

Civil Service Commission Minutes

Cincinnati, Ohio

June 14, 2012

The Civil Service Commission met in regular session in Room 307, Council Chambers, on Thursday, June 14, 2012. Commissioners in attendance were Mr. James Robinson, Chair; Ms. Deborah Gaines and Mr. Robert Braddock. Commission staff present included, Ms. Arnell Jackson, Assistant Civil Service Secretary and Ms. Peggy Simmons, Recording Secretary.

Since minutes from the May 24, 2012 meeting had been circulated among the members, a motion to dispense with a reading of the minutes was passed and the minutes were approved.

In the matter of the appeal for Granada Williams concerning her dismissal from the Public Services Department, a settlement has been reached between the Union and the City.

ELIGIBLE LISTS

- Sanitation Specialist (Article XX) – promotional
- Wastewater Collection Crew Leader – promotional
- Water Works Dispatcher – promotional

SPECIAL EXAMINERS

- Doug Carlisle for the Service Area Coordinator (Recreation Programming) exam
- Lois Finnell, Charlene Willis, Douglas Carlisle, and Stephen Gerth for the Community Center Director exam
- Cheryl Shelby and Todd Radel for the Senior Customer Relations Representative exam

Steve Byrne decision

This matter came before the Civil Service Commission on the appeal of Steve Byrne, a Water Works Maintenance Worker, from a suspension of 72 hours for Dishonesty and Neglect of Duty. Both parties were represented.

The City alleged that on the morning of 3/10/11, Mr. Byrne was found asleep in a City dump truck at roughly 6:40 am, while on duty, in the Water Works parking lot. This was considered to be Neglect of Duty. When questioned about the allegation, Mr. Byrne denied being asleep. This constituted Dishonesty.

The testimony for the City was that on the morning of 3/10/11, Mike Schmidt arrived for work at 4747 Spring Grove Avenue, the Water Works Complex, and heard a diesel engine idling in the distance. He followed the noise to its source to find a CWW dump truck idling in the pipe yard near the fence. Upon further inspection, Mr. Byrne was

seen lying down on the front seat, apparently asleep. After several attempts to elicit a response from Mr. Byrne, he "jumped up" and Mr. Schmidt told him to turn off the motor. Schmidt then went and reported the incident to the Field Supervisor, Brent Camp. The Navtrak GPS detailed to that vehicle confirmed that the dumpster in which he was found was idling in that position (Point A in City Exhibit 2) for 33 minutes and did not move from that location. Mr. Schmidt testified further that the distance from Facility Building B, where the tap incident occurred to the truck (Point A) was approximately 250 feet and that the distance from Facility Building B to the washroom (Point D, City Exhibit 2) was approximately 200 feet.

On 3/16/11, at another interview, Mr. Byrne stated that he was not asleep. Instead he stated that the tap machine in Facility Building B (see City Exhibit 2) squirted oil and water into his eyes while doing a drill. The mixture irritated his eyes and got on his contact lens despite wearing safety goggles. He did not report the incident to his supervisor or management until six days later. Mr. Byrne went on to testify that he was unsuccessful in re-wetting his contact lens while sitting in the truck and therefore walked from the truck (Point A on City Exhibit 2) to his car in the parking lot in order to obtain new supplies. He then re-wet his lens and went back to the truck and rested his eyes from the discomfort. Two fellow employees testified that they were present when the tap machine squirted the mixture on Steve's face.

The Commission, having heard and considered all the evidence and exhibits finds that the City has proved its case convincingly. Mr. Byrne's testimony that he went to his car rather than the washroom which was much nearer to the incident is less than credible. This coupled with evidence of Navtrak and the lack of credible evidence that he was in the truck due to eye discomfort and his failure to report the incident lead the Commission to uphold the charges and penalty of the appointing authority without modification.

CITY MANAGER'S OFFICE

Request from the City Manager's Office for the promotion without exam of Lauren Sundararajan from a Senior Internal Auditor to a Supervising Management Analyst in Citizen Complaint & Internal Audit

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Ms. Sundararajan is the only qualified and interested employee in the employing unit.

CITY PLANNING AND BUILDINGS

Request from the City Planning and Buildings Department for the transfer and voluntary demotion of Sam Thompson from an Administrative Technician in the Health Department to the City Planning and Buildings Department as a Customer Relations Representative

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that all parties are agreeable to the transfer and voluntary demotion.

Request from the City Planning and Buildings Department for the exceptional appointment of Robert Wagner and Jeff Hinkle as an Inspector 1 (GBI-HVAC)

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that they are qualified and the Commission previously approved this title for exceptional appointment.

ECONOMIC DEVELOPMENT/PARKING FACILITIES

Request from the Parking Facilities Division for the transfer and title change of Dawn Geoppinger from a Senior Management Analyst in the Budget and Evaluation Division to a Senior Administrative Specialist in Parking Facilities

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that parties are agreeable to the transfer and title change.

FINANCE

Request from the Finance Department for the transfer of Daniel Watson from the Income Tax Division to the Accountants and Audits Division as an Accountant

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that all parties are agreeable to the transfer.

Request from the Finance Department for the promotion without exam of Monica Morton from a Senior Accountant to a Supervising Accountant

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Ms. Morton is the only qualified and eligible employee in the employing unit.

HEALTH

Request from the Health Department for the exceptional appointment of Keith Miller as a Senior Computer Programmer Analyst

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Mr. Miller is qualified and the Commission previously approved this title for exceptional appointment.

METROPOLITAN SEWER DISTRICT

Request from the Metropolitan Sewer District for the exceptional appointment of Jennifer Bolden as a Supervising Management Analyst

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Ms. Bolden is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Metropolitan Sewer District for the promotion without exam of Bruce Thomas from an Electronics Technician 1 to an Electronics Technician 2

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Mr. Thomas has successfully completed three years of service as an Electronics Technician 1.

PUBLIC SERVICES

Request from the Public Services Department for the exceptional appointment of Brian Stubblefield as an Electrician

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Mr. Stubblefield is qualified and the Commission previously approved this title for exceptional appointment.

WATER WORKS

Request from the Water Works Department for the extension of probation for Curtis Kuethe as a Plant Operator 1

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Mr. Kuethe has been called to military duty.

Request from the Water Works Department for the voluntary demotion of Todd Lindeman from a Welder to a Storekeeper

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that all parties are agreeable to the voluntary demotion as an ADA accommodation.

AGENDA ITEMS

Request from Ellen Brewster for an alternate test date for the Service Area Coordinator (Recreation Programming) promotional exam

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Civil Service Rules allow for alternate test dates for injury or illness and religion or military.

Request from Andre Ewing for an alternate test date for the Police Sergeant promotional exam

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that Civil Service Rules allow for alternate test dates for injury or illness and religion or military.

Request from Joshua Borkosky to appeal his elimination from the Fire Recruit selection process

The staff recommended denial of the request. After review and discussion, the Commission denied the request. The decision was based on the fact that Ohio State Law, Ohio Revised Code places a cap on the age limit.

Request from Kenneth Smith to appeal his rejection from the Senior Computer Programmer Analyst exceptional appointment process

The staff recommended denial of the request. After review and discussion, the Commission denied the request. The decision was based on the fact that Mr. Smith does not meet the minimum qualifications.

Request for approval of new and/or revised classification specifications

- Internal Auditor – open
- Municipal Worker – unclassified
- Sign Painter – open or promotional
- Structure Maintenance Worker – promotional
- Unskilled Laborer – open
- Welder – open or promotional

After review and discussion, the Commission approved the request.

Request from Water Works Department to add the following positions to their table of organization:

- 1- Accounting Technician 2, 1- Accounting Technician 3
- 2 – Senior Customer Relations Representatives
- 7 – Customer Relations Representatives (part-time)

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that the duties and responsibilities are consistent with the proposed titles.

Request from the Human Resources Department for the approval of the revised Fire Recruit Disqualification Criteria

The staff recommended approval of the request. After review and discussion, the Commission approved the request.

Pending:

Jasmine Wright

Appeals to be scheduled:

Joseph Lee
David Johnson
Anthony Harper
James Roper
Lester McEwen
Alice Folson
Curtis Boykins (2)
Anthony Arnold
Veronica Barnes
James Partridge