

Regular Meeting

April 27, 2009
12:30 p.m.

A regular meeting of the Municipal Civil Service Commission convened on Monday, April 27, 2009, at 12:40 p.m. with Grady Pettigrew, Jr., Jeffrey Porter, and Delena Edwards in attendance.

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Commissioner Jeff Porter introduced the new Commissioner, Delena Edwards.

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Director Barbara McGrath read into record the official appointment of Delena Edwards.

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Commission President Grady Pettigrew welcomed Commissioner Delena Edwards.

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RE: Review and approval of the minutes from the March 30, 2009 Regular meeting.

A motion to approve the minutes was made, seconded, and approved unanimously.

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RE: Review of the results of the pre-hearing conference review on the following appeal:

- a. Nicholas Santino vs. Columbus City Schools; Bus Driver. Trial Board Hearing scheduled for June 1, 2009; Appeal Number 09-BA-0002.*

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Nicholas Santino – Mr. Santino was discharged from the position of Bus Driver. The School Board will call three witnesses and the Appellant will call three witnesses, maybe one or two more. They anticipate the hearing to last two hours.

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RE: Rule Revisions.

No rule revisions were submitted this month.

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RE: Request of the Civil Service Commission staff to extend the current Firefighter Eligible List for a period of two years, to November 14, 2011, or until replaced by a new Firefighter Eligible List, whichever occurs first.

PRESENT: Sheri White, Personnel Analyst II

The current eligible list for the Firefighter classification was established November 15, 2006 and will expire November 14, 2009. There are 1,174 names remaining on the list after hiring 38 candidates. As a result of the City's budget challenges, the Division of Fire does not anticipate another class of candidates to begin the Fire Training Academy before the November 2009 expiration date of the current list. Given the abundant number of eligible candidates, the expense and effort associated with re-administering this exam would not be fiscally prudent at this time.

The current eligible list was previously extended by Commission action until November 14, 2009. Therefore, Commission action is required to extend the eligibility

list a second time for the applicants remaining on the list. For these reasons, Commission staff recommended the extension of the current list for a period of two years to November 14, 2011, or until replaced by a new Firefighter eligible list, whichever occurs first. This extension allows the Division of Fire to continue processing applicants on the current eligible list when academy classes resume.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Trial Board Recommendations.

No trial board recommendations were submitted this month.

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RE: Columbus City School classification actions.

No Columbus City School classification actions were submitted this month.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Sewer Maintenance Worker with no revisions (Job Code 3967).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Sewer Maintenance Supervisor I with no revisions (Job Code 3968).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Sewer Maintenance Supervisor II with no revisions (Job Code 3969).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Sewer Maintenance Manager with no revisions (Job Code 3971).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Parking Meter Repairer with no revisions (Job Code 3784).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Parking Meter Repairer Supervisor with no revisions (Job Code 3785).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Plant Operator I with no revisions (Job Code 3881).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Plant Operator II with no revisions (Job Code 3882).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Supply and Treatment Coordinator with no revisions (Job Code 1165).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Research Analyst I with no revisions (Job Code 1935).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Water Research Analyst II with no revisions (Job Code 1936).

RE: Request of the Civil Service Commission staff to approve the specification review for the classification Golf Courses Division Administrator with no revisions (Job Code 0300).

- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Prevailing Wage Coordinator with no revisions (Job Code 0767).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Assistant Auditor I (U) with no revisions (Job Code 0654).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Assistant Auditor II (U) with no revisions (Job Code 0655).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Assistant Auditor III (U) with no revisions (Job Code 0656).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Assistant Auditor IV (U) with no revisions (Job Code 0657).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Attorney (U) with no revisions (Job Code 1980).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Senior Attorney (U) with no revisions (Job Code 1979).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Principal Attorney (U) with no revisions (Job Code 1978).*
- RE: Request of the Civil Service Commission staff to approve the specification review for the classification Deputy City Attorney (U) with no revisions (Job Code 0057).*

PRESENT: Richard Cherry, Personnel Analyst II

Rich Cherry presented these requests to approve the specification reviews for the classifications Sewer Maintenance Worker, Sewer Maintenance Supervisor I, Sewer Maintenance Supervisor II, Sewer Maintenance Manager, Parking Meter Repairer, Parking Meter Repairer Supervisor, Water Plant Operator I, Water Plant Operator II, Water Supply and Treatment Coordinator, Water Research Analyst I, Water Research Analyst II, Golf Courses Division Administrator, Prevailing Wage Coordinator, Assistant Auditor I (Unclassified), Assistant Auditor II (Unclassified), Assistant Auditor III (Unclassified), Assistant Auditor IV (Unclassified), Attorney (Unclassified), Senior Attorney (Unclassified), Principal Attorney (Unclassified), and Deputy City Attorney (Unclassified) as part of Civil Service Commission's effort to ensure that all classifications have been reviewed at least every five years.

Based on questionnaires completed by incumbents and information received from department representatives, no revisions were requested at this time.

A motion to approve these requests was made, seconded, and approved unanimously.

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- RE: Request of the Civil Service Commission staff to revise the specification for the classification Sewer Maintenance Assistant Manager (Job Code 3970).*

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request to revise the specification for the classification Sewer Maintenance Assistant Manager as part of Civil Service Commission's effort to ensure that all classifications have been reviewed at least every five years. It was last reviewed in September 2005. There are currently three employees serving in this classification, located in the Sewerage and Drainage Division. Based on questionnaires completed by incumbents and feedback from department representatives, there were revisions proposed.

There were no revisions to the definition section. One revision to the examples of work section was to include a duty pertaining to the use of a computer and various software programs in order to keep records and maintain information. The ability to operate a computer and associated software was added to the knowledge, skills and abilities section.

There were no revisions to the minimum qualifications section, examination type, or probationary period.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Sewer Service Supervisor (Emergency) (Job Code 3314).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request to revise the specification for the classification Sewer Service Supervisor (Emergency) as part of Civil Service Commission's effort to ensure that all classifications have been reviewed at least every five years. It was last reviewed in September 2005. There are currently two employees serving in this classification, located in the Sewerage and Drainage Division. Based on questionnaires completed by incumbents and feedback from department representatives, there were revisions proposed.

There were no revisions to the definition section. Two revisions to the examples of work section was to include a duty pertaining to the use of a computer and various software programs in order to keep records and maintain information, and also to include a duty to suggest that this may supervise subordinate staff in support of sewer service operations. The ability to operate a computer and associated software was added to the knowledge, skills and classification abilities section.

There were no revisions to the minimum qualifications section, examination type, or probationary period.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Plant Operations Manager (Job Code 1169).

RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Plant Manager (Job Code 1170).

RE: Request of the Civil Service Commission staff to revise the specification for the classification Water Research Laboratory Manager (Job Code 1937).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented these requests to revise the specifications for the classifications Water Plant Operations Manager, Water Plant Manager, and Water Research Laboratory Manager as part of Civil Service Commission's effort to ensure that all classifications have been reviewed at least every five years. Based on questionnaires completed by incumbents and feedback from department representatives, there were revisions proposed.

The Power and Water division was formed as the result of the merger of the Electricity Division with the Water Division. Before being located in the Power and Water Division, this classification was originally utilized specifically by the Water Division. This specification still made reference to the Water Division. Therefore, the

only recommended revision to this specification was to eliminate any reference to the Water Division.

A motion to approve these requests was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Firefighter (Job Code 3090).

This item was deferred.

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Street Maintenance Operations Manager, and amend Rule XI accordingly (Job Code 3981).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to abolish the specification for the classification Street Maintenance Operations Manager. This classification is currently vacant and has been since January 2003.

With the Public Service reorganization that went into effect in early 2009, a Transportation Operations Coordinator classification was created to best fit the department's needs. The new classification incorporated responsibilities from the Street Maintenance Operations Manager along with other responsibilities from the new division, Planning and Operations Division, were added. As such, there was no longer a need to maintain a Street Maintenance Operations Manager classification in the class plan. Therefore, it was recommended that the specification for this classification be abolished.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Water Customer Services Assistant Coordinator, and amend Rule XI accordingly (Job Code 0864).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to abolish the specification for the classification Water Customer Services Assistant Coordinator.

In December 2002, the Commission imposed a moratorium on this classification at the request of Commission staff and with agreement from the department. With this classification now vacant, it was requested that the Water Customer Services Assistant Coordinator classification be abolished as proposed.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Secretary and amend Rule XI accordingly (Job Code 0477).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to abolish the specification for the classification Secretary.

In June 2006, the Commission imposed a moratorium on this classification at the request of Commission staff and with agreement from the departments. More recently, the last position incumbent has left employment with the City, leaving this class vacant. It was therefore requested that the Secretary classification be abolished as proposed.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Administrative Secretary (Health) and amend Rule XI accordingly (Job Code 0490).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to abolish the specification for the classification Administrative Secretary (Health).

In April 2002, the Commission imposed a moratorium on this classification at the request of Commission staff and with agreement from the department. More recently, the only position incumbent retired from City employment, leaving this class vacant. It was therefore requested that the Administrative Secretary (Health) classification be abolished as proposed.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Legislative Clerk and amend Rule XI accordingly (Job Code 0500).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to abolish the specification for the classification Legislative Clerk.

In March 2000, the Commission imposed a moratorium on this classification at the request of Commission staff and with agreement from the department. More recently, the last two incumbents have been appointed to other classes within City Council, leaving this class vacant. It was therefore requested that the Legislative Clerk classification be abolished as proposed.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Transportation Division Administrator and amend Rule XI accordingly (Job Code 0202).

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RE: Request of the Civil Service Commission staff to abolish the specification for the classification Transportation Division Assistant Administrator, and amend Rule XI accordingly (Job Code 0203).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented these requests to abolish the specification for the classification Transportation Division Administrator and Transportation Division Assistant Administrator.

The Transportation Division was recently reorganized to form three new divisions, Mobility Options, Planning and Operations, and Design and Construction, within the Department of Public Service. With these classifications now vacant and the division disbanded, it was recommended that this classification be abolished as proposed.

A motion to approve these requests was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Managing Attorney (U) (Job Code 1977).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to revise the specification for the classification Managing Attorney (Unclassified) to be more consistent with its current use within the City Attorney's Office. It was last revised in May 2007. There are currently six employees serving in this classification each of whom manages a major section.

Based on information received from the department, it was proposed that the definition section read "is responsible for directing the work of a major section of the legal department."

There were no other proposed changes to the specification at this time.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Deputy City Auditor (U) (Job Code 0163).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to revise the specification for the classification Deputy City Auditor (Unclassified) to include guidelines for class use section. It was last reviewed in 2004. There is currently one employee serving in this classification. Based on information provided by the department it was recommended that the classification specification be revised as proposed.

The guidelines for class use section would reference the section of City Charter that speaks to which classifications are to be part of the unclassified service. There were no other proposed changes to the specification.

A motion to approve this request was made, seconded, and approved unanimously.

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RE: Motion to adjourn regular meeting to go into Executive Session to consider the remaining agenda items.

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RE: Personnel Actions

No personnel actions were submitted this month.

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RE: Residency Hearing Reviews.

No residency hearing reviews were submitted this month.

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RE: Background Removals.

	Name of Applicant	Position Applied For	BAR #
1.	Hoge, Brandon	Police Officer	09-BR-001
2.	Chung, Edward	Police Officer	09-BR-002
3.	Hopkins, Martin	Police Officer	09-BR-003

After reviewing the file of Brandon Hoge, the Commissioners decided his name would be reinstated to the police officer eligible list.

After reviewing the files of Edward Chung and Martin Hopkins, the Commissioners decided their names would not be reinstated to the police officer eligible list.

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RE: Other Administrative/Jurisdictional Reviews.

Review of the appeal of George E. Stewart, regarding his discharge from the position of Custodian II, Columbus City Schools – Appeal #09-BA-0001.

The Commissioners reviewed the appeal of George E. Stewart filed on January 29, 2009 stating that he was wrongfully released from employment by the Columbus City Schools.

The Columbus City Schools filed a Motion to Dismiss on February 27, 2009. In the motion, the Columbus City Schools argued that the appeal should be dismissed because the discharge was required by Ohio Revised Code Section 3319.391. Columbus City Schools further provided an affidavit which stated that the State of Ohio required a record check which produced an arrest for promoting prostitution in 1995. The affidavit further indicated that records from the Franklin County Court of Common Pleas revealed that he had been convicted in 1995 of two first degree misdemeanor counts of attempted promoting prostitution, R. C. 2907.22.

The Motion to Dismiss indicated Columbus City Schools mailed a copy of this to Mr. Stewart on February 19, 2009. No response to this motion was submitted to the Civil Service Commission. The Civil Service Commission determined that there was no basis for an appeal. The Ohio Revised Code is clear that the Columbus City Schools had no discretion with respect to the employment of individuals with criminal convictions listed in Section 3319.39(B)(1). In addition, the Civil Service Commission does not have any discretion to overturn this discharge. Accordingly, the discharge must be upheld.

Based on this information, the Commission decided to grant the Motion to Dismiss. The appeal was dismissed.

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The Commissioners adjourned its regular meeting at 12:56 p.m.

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Grady L. Pettigrew, Jr., President

Date