



CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE
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CITY CIVIL SERVICE COMMISSION

BRITTNEY RICHARDSON,
CHAIRPERSON
CLIFTON J. MOORE, JR, VICE-
CHAIRPERSON
JOHN KORN
MARK SURPRENANT
RUTH WHITE DAVIS

AMY TREPAGNIER
DIRECTOR OF PERSONNEL

Monday, May 3, 2021

Ms. Chandra Teddleton

Re: **Chandra Teddleton VS.
Department of Health
Docket Number: 8993**

Dear Ms. Teddleton:

Attached is the decision of the City Civil Service Commission in the matter of your 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 - 5/3/2021 - filed in the Office of the Civil Service Commission at 1340 Poydras St. Suite 900, Amoco Building, New Orleans, Louisiana.

If you choose to appeal this decision, 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 "Stacie Joseph".

Stacie Joseph
Management Services Division

cc: Jennifer Avegno
Eraka Williams Delarge
Jay Ginsberg
file

**CIVIL SERVICE COMMISSION
CITY OF NEW ORLEANS**

CHANDRA TEDDLETON
Appellant

v.

Docket No. 8993

DEPARTMENT OF HEALTH
Appointing Authority

DECISION

Appellant, Chandra Teddleton, brings this appeal pursuant to Article X, § 8(A) of the Louisiana Constitution and this Commission's Rule II, § 4.1 seeking relief from a five-day suspension by letter beginning February 15, 2019. (Ex. HE-1) At the time of the suspension, Appellant was employed as a Health Project and Planning Senior Analyst (FitNOLA Coordinator) and had permanent status as a classified employee. A Hearing Examiner, appointed by the Commission, presided over a hearing held on May 20, 2019. At this hearing, both parties had an opportunity to call witnesses and present evidence. The Hearing Examiner provided the Commission with his advisory report dated October 23, 2019.

The undersigned Commissioners have reviewed and analyzed the entire record in this matter, including the transcript from the May 20, 2019, hearing, all exhibits submitted at the hearing, the Hearing Examiner's October 23, 2019, report, and controlling Louisiana law. For the reasons set forth below, we DENY the appeal.

I. ANALYSIS

It is well-settled that, in an appeal before the Commission pursuant to Article X, § 8(A) of the Louisiana Constitution, the appointing authority has the burden of proving by a preponderance of the evidence: 1) the occurrence of the complained of activity, and 2) that the conduct complained of impaired the efficiency of the public service in which the appointing authority is engaged. *Gast*

v. Dep't of Police, 2013-0781 (La. App. 4 Cir. 3/13/14), 137 So. 3d 731, 733 (quoting *Cure v. Dep't of Police*, 2007-0166 (La. App. 4 Cir. 8/1/07), 964 So. 2d 1093, 1094). The Commission has a duty to decide independently from the facts presented in the record whether the appointing authority carried its legally imposed burden of proving by a preponderance of evidence that it had good or lawful cause for suspending the classified employee and, if so, whether such discipline was commensurate with the dereliction. *Abbott v. New Orleans Police Dep't*, 2014-0993 (La. App. 4 Cir. 2/11/15); 165 So.3d 191, 197; *Walters v. Dept. of Police of the City of New Orleans*, 454 So. 2d 106 (La. 1984).

The Appellant was suspended for five days, effective as of February 15, 2019, as set forth in the February 14, 2019 letter sent to the Appellant from Dr. Jennifer Avengo, Director of the City of New Orleans Health Department. (Ex. HE-1).

As Dr. Avengo testified at the May 20, 2019 hearing, Mayor Cantrell wanted to merge, as of February 13, 2019, all social media platforms within the City Health Department into one platform to provide consistency for the public, and the Mayor wanted all applicable passwords and usernames from the Appellant (the FitNOLA Coordinator) and others needed for this merger by February 6, 2013 at the latest. (Tr. at 176-177). Despite repeated requests from various co-employees, the Appellant continued to fail to provide the requested information until 4:19 pm on February 13, 2019. This caused the Mayor to have to delay the planned for February 13, 2019 merger. (Tr. at 179-181, 183, 186-187).

At the May 20, 2019, hearing, the Appellant admitted that she had all of the requested information available to meet the February 6, 2019 deadline, but failed to provide the passwords and usernames timely for a variety of reasons, including her position that her supervisor already had that same requested information as of May 2019. (Tr. at 105-110, 122). The undersigned

Commissioners have reviewed the Appellant's testimony as to why she did not provide the requested information by the February 6, 2019 deadline and simply do not consider her claimed defense justifiable at all.

In addition to the above, on the FitNOLA website, according to Dr. Avengo, the Appellant provided inappropriate graphics indicating that the FitNOLA platform was going to be "moved" as opposed to being "merged." As Dr. Avengo testified, this messaging by the Appellant was wrong and created confusion for the public in that the FitNOLA platform was not being moved, but merged. (Tr. at 187-188).

The undersigned Commissioners find that the Appointing Authority has proved by a preponderance of the evidence : 1) the occurrence of the complained of conduct as set forth in Ex. HE-1; 2) the proven complained of conduct impaired the efficiency of the City of New Orleans and its health department; and 3) the discipline (five day suspension) was appropriate and commensurate given the infractions committed by the Appellant. Therefore, the Appellant's appeal is DENIED.

This the 3rd day of May, 2021

WRITER:

Mark C. Surprenant
Mark C. Surprenant (Apr 22, 2021 15:15 CDT)

MARK SURPRENANT, COMMISSIONER

CONCUR:

J H Korn
J H Korn (Apr 23, 2021 21:30 CDT)

JOHN KORN, COMMISSIONER

CJ Moore
CJ Moore (Apr 30, 2021 16:40 CDT)

CLIFTON J. MOORE, JR., VICE-CHAIRPERSON