



# CITY OF NEW ORLEANS

DEPARTMENT OF CITY CIVIL SERVICE  
SUITE 900 – 1340 POYDRAS ST.  
NEW ORLEANS LA 70112  
(504) 658-3500 FAX NO. (504) 658-3598

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, March 22, 2021

Mr. Geoffrey Alston

Re: **Geoffrey Alston VS.  
Department of Property Management  
Docket Number: 9088**

Dear Mr. Alston:

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 - 3/22/2021 - 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: Martha Griset  
Erica A. Therio  
Jay Ginsberg  
file

**CIVIL SERVICE COMMISSION  
CITY OF NEW ORLEANS**

---

GEOFFREY ALSTON,  
Appellant

vs.

DOCKET NO. 9088

DEPARTMENT OF PROPERTY MANAGEMENT,  
Appointing Authority

---

**I. INTRODUCTION**

Appellant, Geoffrey Alston, (hereinafter “Appellant”), brings the instant appeal pursuant to Article X, §8(A) of the Louisiana Constitution and this Commission's Rule II, §4.1, asking this Commission to find that the Department of Property Management did not have sufficient cause to issue a letter of reprimand on September 9, 2019. At all times relevant to the instant appeal, Appellant served as a Cost Estimator Specialist at the Department of Property Management (“Appointing Authority”) and has permanent status as a classified employee. (Tr. at 6

A Hearing Examiner, appointed by the Commission, presided over a hearing on November 26, 2019, during which both Parties had an opportunity to call witnesses and present evidence. The Hearing Examiner prepared a report and recommendation based upon the testimony and evidence in the record, which is advisory in nature. The undersigned Commissioners have reviewed the transcripts and exhibits from this hearing, and the Hearing Examiner’s report. Based upon our review, we DENY the appeal and render the

following judgment.

## II. ANALYSIS

### A. Legal Standard

An employee who has gained permanent status in the classified city civil service cannot be subjected to disciplinary action by his employer except for cause expressed in writing. La. Const. Art. X, sect. 8(A); *Walters v. Department of Police of New Orleans*, 454 So. 2d 106 (La. 1984). The employee may appeal from such a disciplinary action to the city civil service commission. The burden on appeal, as to the factual basis for the disciplinary action, is on the appointing authority. *Id.*; *Goins v. Department of Police*, 570 So 2d 93 (La. App. 4th Cir. 1990).

The Civil Service Commission has a duty to decide independently, from the facts presented, whether the appointing authority has good or lawful cause for taking disciplinary action and, if so, whether the punishment imposed is commensurate with the dereliction. *Walters, v. Department of Police of New Orleans, supra*. Legal cause exists whenever the employee's conduct impairs the efficiency of the public service in which the employee is engaged. *Cittadino v. Department of Police*, 558 So. 2d 1311 (La. App. 4th Cir. 1990). The appointing authority has the burden of proving by a preponderance of the evidence that the complained of activity occurred and that the conduct complained of impaired the efficiency of the public service. *Id.* The appointing authority must also prove the actions complained of bear a real and substantial relationship to the efficient operation of the public service. *Id.* While these facts must be clearly established, they need not be established beyond a reasonable doubt. *Id.*

The Department of Property Management reprimanded Appellant for deleting two cost proposals in the computerized system, resulting in a cost proposal submitted to his superiors that was non-compliant and more expensive. (Ex. HE-1). The appellant admitted that he made the

deletions either because the records were cluttered (Tr. at 40) or inadvertently regarding a supervisor's notes (Tr. at 36). There was no ill motive attached to any of his actions. However, he acted improperly in making the deletions and his discipline (letter of reprimand) was appropriate given all the circumstances.

Therefore, the appeal is DENIED.

Judgment rendered this 22<sup>nd</sup> day of March, 2021.

CITY OF NEW ORLEANS CIVIL SERVICE COMMISSION

WRITER:

Mark C. Surprenant  
Mark C. Surprenant (Mar 12, 2021 10:20 CST)

MARK SURPRENANT, COMMISSIONER

CONCUR:

Brittney Richardson  
Brittney Richardson (Mar 12, 2021 15:36 CST)

BRITNEY RICHARDSON, CHAIRPERSON

RWD

Ruth Davis (Mar 15, 2021 09:30 CDT)

RUTH WHITE DAVIS, COMMISSIONER