he intended to sign the Notification of Counseling, on which a signature line for Human Resources appeared. (Tr. at 133). Notably, Ms. Aymami testified she did not send the Notification of Counseling to anyone else or place the document in Ms. McCormick's personnel file, when asked to confirm these facts by the Hearing Officer. (Tr. at 120).

The notification to Human Resources of the counseling changes the character of the counseling to a letter of reprimand under Civil Service Rule I, paragraph 43. Contrary to Mr. Matthews' testimony, it should not be "standard" for Human Resources to sign a Notification of

Counseling. For low-level, informal corrective action to be characterized as a counseling, other supervisors in the organizational chart should not have access to the counseling, either directly or through Human Resources. When higher-ranking supervisors have access to the record of counseling, the counseling may be used to support “additional disciplinary steps.” In these circumstances, the counseling should be considered discipline, so that the affected employee may appeal the action before the Appointing Authority relies on the counseling for more severe disciplinary action.

I would rule that the Notification of Counseling was a letter of reprimand, but that the New Orleans Public Library had cause to discipline Ms. McCormick.



[Andrew Monteverde, Commissioner \(Oct 5, 2025 10:09:48 CDT\)](#)

ANDREW MONTEVERDE