

CIVIL SERVICE COMMISSION
REGULAR MONTHLY MEETING
FRIDAY, NOVEMBER 8, 2024

The regular monthly meeting of the City Civil Service Commission was held on Friday, November 8, 2024, in the City Council Chambers, 1300 Perdido Street, New Orleans, LA 70112. Ms. Doddie Smith, Personnel Administrator of the Management Services Division called the roll. Present were Vice-Chairperson John Korn, Commissioner Mark Surprenant, and Commissioner Andrew Monteverde. Commissioner Korn convened the meeting at 10:02 a.m. The Commission then proceeded with the docket. At 10:20 a.m. on the motion of Commissioner Monteverde and the second of Commissioner Surprenant, the Commission voted unanimously to go into executive session.

At 10:32 a.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes for October 11, 2024. Commissioner Monteverde moved to approve the minutes. Commissioner Korn seconded the motion, and it was approved unanimously.

Item #2 was the ratification of Public Integrity Bureau (PIB) extension requests. Commissioner Surprenant moved to approve the extension requests. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #3a under Rule Amendments was a proposed amendment to Section 1 A and C of the Civil Service Commission's Procedures for the Conduct of Business Meetings. Amy Trepagnier, Personnel Director of the Civil Service Department, stated that the proposed amendment was introduced at the last Commission meeting. The amendment will update the Commission's procedures to be consistent with the Commission's current address and practices. Commissioner Monteverde moved to approve the proposed amendment. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4a under Classification and Compensation Matters was a request from the Juvenile Justice Intervention Center for hiring rates for the Juvenile Detention Counselor job series, Food Services Worker job series, Juvenile Reentry Support Specialist, and Juvenile Justice Center Maintenance Superintendent classifications. Robert Hagmann, Personnel Administrator of the Classification and Compensation

Division, stated that the hiring rate adjustment for the classifications is meant to help with recruitment and retention of staff in those positions. Director Trepagnier stated that staff was pleased to see budgetary support for these increases because it recognizes the difficulty of performing this work. Director Trepagnier added that Mr. Hagmann has structured the increases to be greater as an employee moves into higher-level classifications within a series. This is intended to reward employees, who are retained and promoted by the department, with larger pay increases. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4b was a request from the Juvenile Justice Intervention Center to create the new classifications of Juvenile Reentry Support Specialist (Lead) and Juvenile Reentry Support Supervisor. Mr. Hagmann stated that the JJIC had received a grant to expand this program. The Reentry Support classifications have the responsibility of working with the youth who are in the center and helping them transition back into the community. The two new classifications would extend the current Reentry Support Specialist series, introducing a lead position and a supervisor position. Commissioner Korn inquired about the plan for the positions if the grant expired. Director Trepagnier answered that, based on the success of the positions and program, the City might incorporate the funding into the general fund budget or lay off the positions. Mr. Hagmann added that the grant is expected to be long-term. Commissioner Monteverde moved to approve the request. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4c was a request from the Chief Administrative Office for a new Grants job series. Mr. Hagmann stated that the purpose of this new series is to centralize the City's Grant Management Program. Currently, several departments perform work funded by grants. This job series would create a centralized grant department within the Chief Administrative Office, responsible for writing grants, managing grants received, and ensuring departmental compliance with grant objectives. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4d was a request from the Library to create the new classification of Library Facilities Administrator. Mr. Hagmann stated that this would be an executive position that would be responsible for not only the infrastructure of the library, but the management of its day-to-day facilities and operations. Commissioner

Surprenant moved to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4e was a request from the Fire Department for a new Special Rate of Pay for emergency medical certifications for members assigned to the Airport. Commissioner Monteverde recused himself from this item. With only two remaining Commissioners, the item was deferred to the next Commission meeting.

Item #4f was a request for hiring rates for classifications impacted by the upcoming increase to the minimum weekly compensation threshold for exempt positions under the Fair Labor Standards Act. Mr. Hagmann stated that the Department of Labor is changing the salary threshold for exempt employees, raising it to \$58,652 annually. Employers will have two options: provide a salary increase to maintain FLSA exempt status or reclassify the classifications as non-exempt and pay overtime for employees who fall below the new threshold. Staff is recommending a combination of both: implementing a salary increase to maintain FLSA exempt status for occupied classifications and changing the FLSA status of classifications with no current incumbents from exempt to non-exempt. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #5 under Recruitment and Selection Matters was a request for the approval of examination announcements. Commissioner Monteverde moved to approve examination announcements 11182-11195. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #6 was a petition by the Police Association of New Orleans and the Black Organization of Police for Injunction, Investigation, and Evidentiary hearing into the NOPD Captains' and Majors' promotional policy and testing. Eric Hessler approached the Commission on behalf of the Police Association of New Orleans (PANO). He stated that in late 2023, the New Orleans Police Department (NOPD) asked the Commission and the City of New Orleans to design, implement, and activate a promotional test for the classified positions of Police Captain and Police Major. Tests were formulated and financed by the City, and in July 2024, examinations were held for eligible candidates. On September 23, 2024, the eligibility lists were published, with 22 candidates selected for the Police Captain's list and 11 candidates for the Police Major's list.

On September 25, 2024, the City rescinded the Chief Administrative Office's Policy Memorandum 143 (R), which was a part of the A Great Place to Work initiative and

allowed the City to take over some testing responsibilities from the Civil Service Department. On October 2, 2024, NOPD Superintendent Anne Kirkpatrick, informed candidates from the Captain and Major eligibility lists that there would be no promotions made from those lists due to “perceived unfairness in the testing procedures.” Candidates were not provided with additional information. The following day, Chief Kirkpatrick clarified that the orders to allow the eligibility lists to expire without promotions came directly from Mayor Latoya Cantrell.

Mr. Hessler explained that there have been anonymous allegations of bias and improprieties in the examination procedures, but no supportive evidence has been presented. He stated that Mayor Cantrell’s actions should be classified as political interference and discrimination, and requested the Commission to conduct an investigation and issue an injunction until the investigation is completed.

Commissioner Surprenant asked Mr. Hessler to address one of the principal arguments the City made in their opposition memorandum, which states that an investigation at this time would be premature. Mr. Hessler answered that the argument of prematurity is inaccurate, as the violation of political interference had already occurred when Mayor Cantrell decided that no one would be promoted from either list until the alleged violations were addressed.

Commissioner Surprenant noted that the Civil Service Rules allow for the Personnel Director to extend an eligibility list up to three years. He asked Mr. Hessler how such an extension would impact the petition filed and relief he was seeking. Mr. Hessler replied that an investigation must be conducted under any circumstances, but that there would be impact on the injunctive relief.

Lieutenant Anthony Bakewell, President of the Black Organization of Police, stated that an extension to the expiration of the eligibility list to avoid punishing current eligible candidates, would be punitive to future officers seeking to take the test in the future, as they would have to wait for longer for the list to expire before having the opportunity to test.

Commissioner Monteverde asked what use there would be in extending the eligibility list if there is no intention of promoting anyone from it. Mr. Hessler stated that the individuals on the list are striving to better themselves and the police department. He argued that deactivating the two promotional lists will further erode departmental morale and cause officers to seek employment elsewhere.

Captain Glasser noted that dissatisfaction with the promotional system has significantly impacted officers' ability and desire to stay with the department, hampering efforts to retain personnel.

Deputy City Attorney William Goforth explained that promotions from the lists have not occurred because there are currently no available positions. He stated that the CAO policy governing promotions to classified, non-civilian positions were rescinded to allow each department to develop policies specific to their needs. He clarified that the City has not violated any Civil Service Rule or Constitutional provisions, as there are no requirements to promote from an eligibility list. Mr. Goforth added that the City has only paused promotions to investigate concerns raised about potential issues during the examination and evaluation period.

Commissioner Korn asked if there was a timeframe for the evaluation to occur. Mr. Goforth responded that the situation was still developing and that he could not provide an exact timeframe. He suggested that, should the Commission decide to investigate the allegations made in PANO's petition, a clear and defined scope of the investigation should be presented so that the City can prepare the necessary information to address the specific potential violations.

Rebecca Gubert, an NOPD officer and member of PANO, addressed the Commission, stating that she and other employees who participated in the examination invested significant time and money to prepare for the exams. She expressed that it was unfair that she and her colleagues have not been afforded due process due to the unilateral decision that no promotions would be made using the eligibility lists.

Commissioner Surprenant moved to grant PANO and BOP's October 22, 2024 petition for investigation into whether the Department of Police's decision not to promote eligible candidates from the July 16, 2024 eligible lists for Police Captain and Police Major violated Article X of the Louisiana Constitution and/or Civil Service Rules, and that an evidentiary hearing be scheduled for January 10, 2025 at 1:30 p.m. before a panel of Commissioners. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Commissioner Surprenant moved to deny PANO and BOP's request for an injunction. Commissioner Korn seconded the motion and Commissioner Monteverde dissented from the motion. The motion was approved.

Commissioner Surprenant moved to defer any relief to candidates on the July 16, 2024 Civil Service eligible lists, pending the investigation to be conducted by the Commission. Commissioner Korn seconded the motion and Commissioner Monteverde dissented from the motion. The motion was approved.

Item #7 was a request from Mubashir Maqbool for retroactive application of Rule IV Section 2.7 Extraordinary or Superior Qualifications Pay. Director Trepagnier stated that the Commission had previously considered this item and had instructed Mr. Maqbool to provide documentation from the relevant period of Sewerage and Water Board's intent to request this pay. Director Trepagnier stated that Mr. Maqbool had recently contacted the Civil Service Department to inform them that he was unable to find the requested documents needed to validate a retroactive application of Rule IV Section 2.7. Commissioner Monteverde moved to deny the request. The motion was seconded by Commissioner Surprenant and approved unanimously.

There being no additional business to consider, Commissioner Surprenant moved for adjournment at 11:38 a.m. The motion was seconded by Commissioner Monteverde, and it was approved unanimously.



John Korn, Vice-Chairperson

Mark Surprenant

[Mark Surprenant \(Dec 17, 2024 11:23 CST\)](#)

Mark Surprenant, Commissioner



[Andrew Monteverde \(Dec 17, 2024 12:49 C ST\)](#)

Andrew Monteverde, Commissioner