

CIVIL SERVICE COMMISSION  
REGULAR MONTHLY MEETING  
Monday, November 21, 2016

The regular monthly meeting of the City Civil Service Commission was held on Monday, November 21, 2016 at 1340 Poydras Street, Suite 964. Ms. Doddie Smith, Personnel Administrator of the Management Services Division, called the roll. Present were Chairperson Michelle D. Craig, Vice-Chairperson Ronald P. McClain, and Commissioner Tania Tetlow representing a quorum. Chairperson Craig convened the meeting at 10:11 a.m. The Commission then proceeded by sounding the Commission's docket. At 11:03 a.m. on motion of Commissioner Tetlow and second of Vice-Chairperson McClain, the Commission voted unanimously to go into executive session.

At 11:50 a.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes from the October 24, 2016 meeting. Commissioner Tetlow moved to approve the minutes. Commissioner McClain 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 Civil Service Commission, reported that delegation training for two S&WB employees will be complete next week, but staff will continue to work with the individuals to address any issues as they arise. He also noted that one of the trained individuals will be transferring to Civil Service and will be assigned to S&WB items. This is part of S&WB's partnership with Civil Service to commit to funding an additional vacancy in Civil Service.

Mr. Greene went on to state that currently, there are 26 active registers for classifications delegated to S&WB. Eight additional classifications are open to applications, but there isn't anyone on the eligible lists at this time. He said Civil Service will continue to meet with S&WB on a monthly basis. He also reported that on Nov 10<sup>th</sup> S&WB provided staff with training on its new payroll system which will go live on December 5<sup>th</sup>. S&WB will provide staff with read only access to the new system. There are some bugs with the read only access that are being worked out.

Item #3 was a proposed amendment to Rule II to create a new section 8.4: Refusal to Testify; False Testimony. Brendan Greene stated that when the Great Place to Work Initiative rules were adopted, the definition of law was changed to remove the revised statutes. Rule 1 number 38 formerly referenced RS 33:2391 which had language regarding what happened when a party failed to comply with a Commission order. The proposed rule pertains to parties not complying with orders, or subpoenas, or directions from hearing officers or the Commission. A draft rule is being submitted today for the purpose of public comment.

Alexandra Norton, representing the Administration, stated that the City would like time to review the proposed rule.

Item #4 was a proposed amendment to Rule VII on Working Tests to change the probationary period from six months to one year for all probationary appointments. Personnel Director Lisa Hudson stated that this amendment is being introduced to create an efficiency and to recognize what is currently being done by many departments by virtue of the job announcement. The proposal removes the language that states the default working test period is six months in duration. Staff is proposing a one year period with no extension. The rule is being proposed at this meeting to get input.

Heather Larson, representing the Service Employees International Union, stated that the three-month review mandated in the Civil Service rules is still not being complied with. Since most people work on small crews, six months should be enough to make this determination. Being on probation for a year is a long time. Ms. Larson went on to state that the probationary period is to determine if a person can do their job, not to abuse employees. One year may be appropriate for some jobs, but not all.

Director Hudson stated that the three-month assessment would not change. It would be used to give the employee an idea of how they are doing. Alexandra Norton stated the Administration has provided departments with a template to use for the three month review and instructed them to retain the document to demonstrate that it had been conducted. She stated that the rule is now being enforced and monitored.

Linda Launey, personnel officer for Traffic Court, asked if Civil Service staff could provide a quarterly report on new hires. Commissioner Tetlow stated

it seems like the Chief Administrative Office should be doing that work instead of Civil Service.

Chairperson Craig stated that it looks like all parties will get together to discuss this item more. Director Hudson responded affirmatively.

Item #5(a) under Classification and Compensation Matters was FLSA Exemption Status Change of Civil Service Classifications. Robert Hagmann, Personnel Administrator over the Classification and Compensation Division, stated the new Federal overtime regulations will go into effect on December 1<sup>st</sup> that require a minimum of salary of \$47,476 for an employee to meet the test for overtime exemption. As a result, staff is recommending that the FLSA designation of 23 job classifications be amended in the pay plan from exempt to non-exempt since the minimum salary would no longer meet the salary threshold. 122 employees are impacted, most in the Analyst, Librarian and Library Branch Manager job series. Mr. Hagmann went on to state that the Administration had picked this recommendation out of three staff had proposed. Commissioner McClain moved for approval. Commissioner Tetlow seconded the motion and it was approved unanimously.

Item #5(b) was a request from Finance for Accountant and Auditor Hiring Rates. Robert Hagmann stated that the City Council has approved additional funding for accounting related positions. The request is for a series of hiring rates for Accountants, Auditors and additional positions in the Treasury and Revenue sections of the Finance Departments. He further stated that some classifications are used citywide and this would affect a number of employees in these classes. The Finance Department has demonstrated that the primary issue is a problem with retention. The City is able to get Accountants but cannot keep them. Staff is proposing a 5 to 25 % increase for effected positions in order to maintain difference in pay for other positions in the job series. Mr. Hagmann stated that there are issues of compression and there will be unhappy people in other departments due to the piecemeal implementation of these increases. Director Hudson stated that staff is still working with Aviation and S&WB on other impacted classifications. She stated staff may return with additional classifications.

Charita Red, an Analyst in Neighborhood1, asked what was said about the analyst job classifications.

Robert Haggmann stated that there is such an interdependency of job classifications that if you impact one set of classes you impact others. All positions will be studied by the comprehensive pay study. Ms. Red stated that analysts who touch many areas of government and some have been with the City for a long time, but do not make the salary proposed for the Accountant.

Robert Haggmann stated that there has not been an adjustment to administrative positions since 2008. Hopefully the pay study will address this.

Linda Launey, with Traffic Court, stated that Traffic Court has had difficulty filling the Chief Financial Officer position due to pay. She stated Traffic Court now has an excellent employee in this position that was hired above the minimum due to extraordinary qualifications. This employee will not see a benefit from this hiring rate because she is already above the salary step to which the position will be increased. It is built in inequity. It creates a disadvantage to those who came in with additional experience or education.

Robert Haggmann stated that the object of the extraordinary qualifications rule is to get the compensation to a level to recruit the talent the department needs. Mr. Haggmann confirmed that in this case, the employee's salary would not increase as a result of these hiring rates.

Director Hudson stated that the Commission would have to amend a rule in order for the person's salary to be readjusted.

Keisha Gaudin, a Public Works employee, asked if other job classifications requiring similar credentials would also be adjusted.

Director Hudson stated that will be done by the comprehensive pay study. Here, the case is being made that there is a retention problem that needs to be addressed immediately.

Commissioner McClain asked if the compensation pay study would involve interview with City staff. Director Hudson stated it was her understanding that all employees will be asked to complete a questionnaire.

Alexandra Norton stated that it was her understanding that because the requested pay increase is a retention/recruitment increase, what people earn from extraordinary qualifications should be retained because it is a different

rule. She gave the example of longevity pay. Director Hudson stated that longevity is not lost based on the operation of the longevity rule.

Ms. Norton also commented that merit increases are lost upon promotion. It is her opinion that merit pay should follow a person like longevity. Robert Hagmann responded that this is by virtue of CAO policy. Ms. Norton replied that that was never our intent. Mr. Hagmann stated that the issue could be addressed by the pay study.

Ms. Teyoko Poche, an Analyst at Civil Service, stated that she feels that the analyst job series should be considered as well because analysts perform as much work as accountants. Ms. Poche asked that the Analyst series increases be revisited.

Commissioner McClain asked is there a timeline for the pay study. Alexandra Norton replied the timeline is six months. She went on to say that the Analyst series is overdue and will be addressed, but we cannot address it in a piecemeal fashion.

Director Hudson noted that Ms. Poche is in a division of Civil Service that has had lots of turnover. She stated staff had actually proposed changes to the Analyst series but were told not to piecemeal it. Commissioner McClain responded that the Commission can hear requests from her department as well. He stated he understood the employees' concerns.

Chairperson Craig stated we hear what you are saying and are addressing these concerns with the pay study.

Ms. Doddie Smith, a Personnel Administrator with the Civil Service Department, stated that in November 2015 a recommendation was proposed by staff for increases to the Analyst series, but staff was told there would be no piecemealing and the comprehensive pay study was ordered. A year later nothing has happened and we are piecemealing increases for another department. Ms. Smith further stated that Analysts who have been working for ten years won't be making what entry level accountants will be making. She asked if the Commission is willing to address something similar to the accountants in advance of the pay study.

Commissioner McClain responded that any department can make a request like the one before the Commission today. Ms. Smith stated that retention is



a problem. Civil Service has had at least eight Analysts leave the department within the last 18 months. Commissioner McClain stated it is important to address these concerns particularly in the Civil Service Department.

Tanga Wilson, a Tax Collection Supervisor in the Finance Department, stated she is responsible for collecting millions of dollars in revenue but will not see an increase even though her coworkers who are accountants will. Commissioner McClain stated there is urgency around the accounting positions because it is hard to retain people with that particular skillset. Ms. Wilson questioned that she is not as important as someone who decides to quit. Commissioner McClain replied that it does not mean your position is not valuable. There are efforts underway that may address what you are saying. Ms. Wilson asked is this a sure thing. She commented that employees have been through studies before. Chairperson Craig responded affirmatively and said the goal is for it to happen as quickly as possible. We are going to push for that at every meeting.

Robert Hagmann noted that the midpoint is typically a competitive salary. The average employee is 22.5 % below the midpoint. This is partially due to no advances in the pay plan since 2008.

Mr. Hagmann stated that the request is being made under Rule IV section 2.6 to be effective on 12/4/16. The goal is to get the rates in place by January 1<sup>st</sup> so that the Finance department can collect additional revenue.

Commissioner McClain moved approval with the proviso to expedite the compensation study to see if we can address everyone's concerns.

Director Hudson noted that these rates will not go to the City Council for approval. Once approved, they will go into effect.

Commissioner Tetlow seconded the motion and it was approved unanimously.

Item #5 (c) was a request from Public Works for Special rate of pay for Parking Enforcement Officers and Supervisors who perform work related to the mobile traffic safety camera unit. This item was deferred at the request of Public Works.

Item #5(d) was a request from the Police Department for a retroactive pay increase for Ms. Stephanie Landry under Rule IV, Section 2.2. Robert

Hagmann stated that a 27.5% increase was being requested to compensate Ms. Landry for performing the majority of the work of the classification of Deputy Superintendent during the transition of responsibilities to a new Deputy Superintendent over the Management Services Bureau of NOPD. Since it is a retroactive action it requires Commission approval. Commissioner McClain moved for approval. Commissioner Tetlow seconded the motion and it was approved unanimously.

Item #5(e) was a request from the Police Department for retroactive application of Rule IV, Section 2.7 Hiring Above the Minimum for Ms. Kristen Rhodes, Social Worker III. Robert Hagmann requested retroactive approval of hiring above the minimum pay. Josiah Morgan, representing NOPD, stated that due to an administrative oversight NOPD had failed to apply extraordinary qualifications pay of 5% at the time of Ms. Rhodes' hire even though it was the intent of the hiring manager. Commissioner McClain moved for approval of the request. Commissioner Tetlow seconded the motion and it was approved unanimously.

Item #5(f) was a report on Overtime usage for various City Departments who have exceeded the limits in accordance with Rule IV, Section 9.7(a). Robert Hagmann reported that Civil Service rules require advanced approval if the overtime threshold will be exceeded. Fourteen departments have exceeded or will exceed the threshold of 416 or 750 for public safety/special event departments. 165 Sewerage and Water Board employees are already over the threshold with 81 additional employees projected to do so. The Fire and Police departments have the next largest number of staff members over the threshold. Staff has asked for a projection of overtime usage. At the December Commission meeting, departments will be asking for an exception to the rule and providing reasons why they exceeded the threshold.

Commissioner McClain asked who is watching to make sure overtime usage is not abused for example, employees being on the clock for 24 hours. Robert Hagmann responded that the departments monitor overtime usage.

Jonathan Wisbey requested that an additional item be added to the agenda. He requested to have SSA, the contractor selected for the comprehensive salary study, conduct the evidentiary study related to Police Commander in place of the Commission's staff. Commissioner McClain moved to add the item to the agenda. The motion was seconded by Commissioner Tetlow and approved unanimously. Commissioners Tetlow and McClain stated that it would not

be fair to make a determination in this matter without the other involved parties present. Mr. Wisbey stated he wanted to bring the matter before the Commission to act expediently on the Federal Court's order.

Director Hudson stated that the item was on the previous agenda thirty days ago, but no request to appear on the agenda for this month had been received. Mr. Wisbey stated NOPD had received job study questionnaires a week and a half ago which triggered this request. He stated until the questionnaires were received, NOPD did not understand how the study would be implemented. Commissioners Tetlow and McClain reiterated their unwillingness to move forward on the item without the involved parties present.

Jonathan Wisbey asked that it be brought up at the next meeting, but the staff not proceed with the study until the Commission has ruled on how to best do so. Commissioner Tetlow stated there was no reason to ask staff not to provide input. There is no reason to even temporarily put this on hold. Chairperson Craig stated we need to continue on with what we are doing. Commissioner McClain stated that staff has already started the process.

Mr. Wisbey stated that there are a lot of demands being placed on NOPD staff with Civil Service studies including the Commander study, Sergeants Exam and pay study. If there is a way to eliminate the duplication of effort we want to do so. Commissioner Tetlow stated that the efficiency argument is not enough to stop us from seeking staff's input. Director Hudson noted that the Sergeants exam would not involve Lieutenants and above. She suggested that the information collected by staff could be provided to the compensation consultant. Jon Wisbey suggested that the outside expertise of the compensation contractor would be helpful. Director Hudson suggested sharing the information collected by staff with the consultant and the consultant could request any additional information required.

Commissioner McClain added that the Commission has to be responsive to the courts.

Item #6(a) under Recruitment and Selection Matters were announcements #9445 to #9457. Commissioner McClain moved to approve the announcements. Commissioner Tetlow seconded the motion and it was approved unanimously.

Item #7 was ratification of Public Integrity Bureau (PIB) 60 day extension requests. Director Hudson reported that four of the extensions were approved



for thirty days. Chairperson Craig called for public comment. There being none, Commissioner McClain moved to approve the extensions. Commissioner Tetlow seconded the motion and it was approved unanimously.

Item #8 (a) under communications was a report on ADP ongoing issues. Robert Hagmann stated staff rolled out a new ADP correction form. Sam Stoute of the Classification and Compensation Division is facilitating training on the form. Mr. Hagmann further stated that staff would be working closely with the Finance Department to implement the FLSA status changes. It is a complex task due to time keeping and payroll reporting. Staff would also be working on the accounting hiring rates and grades for fire classifications.

Item #8(b) was a report on Civil Service Budget and Staffing. Director Hudson reported that at the Civil Service budget hearing two additional positions for the Recruitment Division had been approved and the Chief Administrative Office was working on funding for two more. Ms. Hudson also reported that a new analyst had started last week. She noted that space for staff will be an issue. It may limit the ability to hold delegation training. She said she thinks the Chief Administrative Officer said he will try to look into it.

Alexandra Norton stated that she had heard a little about this issue. She noted there is a computer lab in the basement. Ms. Hudson replied that this need is space for full-time jobs.

Item #8 (c) was a report on comprehensive classification and salary study. Director Hudson had nothing to report. Alexandra Norton stated that she needed to deliver the draft contract to Civil Service and the Commission for review. She has worked with the consultant to narrow the scope to lower the price. The original RFP allowed for a lot of options we didn't have to have to complete the study. Now we have something more comparable to what the other proposer offered. She stated she could expedite the contract routing. Director Hudson stated it sounds like they may have changed what the contractor will do, so we need to review it. Commissioner McClain asked what the timeline is. Ms. Norton replied six months for the study to be completed. The contract can be routed in a week or less after Civil Service approves it. Commissioner McCain asked Ms. Norton to forward a copy to Brendan Greene for the Commission to review.

There being no additional business to consider, Commissioner McClain moved for adjournment at 1:10 pm. The motion was seconded by Commissioner Tetlow and approved unanimously.

  
Michelle Craig, Chairperson

  
Ronald McClain, Vice Chairperson

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Tania Tetlow, Commissioner