

Civil Service Commission Minutes

Cincinnati, Ohio

October 13, 2011

The Civil Service Commission met in regular session in Room 307, Council Chambers, on Thursday, October 13, 2011. Commissioners in attendance were Mr. James Robinson, Chairman, Ms. Deborah Gaines and Mr. Robert Braddock. Commission staff present included, Ms. Arnell Jackson, Assistant Civil Service Secretary and Ms. Ornita Brown, Recording Secretary.

Since minutes from the September 22, 2011 meeting had been circulated among the members, a motion to dispense with a reading of the minutes was passed and the minutes were approved.

ELIGIBLE LISTS

- Facility Maintenance Specialist – promotional
- Laboratory Technician 3 – promotional
- Senior Accountant – promotional
- Water Works Construction Inspector – promotional

HEARINGS

The Civil Service Commission has scheduled a hearing for LaNita McDonald for November 3, 2011 at 9:30 a.m. concerning her suspension and dismissal from the Board of Education.

DECISION

This matter came before the Commission on the appeal of Firefighter Charles Martin II who was dismissed from the City of Cincinnati Fire Department, effective June 6, 2010, for Failure of Good Behavior and Substance Abuse.

Upon presentation of the evidence and the witnesses, the facts are as follows;

On February 8, 2010, Charles Martin submitted to a follow-up drug screen. On February 10, 2010, the result of the screen was positive for marijuana. This was his second positive test for marijuana within a twelve month period. On March 30, 2009, Firefighter Martin tested positive for marijuana in a follow-up drug screen which had been mandated by the Fire Department as part of his discipline for possession of marijuana in 2006.

The discipline for possession of marijuana , drug possession (cocaine), and solicitation, (all arising from one event in 2006), was suspension without pay for 1200 hours; successful completion of a court ordered rehab program; and random drug testing four times a year for three years.

The discipline for the positive test in March, 2009, was forty-eight hours suspension which was changed by the Fire Chief to ninety-six hours which in turn was modified down to forty-eight hours and three years of follow-up drug testing as per the negotiated contract between the fire fighter's union and the City of Cincinnati.

In his defense, it should be pointed out that there was a successful completion of the mandated PEAP program by Firefighter Martin following his 2006 discipline and his voluntary entrance into the PEAP following his 2010 incident. Although, the Fire Department did not mislead Martin that he could save his job by entering the program.

Mr. Martin would have the Commission believe that he has indeed learned his lesson and the severity of his transgressions. The Commission does indeed take very seriously the removal of an employee from his or her job. But the Commission is equally aware of the need the City and the Fire Department have to maintain and foster the trust which exists between the community and those who enter their homes in the exercise of their responsibilities.

The Commission therefore affirms the decision of the Fire Department to dismiss Charles Martin.

METROPOLITAN SEWER DISTRICT

Request from the Metropolitan Sewer District for the exceptional appointment of Ms. Mi Chen as a Senior Engineer

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. Chen is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Metropolitan Sewer District for the exceptional appointment of Brett Andress as a 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. Andress is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Metropolitan Sewer District for the promotion without exam of Vernon Dann from a Plant Operator 2 w/Class 1 license to a Plant Operator 2 w/Class 2 license

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. Dann has received his certification.

Request from the Metropolitan Sewer District for the transfer and voluntary demotion of Brian Wogenstahl from an Automotive Mechanic in the Public Services Department to an Administrative Technician

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 and Mr. Wogenstahl meets the qualifications as stated in the classification specification.

WATER WORKS

Request from the Water Works Department for the exceptional appointment of Donald Picard as a Computer Systems 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. Picard is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Water Works Department for the exceptional appointment of David Silver 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. Silver is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Water Works Department for the exceptional appointment of Maria Meyer as a Treatment Supervisor

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. Meyer is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Water Works Department for the promotion without exam of Andrew Orth from a Senior Engineer to a Supervising Engineer

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. Orth was the only interested employee in the employing unit and he meets the qualifications.

HEALTH

Request from the Health Department for the exceptional appointment of Mr. Manas Usenbaev as a Public Health Nurse 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. Usenbaev is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Health Department for the exceptional appointment of Crystal Duskin and Isabel Barnes as CRR-Medical Assistants

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.

Request from the Health Department for the exceptional appointment of Yuriy Zgherea as a Public Health Pediatrician

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. Zgherea is qualified and the Commission previously approved this title for exceptional appointment.

Request from the Health Department for the reinstatement of Jill Buehler, Susan Burton, Theresa Dell, and Traci Lewis as Public Health Nurse 2s

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 left in good standing and the law allows for reinstatement within one year.

Request from the Health Department for the permanent appointment of Jennifer Rankin from part-time to full-time Public Health Nurse 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 this position is grant funded.

Request from the Health Department for the permanent appointment of Diane Hess from part-time to full-time Nurse Practitioner

The staff recommended approval of the request. After review and discussion, the Commission approved the request. The decision was based on the fact that this position is grant funded.

AGENDA ITEMS

Request from Holly Zistler to appeal her rejection to transfer into a Senior Accountant position in the Water Works Department

The staff recommended denial of the request. After review and discussion, the Commission denied the request. The decision was based on the fact that Ms. Zistler does not meet the minimum qualifications as stated in the classification specification.

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 as stated in the classification specification.

Request from Dwight Muhammad to appeal his pre-employment physical for a Municipal Worker position in the Public Services Department

The staff recommended denial of the request. After review and discussion, the Commission denied the request. This decision was based on the information provided at the meeting by Employee Health Service.

Request from the Public Services Department to remove Laura Davis from the Traffic Aids Worker promotional eligible list

The staff recommended approval of the request. After review and discussion, the Commission approved the request. This decision was based on the fact that Ms. Davis has permanent restrictions which do not allow her to perform the full range of duties as stated in the classification specification.

Request from the Police Department to add an Accounting Technician 3 position to their table of organization

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 title and the deletion of a Clerk Typist 3.

Request from the Department of Transportation and Engineering to add a Senior Engineering Technician position to their table of organization

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 title and the deletion of a Public Works Inspector 2.

Request from Enterprise Technology Solutions to add a Clerk Typist 3 position to their table of organization

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 title and the deletion of a Clerk Typist 2.

Request for approval of new and/or revised classification specifications:

- Maintenance Fabrication Apprentice – open or promotional
- Water Works Maintenance Worker – promotional
- Service Area Coordinator (Traffic & Road) – promotional
- Sewer Maintenance Crew Leader – promotional

Pending:

Laboratory Technician Classification decision
Anthony Arnold - suspension

Appeals to be scheduled:

Joseph Lee
Augusta Steele
Alfred Brewster
Veno Mitchell
Steve Byrne (2 appeals)
Whitney Mobley
David Johnson
Anthony Harper
Jasmine Wright
James Roper