

CIVIL SERVICE COMMISSION
REGULAR MEETING
FRIDAY, MARCH 14, 2025

The regular monthly meeting of the City Civil Service Commission was held on Friday, March 14, 2025, in the City Council Chambers, 1300 Perdido Street, New Orleans, LA 70112. The Commission entered its first executive session at 9:30 a.m. 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 10:03 a.m. The Commission then proceeded with the docket. At 1:29 p.m. on the motion of Commissioner Monteverde and the second of Commissioner Surprenant, the Commission voted unanimously to go into executive session.

At 2:01 p.m. the Commission completed its executive session and proceeded with the business portion of the meeting.

Item #1 was the minutes for February 3, 2025. Commissioner Surprenant moved to approve the minutes. The motion was seconded by Commissioner Monteverde and approved unanimously.

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

Item #3a under Rule Amendments was a proposed amendment to Rule V Section 2.5 regarding reducing the minimum time for examination announcements. Amy Trepagnier, Personnel Director of the Civil Service Department, stated that the proposed amendment was introduced at the last Commission meeting. The amendment will reduce the length of time the Civil Service Department is required to give public notice of each job posting. This is part of an ongoing effort by the Commission and staff to identify ways to increase efficiencies. Commissioner Monteverde moved to approve the proposed amendment. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #3b was a proposed amendment to Rule VIII Section 2.13(a) regarding sick and annual leave donation. Director Trepagnier stated that the Commission had recently amended the amount of time that new employees must wait before being allowed to use annual leave from twenty-six weeks to eight weeks. The proposed

amendment will align the leave donation policy with the annual leave policy, allowing an employee to be a recipient of a sick or annual leave donation after eight weeks of service with the City. Commissioner Surprenant moved to approve the proposed amendment. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #3c was an introduction of an amendment to Rule XI Sections 1.3, 1.5, and 1.12 to remove the second level supervisor from goal planning and to provide for a one-week grace period. Director Trepagnier stated that staff reached out to department directors and requested feedback on the PERFORM goal planning and evaluation system that would lead to efficiencies. Staff is recommending that the second-level supervisor be removed from the approval process for goal planning. The second-level supervisor will remain a part of the approval process for the ratings, as it allows the employee to have a second opinion on their evaluation. In addition, the amendment will allow the Personnel Director, at the request of the Appointing Authority and with sufficient cause, to accept late approvals made up to one week immediately following the performance planning or performance evaluation deadlines. Approval of the proposed amendment will be considered at the next meeting.

Item #4a under Classification and Compensation Matters was a request from Municipal Traffic Court for a new unclassified position under Rule III Section 7.1. Gilbert Buras, representing the judges of the Municipal Traffic Court, addressed the Commission regarding the allocation of an unclassified technology officer position. He explained that the position is properly assigned to the unclassified service. The individual selected for the role will answer to the judges and will be chosen by the judges. He stated that the necessary funds have been allocated in the 2025 operating budget. Mr. Buras added that constitutionally, the position belongs in the unclassified service because under Article X Section 2b all employees serving Article V judges are presumptively in the unclassified service. Under Article V Section 32 the Municipal and Traffic Court is an Article V court. He noted that in speaking with the Commission's Executive Counsel, her concern was that La. R.S. 13.2496 limits the number of employees for each judge to four, but that is not what the statute says. It says that four employees shall be appointed. It does not say only four or no more than four, it says each judge gets a minimum of four. When the court sits en banc it can have as many employees as the budget permits. In any event, the Civil Service Commission is not the arbiter of what the statute means. The Commission's Rule regarding the creation of unclassified positions is intended to address the

unenumerated section of Article X Section 2. The problem with trying to apply the Commission's Rule is that the judges are not policy makers, they are not appointing authorities within the meaning and intent of this entire system. The Article V judges were never intended to be part of Civil Service and all of their employees are presumptively in the unclassified service. Mr. Buras stated he hates seeing this issue coming up over and over again.

Commissioner Surprenant asked Mr. Buras if, in regard to the Constitutional provisions, he had asked for an Attorney General's opinion. Mr. Buras responded that he had not, noting that he saw no reason to because the issue is fairly clear. Commissioner Surprenant stated that there is an issue and the Commission's Counsel had informed Mr. Buras that they do not agree. From an efficiency standpoint, an Attorney General's opinion would move things forward. Mr. Buras stated his clients would prefer not to litigate this issue, but they are not afraid to do so. Commissioner Surprenant stated that he is not talking about litigation, he is talking about an Attorney General's opinion. Mr. Buras stated that Commission could request the opinion. Commissioner Surprenant responded that the court is the one who has the burden of proof to prove to the Commission that the position should be unclassified. Mr. Buras stated that he thinks that if he leaves the meeting without the position, his client will instruct him to litigate the matter. Commissioner Surprenant asked Mr. Buras which he thought would take more time- getting an Attorney General's opinion or litigation. Commissioner Surprenant noted that he had chaired a committee to revise Rule III Section 7.1 a couple of years ago. He stated he did not think the Rule had been satisfied. He asked Mr. Buras how the Rule had been satisfied. Mr. Buras stated that the rule is inapposite. He has heard that staff's reasoning is there are similar positions in the classified service, so the position is presumptively in the classified service, but that is not the rule. The job duties being the same are not determinative. Mr. Buras stated that the Rule does not apply to Article V judges. Commissioner Surprenant stated that if Mr. Buras presented a favorable opinion in the future from the Attorney General, he would be in favor of approving the position. Commissioner Surprenant moved to deny the request for a new classified position. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #4b was a request to amend the listing of difficult to fill positions for referral pay. Director Trepagnier stated that the Director of Safety and Permits previously came before the Commission to request that additional classifications be added to the list of difficult to fill positions eligible for referral pay. An employee that recruits

a successful hire to fill one of these positions may be compensated with a premium of up to \$2,000 in additional pay. Staff contacted the Chief Administrative Office (CAO) to see if the list required further updates. As a result, ten positions were added and four were removed. Commissioner Montverde moved to approve the request. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #4c was a request from Property Management for a hiring rate and pay grade change for Real Estate Administrator. Robert Hagmann, Personnel Administrator of the Classification and Compensation Division, stated that the Department of Property Management requested an upgrade of the Real Estate Administrator to accommodate an expansion of supervisory functions assigned to the role. The incumbent will oversee the administration of purchases, sales, and appraisals of City-owned public property while continuing to manage its real estate functions. The grade/step adjustment staff is recommending will increase the annual rate from \$70,643 to \$89,449. Commissioner Monteverde moved to approve the request. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #4d was a request from the Office of the Independent Police Monitor to retitle Community Police Review Specialist to Community Police Engagement Specialist. Mr. Hagmann explained that the primary role of the Community Police Review Specialist's was to evaluate police activity. However, the position is being repurposed to serve as a community liaison. The Independent Police Monitor is requesting a title change to reflect its new function. Commissioner Surprenant moved to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4e was a request from the Department of Police for new Combined DNA Index System (CODIS) classifications and a title, grade and hiring rate change for the classification of DNA Technical Leader. Mr. Hagmann stated that a new job series related to the operation of CODIS within the DNA unit would support the Police Department in its pursuit of an accredited crime lab. Staff also recommended upgrading DNA Technical Leader and modifying its title to reflect its supervisory responsibilities over employees hired in the new CODIS job series. Commissioner Monteverde moved to approve the request. The motion was seconded by Commissioner Surprenant and approved unanimously.

Item #4f was a request from the Department of Police for a new Latent Print Examiner job series. Mr. Hagmann stated that the request for a new Latent Print

Examiner job series is another piece in the pursuit of an accredited crime lab. The series would create a specialized classification of Latent Print Examiner. Commissioner Surprenant moved to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #4g was a request from the Department of Police for a new classification of Deputy Superintendent of Police (Fiscal and Personnel Management). The incumbent of this position would be in the classified service and responsible for work encompassing all administrative functions related to fiscal management, human resources, payroll, grant administration, records management, the National Crime Information Center, information technology, and fleet management of the Police Department. The position will also be eligible for executive retention pay. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #5a under Recruitment and Selection Matters was a request for the approval of examination announcements. Commissioner Monteverde moved to approve examination announcements 11224-11264. Commissioner Surprenant seconded the motion, and it was approved unanimously.

Item #6 was a request from the New Orleans Firefighters Association for investigation and review of NOFD's disciplinary matrix. This item was deferred to the next Commission meeting.

Item #7 was a request from the New Orleans Firefighters Association for a review of ongoing issues with NOFD's sick leave policy. This item was deferred to the next Commission meeting.

Item #8 was a request from the New Orleans Firefighters Association to develop an avenue of appeal for employees who receive a yearly performance rating of "Meets Expectations." This item was deferred to the next Commission meeting.

Item #9 was a request from Senior Police Officer Daniel Grijalva to change the classification of his injury from Worker's Compensation to Injured on Duty. It was requested by the Law Department that this matter be deferred to the next Commission meeting.

Item #10 was a request from NOPD to change the classification of Jacobie Jones' injury from Worker's Compensation to Injured on Duty. Tia Harrison, Personnel Administrator of the Classification and Compensation Division, stated that the paperwork required for processing Mr. Jones' injury claim was not received by the

Civil Service Department within the thirty (30) days mandated by Rule VIII, Section 2.10(a). Director Trepagnier stated that she and staff would support granting an exception to reclassify Mr. Jones' injury, as NOPD's failure to comply with the aforementioned rule should not unfairly disadvantage an employee who was not at fault. Commissioner Surprenant moved to approve the request. The motion was seconded by Commissioner Monteverde and approved unanimously.

Item #11 was a request from Senior Police Officer Marylou Agustin to amend the pay cycle for commissioned police employees. Director Trepagnier stated that the Commission had previously reviewed the proposal, allowing it to remain under consideration while Civil Service staff worked to gather estimates for amending the pay cycle from a bi-weekly schedule to a weekly one. Mr. Hagmann highlighted potential impacts on overtime calculations and pay if the pay cycle was shortened for commissioned police employees. Due to the size of the Police Department, the shift in overtime eligible days would be significant, resulting in increased compensation for commissioned police officers. He estimated that implementing this plan would cost \$2.5 million dollars in payroll expenses.

Director Trepagnier stated that other than budgetary concerns, staff could not identify a reason to deny the request. The decision on whether the City's budget can accommodate the proposed amendment to the pay cycle would rest with City Council. Commissioner Surprenant moved to approve the request. Commissioner Monteverde seconded the motion, and it was approved unanimously.

Item #12 was a report on the RFP selection committee for court reporters. Christina Carroll, Executive Counsel for the Civil Service Commission, stated that the three-member committee on the selection of court reporters convened on February 26, 2025, and recommended that the Commission proceed with contract negotiations with Cure, Knaack and Bell and Professional Shorthand Reporters, Inc. Commissioner Surprenant moved to approve the negotiation of these contracts. The motion was seconded by Commissioner Monteverde and approved unanimously.

There being no additional business to consider, Commissioner Surprenant moved for adjournment at 2:52 p.m. the motion was seconded by Commissioner Monteverde, and it was approved unanimously.

John Korn

John Korn (Apr 18, 2025 10:43 CDT)

John Korn, Vice-Chairperson

Mark Surprenant

Mark Surprenant (Apr 20, 2025 07:57 CDT)

Mark Surprenant, Commissioner

Andrew Monteverde

Andrew Monteverde (Apr 17, 2025 11:08 CDT)

Andrew Monteverde, Commissioner