

CIVIL SERVICE COMMISSION
REGULAR MONTHLY MEETING
WEDNESDAY, MAY 14, 2014

The regular monthly meeting of the City Civil Service Commission was held on Wednesday, May 14, 2014 at 1340 Poydras Street, Suite 964. Present were Chairman Kevin W. Wildes, S.J. and Commissioners Joseph S. Clark, Michelle D. Craig and Edward P. Cohn. Commissioner Ronald P. McClain was absent. The Chairman convened the meeting at 9:06 a.m. Ms. Erica Beck, Executive Counsel to the Mayor, addressed the Commission informing them that the mayor issued an executive order (MLJ 10-05) that governs the procurement process for all contracts except those that are City Council contracts under the charter. She asked that the Commission and Civil Service Department work with the administration to come up with a set of procedures that would bring the Commission's rules in compliance with the mayor's executive order. Director Hudson explained that the Request for Proposal (RFP) that was put out for the Commission's attorney was based on the Commission's rules that have been in place since 2001 and not on the mayor's executive order. Ms. Beck informed the Commission that the administration did not want to hinder the Commission from proceeding with making a selection at this time. She again asked that the Commission work with the administration to come up with a process that would be in compliance with the mayor's executive order and then, either at the end of the year or some other reasonable time, revisit the selection using the new process. Mr. Claude Schlesinger, representing the Fraternal Order of Police (FOP), addressed the Commission by asking that they remain independent in this selection and in deciding issues that are brought before them. He further asked the Commission to take the mayor out of the process and select its own attorney using the Commission's own process. Mr. Donovan Livaccari, representing FOP, also addressed the Commission emphasizing the importance of the Commission maintaining its independence from the administration. Mr. Lloyd Richards also addressed the Commission on the matter.

On motion of Chairman Wildes and seconded by Commissioner Craig, the Commission voted unanimously to go into executive session at 9:25 a.m. to discuss the RFP selection process. At 9:38 a.m., the Chairman reconvened the meeting and resumed with the selection process. The Commission addressed each respondent and filled out evaluation forms on each of them. At 10:10 a.m., on motion of Chairman Wildes and seconded by Commissioner Cohn, the

Commission voted unanimously to end the selection process. Chairman Wildes left the meeting at 10:15 a.m. The Commission then reconvened the meeting at 10:19 a.m. and proceeded by sounding the Commission's docket. At 11:20 a.m., on motion of Commissioner Craig and seconded by Commissioner Clark, the Commission voted unanimously to go into executive session to discuss matters taken under advisement and pending litigation. At 11:47 a.m., the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 on the agenda was the approval of the minutes of both the April 21, 2014 regular meeting and the April 28, 2014 special meeting. The minutes were approved unanimously on motion of Commissioner Clark and seconded by Commissioner Craig.

Item #2 on the agenda was a report of the Selection Committee. Director Hudson announced that the Selection Review Committee met to discuss seven proposals that were submitted in response to the Request for Proposal (RFP) for special counsel. She announced that the Commission's rules require the Selection Review Committee to submit the top three names for the Commission to review and select as special counsel to the Commission. She stated that four candidates would be considered because there was a tie score for third place. She then announced the top four candidates. The candidate with the highest score was Mr. Gilbert R. Buras, Jr., followed by Sher Garner Cahill Richter Klein and Hilbert, LLC. Barry and Co., LLC and the Law Office of Alexandra Mora were tied with the third highest scores. On motion of Commissioner Clark and seconded by Commissioner Craig, Mr. Gilbert Buras was unanimously selected as the Commission's counsel.

Item #3 on the agenda was Classification and Compensation matters. Item #3(a) was the Civil Service staff report on ICOs within the Police Department. Director Hudson reminded the Commission that this matter was taken under advisement at the last Commission meeting. She explained that the matter was still under consideration pending the Commission securing an attorney to advise them on the matter. On motion of Commissioner Clark and seconded by Commissioner Craig, the motion to defer the matter was approved unanimously.

Item #3(b) was a request for back pay related to Hurricane Katrina from Mr. Robert Gebrian. Staff received a call from Mr. Gebrian stating that he was

unable to attend the meeting and asked that the matter be deferred. With no objections, the matter was deferred to the next Commission meeting.

Item #3(c) was a request from the New Orleans Public Library (NOPL) for retroactive temporary pay for Mr. Rodney Smith. Since no one was present from the Library to address the matter, Commissioner Clark moved to defer the matter to the next meeting. On second of Commissioner Cohn, the Commission voted unanimously to defer to the next meeting.

Item #4 on the agenda was Recruitment and Selection Matters. Item #4(a) was examination announcements #8928 through #8933. On motion of Commissioner Cohn and seconded by Commissioner Clark, the announcements were approved unanimously.

Item #5 on the agenda was the Ratification of Public Integrity Bureau (PIB) 60 Day Extension Requests. The Hearing Officer's recommendations on these requests were approved unanimously on motion of Commissioner Cohn and seconded by Commissioner Craig.

Item #6 on the agenda was Communications. Item #6(a) was an update on the status of establishing a Citywide Compensatory Time Policy. Mr. Robert Hagmann, Personnel Administrator, addressed the Commission. He informed the Commission that staff was scheduled to meet with the administration on the next day to discuss possible rule amendments. He also informed them that staff would present different options relative to a compensatory time policy at the next Commission meeting.

Item #6(b) was an update on the status of Fire Fighters Association's request regarding New Orleans Fire Department employees working out of class. Mr. Hagmann informed the Commission that the Fire Department was having some technical difficulty in supplying staff with the requested information. He explained that Chief McConnell assured him that the Fire Department was working on the request and that he expects to have the information to submit to staff very soon. Mr. Terrell Hampton, Secretary-Treasurer of the New Orleans Fire Fighters Association Local 632, expressed that the Chief is in full support of the pay and asked to move forward with paying the employees for working out of class. Director Hudson explained that in order to grant the pay, staff would need information on who was working out of class and when they began working out of class. After further discussion on the matter, Commissioner Craig moved to

request that Chief McConnell submit the requested information to staff within the next fourteen days. With no objection, the motion was approved unanimously.

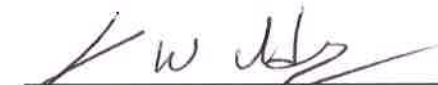
Item #6(c) was an investigation of Fire Department pay practices as it relates to Holiday Pay and Leave Accrual. Mr. Hagmann informed the Commission that this matter would also be discussed at staff's meeting with the administration. He expressed that staff would soon have some rule options to present to the Commission.

Item #6(d) was a report on ADP Implementation. Ms. Shelly Stolp, Personnel Administrator of Classification and Compensation, informed the Commission that staff is continuing to work on the ADP implementation and that there are still a lot of issues that need to be worked out.

Director Hudson stated that there was a card submitted by Ms. Alexandra Norton, Service and Innovation Manager, to add a new item to the agenda regarding police referral pay. Commissioner Cohn moved to add the item to the agenda. The motion was seconded by Commissioner Craig and approved unanimously. Ms. Norton then addressed the Commission by requesting that the Commission consider approval of the referral pay plan amendment for the recruitment of New Orleans Police Department officers on the condition that the city receives a favorable opinion from the Attorney General's office. She explained that the administration had submitted a request to the Attorney General's office and would try to expedite the Attorney General's opinion. She explained that pay would not go into effect until a favorable opinion was rendered by the Attorney General. Mr. Donovan Livaccari, representing the Fraternal Order of Police (FOP), stated that he did not have a formal opinion on the matter since it was not placed on the agenda. He expressed that, in general, he was not opposed to officers having the opportunity to receive extra pay and agreed that officers would be some of the best advertisement for the department. However, he expressed some concern with the Police Superintendent being in control of turning this pay off and on as he saw fit. Ms. Norton explained that the administration would prefer that the Superintendent make that decision since he would be the one to determine if the department was having a recruitment problem and he would also be the one to determine if the funds were available to support the referral pay. After some discussion on who would be eligible to receive the referral pay, Commissioner Cohn moved to support the administration and approve the pay plan amendment regarding referral pay for


the New Orleans Police Department. The motion was seconded by Commissioner Craig and approved unanimously.

With no other communications to consider, on motion of Commissioner Craig and seconded by Commissioner Clark, the Commission voted unanimously to adjourn the meeting at 12:45 p.m.



Kevin W. Wildes, S.J., Chairman

Joseph S. Clark, Commissioner

Michelle D. Craig, Commissioner

Edward Paul Cohn, Commissioner