

CIVIL SERVICE COMMISSION
REGULAR MONTHLY MEETING
Monday, December 18, 2017

The regular monthly meeting of the City Civil Service Commission was held on Monday, December 18, 2017 at 1340 Poydras Street, Suite 964. Ms. Doddie Smith, Personnel Administrator of the Management Services Division, called the roll. Present were Chairperson Michelle Craig, Vice Chairperson Ronald McClain, and Commissioners Tania Tetlow, Stephen Caputo and Clifton Moore, Jr. Chairperson Craig convened the meeting at 10:06 a.m. At 10:41 a.m. on motion of Commissioner McClain and second of Commissioner Tetlow, the Commission voted unanimously to go into executive session.

At 12:10 p.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes from the November 13th and November 20th meetings. Commissioner Moore moved to approve the minutes for November 20th. Commissioner Tetlow seconded the motion and it was approved unanimously. Commissioner Tetlow moved to approve the minutes for November 13th. Commissioner Moore seconded the motion and it was approved unanimously

Item #2 was a report on the Comprehensive Classification and Salary Study. Christel Slaughter, representing SSA the company who performed the study, stated that SSA had completed its analysis of critical jobs and had provided an addendum to the staff. Clay Kittel, also representing SSA, explained that there were 132 benchmark classes. Some of those benchmarks were also targeted jobs that departments had identified. SSA had the market data on those jobs and has provided it to staff. He cautioned that these were only benchmark jobs. He provided the Commission with a worksheet with market data and another document with recommendations for targeted changes to the pay plan. Commissioner Tetlow noted that it was her understanding that a salary survey for all jobs would have cost much more than a benchmark survey. She then asked if the benchmark jobs were selected to be representative or if they were cherry picked because they were thought to be underpaid. Ms. Slaughter responded that SSA looked at several factors including jobs where there was a high number of incumbents, as well as those they had heard about as antidotes from Civil Service staff and departments.

They also looked at jobs with high turnover or those that are difficult to fill. SSA tried to get a representative sample of jobs as a core and then add to that core. Commissioner Tetlow asked if there was a lot of variation or if all positions are about 9.5% to 10.5% off of market. Ms. Slaughter responded that what SSA observed was that by the use of special entrance rates; a lot of compensatory activities had taken place because the pay plan is so far behind. She noted that SSA realized that the pay plan structure is good, there is nothing wrong, but it lags the market in its entirety. There were a few families and positions that were recently studied and those were at or slightly above market. There were enough others that were far behind to warrant the 10%. Commissioner Tetlow asked if jobs that are at market would be carved out. Ms. Slaughter responded that they would, but that there are very few. She stated that if you look at Social Security Administration data over that length of time, it is about 10%. Commissioner McClain asked Ms. Slaughter if there is a position 20% off market, if she was still proposing a 10% increase. Ms. Slaughter responded no, that it would be on the targeted list given as an addendum. She noted that one of the implementation strategies listed in SSA's report included looking at these classifications. She noted that the benchmark classes that were further off of market were not listed in the report because SSA wanted to treat them like positions that were not studied equitably. Commissioner McClain asked if something was missed. Ms. Slaughter responded that it was not. Normally SSA gives the information to the department heads and/or working group for their feedback before finalizing the report. In this case, they gave it to the Commission first. She noted that even after releasing the report, SSA has not received substantive feedback from the departments that they weren't already aware of. Commissioner Craig asked why wasn't all of this done prior to the Commission being given the final report. Ms. Slaughter responded that it was done, but it is part of the implementation. The report has all the information the Commission needs in it. Commissioner McClain commented that he finds it challenging that all of this work could result in a recommendation for 10% across the board. Ms. Slaughter responded that an across the board recommendation is common. She told the Commission that they have a talented staff. She believes that staff can take the information SSA has provided and provide any scenario you need for funding. The problem with the Pay Plan is less about being off market and more that it is not funded regularly. Ms. Slaughter added that some of the things SSA would normally recommend to simplify a pay plan were not recommended because you would be prohibiting some of your people from being able to advance because you do not have the structures in place.

Commissioner Tetlow asked Personnel Director Lisa Hudson if the staff was okay with the more particularized data of more than 10%. Commissioner Tetlow continued that she had spoken with the City last week and that some of the idea of averages had come from them. Director Hudson responded that staff is going through the data. Staff has always tried to look at where the hot spots are and make recommendations. She noted that staff would want to recommend more for positions for which the data shows they are further off market than the 10%. Commissioner Tetlow noted that, while ideal from a social justice perspective, there would be an issue with people making more than their bosses if we start strictly with the lowest level employees. Director Hudson noted that staff had been looking at what issues would arise with that implementation strategy because she is aware that it is something that is on the table for the administration. She stated that staff is planning on talking with the administration on the potential issues and how to address them. Commissioner McClain noted that he was concerned that he had heard Commissioner Tetlow state that the 10% had come from the city. The consultants are supposed to inform the city. Commissioner Tetlow explained that her understanding was that the consultants gave the complex data to everyone and that the signals on what approach to take came from the city.

Ms. Slaughter then stated that the benchmark methodology was set up during contract negotiations. Commissioner McClain stated that he understood that Director Hudson was not involved in those negotiations. Commissioner Tetlow stated that the city had paid for the contract so they were the ones who negotiated it. She further noted that the cost for reviewing all jobs was over a million dollars and the city was not willing to take on that expense. Ms. Slaughter noted that this contract was complex due to a change in the mayoral point person, a transition in administrations, and custom studies for Police and Sewerage and Water Board. She told the Commission that if the city can fund this, it will take care of most of your problems. She noted that the city has an enormous number of employees who are clustered in the first quartile. You cannot keep good people that way. Commissioner McClain stated that the Commission wants all employees compensated consistent with best practices. Commissioner Moore stated that the end product from SSA does not include specificity to give guidance. Commissioner Tetlow stated that it justifies the 10% increase and carves out other crucial positions. Director Hudson stated that staff is starting to get feedback from the departments that show they want some additional changes, for example EMS, CAO and the Library. She stated that this will all need to be taken into consideration. Staff will ultimately provide a proposal to the Commission.

Courtney Bagneris, representing the Chief Administrative Office, stated that the administration had initially suggested starting at pay grade 50 and below for implementation. She has been asked by the Chief Administrative Officer to explain that they are working on an implementation plan with the approval of the mayor elect for implementation after the new administration is sworn in. She stated that they understand the compression issue, so the key is to implement the 10% across the board as soon as possible. The administration introduced into the budget process that the first implementation would be for employees at pay grade 50 and below in the first quarter of 2018. Want to work with the next mayor on an implementation that takes place as quickly as possible after she is sworn in.

Commissioner Tetlow asked if there are other ways the city can simplify its classifications. Ms. Slaughter responded that they are in the report, but they are summarized. Commissioner Tetlow asked if staff is considering the other recommendations. Director Hudson responded that the problem staff is having is that we are getting requests from department heads to expand classifications. She asked if staff should continue granting requests to expand the job series. Commissioner Tetlow responded that staff should do both. She stated that there will be the need for new classifications particularly around new technologies and to get rid of old ones. Director Hudson responded that it gets confusing if we are continually creating new series and being told to reduce them. Commissioner McClain stated that the Commission should ask the professionals while we have them and suggested that perhaps SSA can provide some guidance. Ms. Slaughter stated that she hopes that once these increases are implemented the Commission will empower your staff to say no to these types of requests at least for some period of time. She noted that SSA was able to do that when they worked with the State of Louisiana.

Ms. Bagneris stated that the Administration has set aside \$1.5 million for increases for pay grade 50 and below. Commissioner Moore asked if the administration had any plans beyond that. Ms. Bagneris responded no, the administration wants to work with the Mayor Elect on an implementation plan after she is sworn in. Commissioner Moore pointed out compression issues with the 50 and below implementation strategy. Ms. Bagneris stated that compression has been a problem for 10 or 12 years now and that the issue is coming up with a plan to pay for the implementation. Director Hudson noted that to date, staff had not received a formal request for the pay grade 50 and below implementation plan.

Commissioner Tetlow asked SSA if they saw any ways to make the rules or procedures more efficient, and asked if so, could they be provided in a letter. Ms. Slaughter responded that SSA would be happy to do so. Commissioner McClain thanked SSA for a good job in providing information that will help facilitate decision-making and for being a resource.

Item #3 was a report on delegation of authority to the Sewerage and Water Board (S&WB). Director Hudson noted that S&WB had submitted a letter asking for this item to be deferred. Marina Kahn, who replaced Terrence Ginn on the interim emergency team, stated that she needed more time to familiarize herself with the item. Ms. Kahn then stated that she is the new interim Chief Financial Officer for S&WB and she asked for additional time to research and get more data and provide information. Commissioner McClain asked Ms. Kahn if Human Resources reports to her. She responded affirmatively. Commissioner McClain stated that he wanted to make sure that Ms. Kahn has the information previously provided by the Commission's attorney to the Water Board's Special Counsel. Commissioner Craig asked Ms. Kahn if she would be the point person on delegation. Ms. Kahn responded affirmatively and noted she would appear each month.

Item 4(a) under Classification and Compensation Matters was the unauthorized appointment of an unclassified Construction Project Manager. Director Hudson noted that Ms. Kahn had also asked for this item to be deferred. Commissioner McClain stated that he did not see deferring that item when it is very clear. Ms. Kahn stated that she wanted to go over Mr. Owusu's resume and interview him and see where he fits since he needs to be moved. Commissioner McClain noted that Director Hudson has indicated that Mr. Owusu is in an inappropriate appointment that he is not qualified for. The longer he is in it, the more adverse the challenges are. Commissioner McClain continued that he wanted to verify with Mr. Greene that the information regarding the inappropriate appointment has been clearly communicated to the S&WB. Mr. Greene stated that the information had been communicated to Mr. Ginn, Ms. Kahn's predecessor. He noted the issue had also been communicated to Nolan Lambert, S&WB's former Special Counsel, in May of 2017. Commissioner McClain then asked if any written correspondence had been sent to Ms. Judson, the head of S&WB Human Resources. Mr. Greene responded that he believes there was a request for information submitted relative to the position and qualifications. The response received from Mr. Lambert was that the position does not fall under delegated authority

and was therefore irrelevant to the S&WB's relationship to the Commission. Mr. Greene stated that the unclassified positions approved by the Commission in May of 2016 were accompanied by a specific number of vacancies and job descriptions that included qualifications. The position in question is in the Human Resources Department. The Commission did not approve any positions in Human Resources. The person is in a Construction Project Manager position so the duties the person is performing are not consistent with the duties approved by the Commission for Construction Project Manager. Robert Haggmann stated that S&WB had since made a retroactive correction to the record and made him an unclassified Requisition and Invoice Team Lead, but he is not doing that job either. Director Hudson noted that she had also informed the former CFO Robert Miller of the issue.

Mr. Corey Dowden, a Commission meeting attendee, asked Ms. Kahn who had hired her. She responded that S&WB had. Mr. Dowden asked who hired these people to come in, get paid, and leave in the next week or two.

Item #4 (b) was a request from S&WB for Pay Plan amendments in Networks, Maintenance, and Operations job classifications. Robert Haggmann stated that in November, the Commission had approved hiring rates for the Operations Division, Water Purification, and Pumping and Power Generation. The hiring rates now being proposed are in Networks, Plumbing, the Environmental Division and Laboratory. The Networks proposal covers eleven job classifications. Mr. Haggmann noted that for the most part, the recommendations follow the recommendations of MAG, S&WB's classification and compensation study consultant, of an approximately 12.5% increase. In Environmental, which monitors water discharge, the recommended hiring rates are an approximately 12.5% increase. Plumbing Inspectors, who enforce city code would receive a 12.5% increase. Water Chemists, who ensure water safety would see an 11.25% increase. Mr. Haggmann also noted a change to the Zone Manager classification. He stated that staff recommended removing the professional engineering requirements for the position, lowering the pay grade, and allowing for a promotional opportunity to Zone Manager II. Mr. Haggmann noted that staff supports these changes. Ms. Kahn also stated that S&WB is working with staff on customer service positions. She noted she is hoping to have a proposal in January. Commissioner Tetlow moved for approval of the Pay Plan amendments. The motion was seconded by Commissioner Caputo and approved by all.

Commissioner Craig then told Ms. Kahn that the Commission looks forward to working with her on these issues. Ms. Kahn noted that she was a civil servant for 26 years and worked as an unclassified employee for eight years, so she knows both sides and knows how Civil Service and the unclassified service work. She stated that her job is to work with Civil Service to expedite things and work with Civil Service to build relationships.

Item #4(c) was a request from the S&WB for an exception to Rule IV, Section 9.7(a) relative to exceeding overtime maximums. Director Hudson stated that staff was asking for deferral of this item. Mr. Greene stated that S&WB had provided information on the employees they expect to exceed the new overtime thresholds set by the Commission in July. He noted he would be communicating questions to S&WB regarding that information and would give them a chance to respond. Commissioner McClain noted his concern with the amount of overtime being used by S&WB and if individuals were being disproportionately impacted. Mr. Greene stated he would send the questions by end of the next day. Ms. Khan noted her concern that there may be an audit finding if the Commission does not approve the exception at the meeting. Commissioner McClain moved to defer the item. Commissioner Moore seconded the motion and it was approved by all.

Item #4(d) was a report on overtime usage and a request from the Administration for an exception to Rule IV, Section 9.7(a) relative to exceeding overtime maximums. Robert Hagmann stated that based on the information provided by the Administration, staff was supportive of the administration's request to exceed the overtime threshold in the departments of Aviation, EMS, Human Services, Parks and Parkways, Property Management, Public Works, Sanitation, Fire, and Police. Commissioner McClain moved for approval. Commissioner Tetlow seconded the motion and it was approved unanimously.

Item #4(e) under Classification and Compensation Matters was a request from Karen Fortuna, Gary Joseph II, and Michele Sigur to address the Commission regarding stagnation and unfair and unequal promotional opportunities. Director Hudson stated that staff has studied the classifications and had met with the Revenue Collector, Romy Samuel, and the Finance Director. Staff had received a proposal from the Finance Department to add three new classifications and return to the use of the Revenue Field Series. She noted that there are some issues with other similar job series. Director Hudson stated that staff would return with a recommendation relative to their

proposal. Michel Sigur, one of the affected employees, asked the Commission to consider retroactive pay in the matter since it has been ongoing since 2012. Romy Samuel asked the Commission to ask staff to make short time of their review. Commissioner McClain asked for a specific recommendation at the next Commission meeting. Mr. Hagmann clarified that in 2014 staff had added a classification in this job series. He stated that what had changed in this situation is the new Director of Finance's support of a change to the job series.

Item #4(f) was a request from the Police Department to appeal the extraordinary qualifications revocation for Marilyn Melder. Mr. Hagmann stated that Ms. Melder was promoted to Administrative Support Supervisor IV as a career series promotion. NOPD had applied Rule IV section 2.7 Extraordinary Qualifications and granted her the maximum rate allowed, 25% above the minimum. It was subsequently revoked by staff because it did not meet the requirements of the rule.

Bryan Bartholomew, NOPD's Human Resources Director, stated that staff had not taken an action such as this in the past. He agreed that Ms. Melder had only a little over a year of experience as an Administrative Support Supervisor III, the minimum qualification for this position, but stated that Civil Service had overlooked all of Ms. Melder's supervisory experience. He noted that she has been a supervisor since 2005 and has completed more payroll transactions than any other payroll department. Excluding the Fire Department she has experience in millage, state supplemental pay and two retirement systems that no other department payroll division has. Her twelve years of experience is unequal to that of anyone on the register or in the market. No one on the register or in the classification, excluding NOFD, has Ms. Melder's experience with millage, supplemental pay, or two retirement systems. Additionally the position requires a High School diploma and Ms. Melder has an Associate's degree. When Civil Service revoked her pay, it did not take these qualifications into account. Mr. Bartholomew stated that staff noted that her duties do not appear to be different from other positions in that class, but they do. Ms. Melder then stated that her revocation was the first.

Mr. Hagmann noted that Ms. Melder just met the minimum qualifications. The other experience is not above and beyond the stated minimum qualifications. Education qualifications do not differ significantly; there are a number of people on the register and in the job class with similar educational

qualifications. If the Commission approves the extraordinary qualifications pay, the position will make more than the city's whole Payroll Supervisor. Commissioner Tetlow stated that it sounds like Mr. Hagmann's issue is with the rule itself. Mr. Hagmann stated that he likes the rule, but you have to assume that people want to follow the intent of the rule. Sam Stoute, Personnel Administrator Assistant in the Classification and Compensation Division, stated that the rule requires that Civil Service receives a form and approves the pay in the payroll system. Then Civil Service audits it after it happens. Commissioner McClain asked how many departments have used this. Director Hudson responded that they are all posted on the website. Mr. Hagmann responded that generally, it is used for specialized classifications like IT Specialist III. Director Hudson noted that per the Great Place to Work rule, staff is required to approve the pay even if they disagree with it. Staff can only revoke it. Staff tells the department its concerns when the form is received and most of the time the department does not enter it. The rule only says that staff can revoke it.

Josiah Morgan, representing NOPD Human Resources, stated that NOPD had entered the transaction in and it was approved on November 10th. On November 13th, a form was sent to ADP to revoke the pay. NOPD did not receive notice that the pay was being revoked until it had already been revoked. He noted that Civil Service normally reaches out to the Departments. Commissioner Caputo stated that it did not make sense that staff was required to approve the action in order to revoke it. Commissioner Tetlow stated that the process is meant to be frontend streamlined because otherwise it would create bottlenecks. Staff can go back and audit it after the fact.

Mr. Stoute stated that when the transaction was approved by staff in ADP and WorkflowGen a note was added that it would be subject to immediate review. A separate email was also sent to the department to notify them that this was a problem case.

Mr. Bartholomew stated that Ms. Melder's experience doing three different actions including state supplemental pay, millage pay and two retirement systems makes her more qualified than any normal payroll person in the city of New Orleans. Mr. Stoute stated that the requirements of the position are that you must have one year of experience at the level of Administrative Support Supervisor III. Ms. Melder had been at that level for one year and one month. It does not say twenty years at the city or the Police Department.

Commissioner Tetlow stated that NOPD is making the argument that she has 20 plus years of experience doing relevant tasks.

Director Hudson stated that it would mean that all employees who had that much experience could use that to go to the midpoint. It would apply to almost every position in city government where you had been in that position for a long time. It will impact the operations of city government because all employees will make a similar claim that they have been doing their job for as many years.

Mr. Stoute stated that if there is another person in the same class with the same qualifications that person shall also receive that pay. There are at least three people with an Associate's or Bachelor's degree and he believes that all three with degrees have at least twenty years of experience. Mr. Morgan responded that the other employees do not deal with millage, state supplemental pay and two retirement systems. Director Hudson stated that if the minimum qualifications say that you have to have so many years above a certain level, and Ms. Melder has not had that experience, that is what we are addressing. Commissioner Tetlow stated that staff is interpreting it in the most narrow sense, that years of experience have to be in that particular job and that other kinds of experience don't matter. Director Hudson responded that if you have to be extraordinary above the minimum qualifications and the minimum qualifications say experience at a certain grade or amount of time and that person has just barely met that then what counts is how far she is above the minimum qualification. That is what the rule says and that is what we looked at, how far she was above the minimum. Not the quality of her experience or what she was doing. A lot of departments may want to do something for their employee because they are a great employee, but that is what merit pay is for.

Mr. Stoute then read the rule, "That the appointee possesses extraordinary or superior qualifications/credentials above and beyond the minimum qualifications, experience and/or credentials required which have been verified and documented as job related and that the amount of additional pay shall be justified based on an objective analysis of the additional financial advantage the increased hiring rate will provide to the city."

Commissioner Tetlow stated you are interpreting minimum qualifications as the amount of experience in that particular job, so any additional experience to count would have to be in that particular job. Twenty plus years of experience doing similar kinds of work is experience, that counts. Director

Hudson responded that it is a promotional position. At each level she has been given credit for that time. If she serves at a certain level she can use that to be promoted to the next level. Those years have been accounted for through our promotional system. When she gets up to this level we are looking at how much at this pay grade she needs to get to the next level. Commissioner McClain asked if when you make a promotion you only consider experience within the city. Director Hudson responded by saying yes. If you do this, employees are going to get a lot more raises, quicker, faster to the midpoint. You are not going to have any trouble with people being around the entry level pay. Commissioner Tetlow stated she is good with that. Director Hudson stated that everyone is going to start being promoted to the midpoint and it will be a very costly thing.

Commissioner Caputo asked if you could avoid all of this by changing the way the process works and not approve something before you have vetted the person out. He noted that we would not be sitting here now. Commissioner Tetlow stated that we would; it just would have been before the fact instead of after the fact. Director Hudson stated that the revocation occurred quickly because staff did not want to have to go back and take money back from a person. Commissioner Tetlow stated that she did not think there were any process issues.

Mr. Bartholomew stated that there are not a lot of people besides someone in the Fire Department who might be equal to Ms. Melder. Mr. Morgan stated that the experience she has is related to the job she performs. Mr. Hagmann stated that the classification she got promoted to is a relatively new position meant to give another opportunity for promotion. Everyone at the level of Administrative Support Supervisor III has over 20 years of experience doing very specialized administrative support work. Everyone has lots of specialized experience but the work is similar and comparable at that level.

Shelly Stolp, Personnel Administrator over the Recruitment and Selection Division, stated that this is a promotional only position, but if it were open to outside applicants it would require at least 10 years of experience. This employee has been compensated each year through her raises when she goes through the promotional series. There are probably 15 times you can move up and receive 5% each time. Now you are asking to increase her pay by 25% for years she has already been compensated for. Every employee who has worked for that many years has ended up being specialized in their unique area. They have been compensated appropriately every year. The state of

Louisiana does not allow extraordinary qualifications pay on promotions because of this. Your Payroll Supervisor over all payroll including Police and Fire will now be making less. After some debate it was then established that Payroll Supervisor would continue to earn more.

Mr. Morgan stated that Ms. Melder has superior qualifications. A person could not come in off the street and do what Ms. Melder does. Commissioner Moore stated that it may be the case, but when you use the term exemplary qualifications it is open to interpretation by the appointing authority. If the appointing authority has ultimate discretion on what that is, it negates the Civil Service system to some degree. There has to be a methodology for Civil Service to qualify that. If we don't put a step in between that we run the risk of favoritism and bias. He questioned how the public would know what the appointing authority used to determine that those qualifications were extraordinary.

Ms. Melder then reiterated that her work was different than other work performed in other city departments. She explained how she acted as a subject matter expert during the conversion to ADP. Commissioner Moore stated that someone with Ms. Melder's specific qualifications may be addressed under an adjusted rule. Sam Stoute noted that the form for Ms. Melder noted over twenty years of payroll and personnel experience. If that is the definition of what we are using to grant Ms. Melder the additional pay, we would need to use those same qualifications for anyone else in this job title because they must be increased as well. Commissioner McClain asked Mr. Hagmann if the argument turns on Ms. Melder not having two years as an Administrative Support Supervisor. Mr. Hagmann responded that it is a career series. If the announcement was written and she had more experience that differed from the other candidates then it could have been utilized.

Commissioner Moore stated that if your qualifications are gained by being in the position, then you ultimately end up being the only one qualified for the position. Mr. Hagmann stated that when you set a rate for hiring above the minimum, there should be some objective evidence or something of value. He stated that there may be a middle ground, maybe not 25% above the minimum, but something that is more realistic for a career series say like police has educational incentive pay. If the 25% is approved, Ms. Melder's position would go up to \$49,000 which is above Analyst and at the same level as Management Development Supervisor I. He stated that he thinks what she brings to the table should be recognized, but not at 25%. Commissioner

McClain recommended that staff and NOPD get together. He stated that his interpretation is that Mr. Hagmann is offering some sort of compromise that would give additional pay, but not up to the 25%. Commissioner Tetlow asked if it was within the range. Director Hudson responded that there is a range but our issue is equity; if we work it out for her what does it mean for the other person. Commissioner McClain stated that he doesn't think Ms. Melder should be penalized because someone else might make the request. Director Hudson stated that staff just wants to treat everyone fairly. Commissioner McClain asked Director Hudson if she thinks she is treating Ms. Melder fairly. Director Hudson stated that she would love to move all employees to the midpoint. Commissioner Craig motioned to call the question; it was seconded by Commissioner Tetlow and all Commissioners voted to end debate. Commissioner McClain then moved for NOPD meet with staff to come up with what might be termed a compromise position that might result in additional compensation but not up to the 25%. The motion was seconded by Commissioner Tetlow. Mr. Hagmann stated that what staff can do is work with the administration to get their input because this does have other impact. If you would have approved the original request we would have had to make adjustments at the City and S&WB. Mr. Bartholomew stated that there are no other departments besides Fire that deal with the things Ms. Melder deals with. There are not a lot of other people. Mr. Morgan questioned if the motion was to review the original extraordinary qualifications request and come up with a compromise salary within the range for the position Ms. Melder was promoted to. Commissioner Craig said attempt to. Commissioner McClain stated perhaps if the information provided had more specificity it may have given Mr. Hagmann the information to do what he needs to do. He recommends that NOPD work with Mr. Hagmann even as it puts together evidence of the extraordinary qualification. Mr. Hagmann added that staff is looking for a solution to the situation. It may not be extraordinary qualifications pay. Commissioner McClain stated good point. Let's leave extraordinary qualifications out there; that it would result in increased compensation for Ms. Melder based on her great commitment of over 30 years. He also noted that he had received a letter from Police Superintendent Harrison speaking to the value of Ms. Melder and his support for this increase in compensation for her.

Commissioner Moore then asked for clarification on the motion. Commissioner McClain stated that the parties would come together and compromise on increased compensation for Ms. Melder that is consistent with her value to the Police Department and it does not have to be extraordinary

pay. He noted he wanted to give Director Hudson and her team the opportunity to come up with what might be the best solution. Commissioner Tetlow seconded the motion and it was approved unanimously.

Commissioner Moore moved that Civil Service staff seek to explore the potential for an adjustment to the rules that would support extraordinary qualifications. He stated that he does believe someone like Ms. Melder needs to be compensated, but he just wants to be sure that it is done in an open and transparent way. Commissioner Craig suggested staff work with Mr. Greene. Commissioner Caputo seconded the motion. Then it was determined that a motion was not needed.

Item #6(g) was a request from Kenneth Kleinschmidt, a S&WB employee, to appeal S&WB's incorrect application of Rule VIII, Section 1.5 related to annual leave usage. Mr. Kleinschmidt stated that in 2014, he was on annual leave that had been approved in writing. In January of 2014, that leave was altered to sick leave without his approval and he was then placed on leave without pay and then not permitted to return to annual leave. He stated he was then required to take a return to work physical. He stated he passed, was told he failed and was required to go to another doctor during those 20 work days. He was not permitted to use annual leave. Commissioner Craig asked Mr. Kleinschmidt if he had documentation of passing the medical exam. He responded that he did. Mr. Kleinschmidt stated that he had tried unsuccessfully to correct the issue with S&WB. He stated he would like to receive the \$6,000 for the period he was on leave without pay. Director Hudson stated that staff had contacted S&WB to verify this information but had not received a response. Ms. Kahn stated she did not have any information regarding the matter. She stated that she had informed S&WB's new Special Counsel about the matter, but that the Water Board is having a meeting today and that person is at that meeting. Commissioner Craig noted that there are other S&WB attorneys. Ms. Kahn stated that Special Counsel wanted to hand it herself. Mr. Kleinschmidt noted that it was approximately 29 days. He has carried that annual leave balance at that time and ever since then. Mr. Greene clarified that Mr. Kleinschmidt sought to use 29 annual leave days to be paid out and remove those days from his leave balance. Commissioner Tetlow motioned that any unpaid leave that could have been used as annual leave should be used to cash in to make up for the leave he was not allowed to use subject to verification of days and amounts by staff. Commissioner Moore seconded the motion. Commissioner McClain stated his concern with making this decision without information from the other side. Commissioner Tetlow stated that the Commission has struggled with getting S&WB to show up and take this seriously.

Commissioner Caputo noted that Mr. Kleinschmidt's issue has been ongoing since 2014. Commissioners Craig, Caputo, Tetlow and Moore voted to approve the motion. Commissioner McClain voted against it. Commissioner Craig stated that Civil Service staff will verify the amounts.

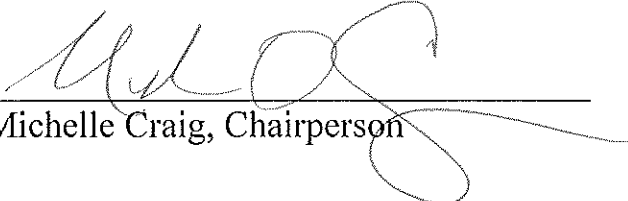
Item #5(a) under Recruitment and Selection Matters was the approval of examination announcements 9791-9806. Commissioner Tetlow moved to approve the examination announcements. The motion was seconded by Commissioner McClain and approved unanimously.

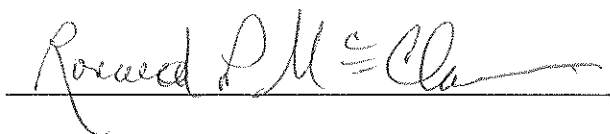
Item #8(a) was the ratification of Public Integrity Bureau (PIB) 60 day extension requests. Mr. Greene noted a revision to the list regarding cases #2017-0634R and #2017-0640. The cases have been removed from the list and rescheduled for a hearing tomorrow. Chairperson Craig called for public comment. There being no public comment, Commissioner Tetlow moved to approve the extensions. Commissioner McClain seconded the motion and it was approved unanimously.

Item #9(a) under Communications was a report on ADP ongoing issues. Director Hudson stated that Robert Hagmann was working with NOPD on entering recent pay increases in ADP.

Item #9(b) was a report on Civil Service budget and staffing. Director Hudson reported that the department had lost an Analyst in the Classification and Compensation Division. She also reported that office space remains a challenge. Staff is ready to make an offer to a psychometrician but there is not a place to put that person. She reported that she had reached out to Ellen Lee in Community Development regarding space on the 9th and 10th floor and that Ms. Lee had agreed to a meeting.

There being no additional business to consider, Commissioner Tetlow moved for adjournment at 2:49 p.m. The motion was seconded by Commissioner McClain and approved unanimously.

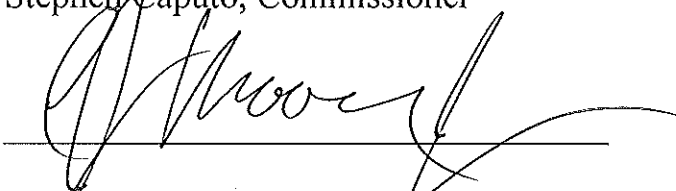

Michelle Craig, Chairperson

A handwritten signature in cursive script, appearing to read "Ronald McClain", written over a horizontal line.

Ronald McClain, Vice Chairperson

A handwritten signature in cursive script, appearing to read "Stephen Caputo", written over a horizontal line.

Stephen Caputo, Commissioner

A handwritten signature in cursive script, appearing to read "Clifton Moore, Jr.", written over a horizontal line.

Clifton Moore, Jr., Commissioner