

CIVIL SERVICE COMMISSION
REGULAR MONTHLY MEETING
Monday, July 29, 2019

The regular monthly meeting of the City Civil Service Commission was held on Monday, July 29, 2019 at 1300 Perdido Street, 1st floor City Council Chambers. Ms. Doddie Smith, Personnel Administrator of the Management Services Division, called the roll. Present were Chairperson Michelle Craig, Commissioner Clifton Moore, Jr. and Commissioner John Korn. Chairperson Craig convened the meeting at 10:10 a.m. At 10:56 a.m. on the motion of Commissioner Korn and the second of Commissioner Moore, the Commission voted unanimously to go into executive session.

At 11:33 a.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes from the May 31, 2019 and June 17, 2019 meetings. Commissioner Korn moved to approve the minutes. Commissioner Moore seconded the motion and it was approved unanimously.

Item #2 was a report on delegation of authority to the Sewerage and Water Board (S&WB). Brendan Greene, Executive Counsel for the Commission, reported that the first metric that the Commission approved in April was for Civil Service staff to have access to S&WB's Human Resources Information System. There have been numerous roadblocks to that access and access to the system is still pending. Mr. Greene stated that it was his understanding that the Civil Service staff will be trained on accessing the system tomorrow. The metrics also include an assessment as to whether the goals of the delegation have been met. This assessment is to be performed in September and October. Mr. Greene noted that it might be difficult for the Commission to make that assessment because there will be an extensive period of time where the staff will need to look at transactions in the system and determine if S&WB complied with the delegation manual. The timeline may not be feasible due to the delay in accessing the HRIS system.

Item #3 was a presentation on featured jobs with the City of New Orleans. This item was deferred until later in the meeting due to a technical issue.

Item #4 was the reconsideration of the Cooperative Endeavor Agreement (CEA) to consolidate 311 communications services under the Orleans Parish

Communications District (OPCD). Tyrell Morris, the Executive Director of OPCD, stated he had emailed some information to the Commission the previous night to be submitted for the record. He then stated that the consolidation of 311 has been a major success for the City of New Orleans. He stated that it was the opinion of the city and OPCD's General Counsel that the consolidation is lawful and it is being lawfully funded. He stated that they had provided some substantial evidence to that effect. He stated the Attorney General's opinion sought by the Commission is negligent in fact and that it failed to mention that 311 is the non-emergency number designated by the FCC.

Commissioner Moore then motioned for the Commission to withdraw its approval of the CEA to consolidate 311 communications services under the Orleans Parish Communications District. Commissioner Korn seconded the motion.

Juan Lizarraga, the General Counsel for OPCD, stated that he believes that the issue stemmed from the finding that the consolidation does not comport with the bounds of what the OPCD can do. Commissioner Craig stated that is a consideration and it is disconcerting. Mr. Lizarraga noted that they disagree with the Attorney General's opinion and noted that as an opinion it is not binding. He stated that the opinion has no legal basis. He further stated that in the original legislation there were provisions for a non-emergency number. Commissioner Craig then asked Mr. Lizarraga what was the difference between the first Attorney General opinion which found that the CEA for the consolidation of 911 with OPCD was permissible and this opinion which found that the consolidation with 311 was not. He responded that what they were asking for was different. Mr. Morris then stated that his office had not been engaged by the Civil Service staff to provide any information in this matter. If that had been done on the front end prior to the request for the opinion being made, we could have made sure that the request was clear. He stated that it was his understanding that the question being asked to the Attorney General was about fees and not about the consolidation. He asked that he be allowed to provide additional information to the Civil Service staff prior to the Commission making a decision regarding whether to withdraw its approval. He stated it would be a definitive decision and he was not sure that the Commission had all of the facts in front of it to make that decision. Commissioner Craig asked Mr. Morris if he was aware, at the time it was requested, that the Commission had requested an opinion from the Attorney General. Mr. Morris responded that he was in attendance at the Commission

meeting during which Personnel Director Lisa Hudson had requested permission from the Commission to seek the opinion, but that he was not aware of the details of that request. Commissioner Craig then asked when the opinion from the Attorney General had been received. Mr. Greene responded that it was received in May. Commissioner Craig asked Mr. Morris if they had reached out to the Attorney General at that time to ask for their own opinion or to provide additional information. She asked that if they believed that the details of the request were incorrect, why did they fail to make their own request. Discussion then followed regarding when staff was made aware of the consolidation. Commissioner Craig then stated that it was not incumbent on OPCD to provide enough information for the Commission to make its request to the Attorney General. The Commission had enough information to do so. She stated she was not going to allow the staff to be blamed in this matter because we have an AG opinion that says what it says. There was plenty of opportunity for OPCD to provide the Commission with additional information both prior to and after the issuance of the opinion.

Stephanie Hennings, representing the administration, asked for clarification regarding the specific reconsideration the Commission is looking at. Commissioner Moore responded that the motion is for the Commission to remove its approval of the CEA to consolidate 311 communications services under the Orleans Parish Communications District. Ms. Hennings then asked what effects that would have. Mr. Greene responded that there is a 2003 case that states that the Commission does not have the authority to stop the agreement. It would have to actively go into Civil District Court and seek an injunction.

The Commission then voted on the motion on the floor to rescind its approval. The motion was approved unanimously.

Item #5(a) under Classification and Compensation Matters was a request from Human Services for a title change and hiring rate amendment for the classifications of Adolescent Home Superintendent, Assistant and Adolescent Home Training Coordinator, and a title change for the Youth Study Center Maintenance Supervisor. Robert Hagmann, Personnel Administrator over the Classification and Compensation Division, noted that the purpose of the request is to change the job titles to better align them with the current focus on rehabilitation and behavioral change. The Youth Study Center has recently been renamed to the Juvenile Justice Center so the job titles will now reflect that change. The pay amendments are to address the recruitment and

retention problems the department is having with these positions. Commissioner Moore moved to approve the request. Commissioner Korn seconded the motion and it was approved unanimously.

Item #5(b) was a request from EMS for a 5% Special Rate of Pay for the Field Lieutenant Assignment. Mr. Hagmann stated that this compensation would be for those paramedics who assist in the supervision and training of EMS field personnel on an assigned shift. Commissioner Korn moved to approve the request. Commissioner Moore seconded the motion and it was approved unanimously.

Item #5(c) was a request from the Fire Department for the creation of a new classification of 911 Liaison Officer. Robert Hagmann stated that the range of this position would be \$36,119 to \$59,366 with a hiring rate of \$39,893. These positions would act as intermediaries between OPCD and the department. At this time the position is limited to Fire, but in the future Police and EMS may have people who act in a similar capacity so this classification may be used for those purposes. There would be four or five of these positions to ensure it is manned around the clock. Timothy McConnell, Superintendent of Fire, confirmed that it would initially be four positions that would work the same shifts as the personnel at OPCD. Commissioner Craig moved to approve the request. Commissioner Korn seconded the motion and it was approved unanimously.

Item #5(d) was a request to create an Internal Audit series for the Chief Administrative Office. Robert Hagmann stated that staff is recommending the restoration of the former audit unit previously used by the city. Staff is recommending four new classifications for this job series. The series parallels the analyst series. The positions are: Internal Audit Assistant at pay grade 69, with a hiring rate of \$46,306; Internal Auditor at pay grade 75, with a hiring rate of \$53,750; Senior Internal Auditor at pay grade 77, with a hiring rate of \$56,488; and Internal Auditor Supervisor at pay grade 88, with a hiring rate of \$68,909. All positions are exempt from overtime except the entry level position. Commissioner Moore moved to approve the request. Commissioner Korn seconded the motion and it was approved unanimously.

Item #5(e) was a request from Sonji Skipper, Utility Services Manager, to Appeal Civil Service Extraordinary Qualifications Pay Determination. This item was deferred.

Item #5(f) was a request from Roeling Byrnes to address the Civil Service Commission regarding staff findings relative to his job study results. Mr. Hagmann stated that in February, the Commission had denied Mr. Byrnes' request for a retroactive adjustment and requested that the staff conduct a job study on his Financial Systems Administrator position. Mr. Hagmann noted that since the Commission had already denied Mr. Byrnes' previous request, today's discussion would be limited to the results of the job study. Mr. Hagmann then stated that through the job study, staff found that the position is consistent with the current job specification. Staff did not note any changes to the position. Staff also noted that the current pay grade assigned to the position gives adequate recognition to Mr. Byrnes' assigned duties.

Mr. Byrnes stated that he did not agree with the results of the job study. He stated that his concern was not relative to his job duties but was in relation to the hiring rates previously received by other positions in the Finance Department. He noted he had provided a chart to the Commission regarding the salary levels of these positions. Director Hudson informed the Commissioners that this item has already been decided by the Commission and that Mr. Byrnes is asking the Commission to re-litigate something that has already been addressed. Mr. Hagmann then provided additional history regarding this matter. Commissioner Craig stated that the Commission is limited in what it can do at this time. She noted that the Commission understood the arguments before it but that they were essentially the same arguments as presented before. Commissioner Moore stated that Mr. Byrnes has done a good job of presenting his case but it would cause a cascading effect that would lead us into other issues. Commissioner Korn moved to accept the results of the job study. Commissioner Moore seconded the motion and it was approved unanimously.

Item #5(g) was a request for the creation of a new classification of Senior Legislative Services Specialist for the New Orleans City Council. Mr. Hagmann stated that this would be a promotional job class at pay grade 61 with a \$34,369 hiring rate. This position expands the career track and it is at the same level as Project Office Support Specialist. Commissioner Moore moved to approve the request. Commissioner Korn seconded the motion and it was approved unanimously.

The Commission then returned to Item #3 a presentation on featured jobs with the City of New Orleans. Shelly Stolp, Personnel Administrator over the

Recruitment and Selection Division, provided information on vacancies for Police Technical Supervisor (Real Time Crime Center), Senior Plumber, and Maintenance Electrician.

Item #6(a) under Recruitment and Selection Matters was the approval of examination announcements. Commissioner Korn moved to approve examination announcements 10155-10178. The motion was seconded by Commissioner Moore and approved unanimously.

Item #7(a) under Rule Amendments was the introduction of a new rule relative to Equity Adjustments. Director Hudson stated that staff is proposing this rule change to address pay inequities or compression that may result from pay plan amendments or application of the extraordinary qualifications rule. This Rule will limit the need for the Commission to make one time exceptions. Mr. Hagmann noted that the employee or appointing authority may request a pay equity adjustment to deal with internal salary inequities or compression or to correct aberrations in pay administration. Proof will need to be provided and there must be a specific inequity situation. Requests require the approval of the Personnel Director. An adjustment at or under 5% will be reported to Commission. Adjustments over 5% will be required to be approved by the Commission. Mr. Hagmann then provided a definition of pay equity.

Item #8 was the ratification of Public Integrity Bureau (PIB) 60 Day Extension Requests. Commissioner Craig called for public comment. There being none, Commissioner Moore motioned for approval of the extensions. The motion was seconded by Commissioner Korn and approved unanimously.

Item #9(a) under Communications was the Personnel Director's report. Director Hudson stated staff was starting a new monthly initiative called HIRE. Staff will begin hosting monthly meetings with Human Resources staff in the departments to increase the efficiency and effectiveness of recruitment and selection processes by bridging the gap between staff and the departments. The HIRE initiative will help to identify departmental hiring needs, discuss hurdles in hiring and solicit input on training topics on which Human Resources managers would like additional information. The purpose is to work collaboratively on improving processes and practices to achieve workforce goals.

Director Hudson then reported that staff has submitted its proposed 2020 budget. The budget submitted is a standstill budget with no enhancements at

this time, but staff expects to be asked for budget requests relative to new initiatives at a later date. Regarding staffing, Director Hudson noted a couple of resignations in the last few of months. She also noted that two staff members had obtained SHRM certifications.

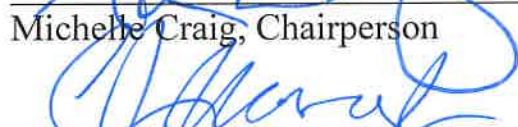
Item #9(b) was a report on ADP ongoing issues. Robert Hagmann stated that the delayed direct deposits in July were due to an issue on ADP's end.

Commissioner Craig noted that it was Brendan Greene's last meeting and thanked him for his work.

Commissioner Moore motioned for adjournment at 12:47 p.m. The motion was seconded by Commissioner Korn and approved unanimously.



Michelle Craig, Chairperson



Clifton Moore Jr., Vice-Chairperson



John Korn, Commissioner