

Regular Meeting

January 27, 2014
12:30 p.m.

A regular meeting of the Municipal Civil Service Commission convened on Monday, January 27, 2014, at 12:41 p.m. with Jeff Porter and Delena Edwards in attendance.

PLEASE NOTE: These Minutes are summarized and are not actual statements made by each presenter in the meeting.

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RE: Review and approval of the minutes from the December 16, 2013 Regular Meeting.

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

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RE: Pre-Hearing Conference Reviews.

a. Kimberly Podolski vs. Columbus City Schools; Bus Driver; 5-day suspension. Trial Board Hearing scheduled for March 10, 2014; Appeal Number 13-BA-0020.

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Brenda Sobieck presented the pre-hearing conference review of Kimberly Podolski, a bus driver who was suspended for five days from Columbus City Schools. Columbus City Schools will have two witnesses and the Appellant will have two witnesses. There is no need for expansion of time for the Trial Board.

b. Tregenia Walters vs. Columbus City Schools; Bus Driver; Discharge. Trial Board Hearing scheduled for March 19, 2014; Appeal Number 13-BA-0022.

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Brenda Sobieck presented the pre-hearing conference review of Tregenia Walters, a bus driver who was discharged from Columbus City Schools. Columbus City Schools will have two to three witnesses and the Appellant will have one witness. There is no need for expansion of time for the Trial Board.

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RE: Rule Revisions.

No Rule Revisions were submitted this month.

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Re: Request of Appellant, Toni Cannaday, to withdraw the appeal she filed June 3, 2013, regarding her termination from the position of Custodian II with the Columbus City Schools - Appeal Number 13-BA-0008.

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

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Re: Request of Appellant, Thomas Heller, to withdraw the appeal he filed June 3, 2013, regarding his layoff from the position of Laborer with the Columbus City Schools - Appeal Number 13-BA-0007.

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

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Re: Review of the Findings and Recommendation of the Trial Board hearing held on November 4, 2013, Judy Miller vs. Columbus City Schools, Appeal Number 13-BA-0004.

This item was deferred.

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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 revise the specification for the classification Firefighter (Job Code 3090).

PRESENT: Sheri Goodwin, Personnel Analyst II

Sheri Goodwin presented this request to revise the specification for the classification Firefighter as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. It was last reviewed in May 2009. There are currently 1,249 employees serving in this classification, located within the Department of Public Safety, Division of Fire.

Based on feedback from department representatives, some minor revisions were proposed. There were no revisions to the definition section. The examples of work section was revised to delete examples that are rarely completed and to include "evaluates conditions of patients by questions, observations, or hands-on assessment to determine the type of help needed and the appropriate rescue technique; carries patients on stretchers, backboards, or wheelchairs, with assistance of others, up or down stairs, around turns and through openings;" and "may be required to obtain specialized training and certifications."

The minimum qualifications section was revised to include maintaining a valid Emergency Medical Technician Basic (EMT-B) certification issued by the State of Ohio upon completion of the training academy. The knowledge, skills, and abilities section was revised to delete keyboarding and make a change within the ability to work in environments containing hazardous materials to "...containing immediate dangers to life or health (IDLH) requiring self-contained breathing apparatus (SCBA)."

There were no revisions to the examination type or the 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 Senior Procurement Specialist (Job Code 0775).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Senior Procurement Specialist which was initiated at the request of Director Paul Rakosky with the Department of Finance and Management.

The department requested that the minimum qualifications be revised to allow qualified candidates to acquire the certification within a specified timeframe after employment. Therefore, the minimum qualifications section was revised to read, "Possession of a bachelor's degree and three years of experience as a Procurement Specialist with the City of Columbus or comparable experience. Substitution: Possession of a valid certification as a Certified Purchasing Manager (CPM) from the Institute for Supply Management (ISM) or as a Certified Professional Public Buyer (CPPB) or Certified Public Procurement Officer (CPPO) from the Universal Public Procurement Certification Council (UPPCC) may substitute for the bachelor's degree."

There were no revisions to the definition section, the examples of work section, the guidelines for class use section, the knowledge, skills, and abilities section, the examination type, or the 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 Building Inspection Specialist (Job Code 1773).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to revise the specification for the classification Building Inspection Specialist as a result of an application review in which it was noted that the current minimum qualifications were not consistent with the Inspector series. There are currently no employees serving in this classification, which is used specifically in the Building and Zoning Services Department.

Therefore, the minimum qualifications section was revised to read, "Six years of experience involving the application, enforcement, or development of building codes and standards in building construction inspection and certification as defined in one of the following State of Ohio certification tracks:

- a. possession of a valid State of Ohio certification as a Building Inspector and Residential Building Inspector (or Residential Building Official);
- b. possession of a valid State of Ohio certification as a Plumbing Inspector, Residential Plumbing Inspector, and Medical Gas Inspector;
- c. possession of a valid State of Ohio certification as a Mechanical Inspector, Residential Mechanical Inspector (or Residential Building Official), and Fire Protection Inspector; or
- d. possession of a valid State of Ohio certification as an Electrical Safety Inspector.

Substitution(s): An associate's degree in architecture or engineering (civil or structural) may be substituted for the required experience on a year-for-year basis. Possession of a valid motor vehicle operator's license."

There were no revisions to the definition section, the examples of work section, the knowledge, skills, and abilities section, the examination type, or the 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 create the specification for the classification Airworthiness Specialist, designate the examination type as noncompetitive, assign a probationary period of 365 days, and amend Rule XI accordingly.

This item was deferred.

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RE: Request of the Civil Service Commission staff to create the specification for the classification Parks Irrigation Specialist, designate the examination type as competitive, assign a probationary period of 365 days, and amend Rule XI accordingly.

This item was deferred.

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RE: Personnel Action.

Request of the Civil Service Commission staff to reallocate a specified position, currently classified as Wastewater Pretreatment Specialist (Job Code 3316), to Water Service Technician II (Job Code 3276) and to allow the affected employee to retain his current classification seniority and status.

PRESENT: Suzy Ulry, Personnel Analyst II

In December, 2013, the Civil Service Commission approved revisions to the wastewater pretreatment class series. In the overall restructuring of the wastewater pretreatment series, classifications were streamlined, and substantial revisions were made to existing classifications, rather than going the route of creating new classifications. The Sewerage Charge Inspector classification was merged with the Environmental Programs Specialist classification, retitled to read Wastewater Pretreatment Specialist, and included within the series between Wastewater Pretreatment Technician and Wastewater Pretreatment Analyst.

At the time of the overall review, it was noted that two positions located within the Public Utilities, Water Division, were allocated to Sewer Charge Inspector. One of the employees has since retired and one position remains. In light of the proposed restructuring of classifications, and ultimately the revisions, it was agreed the Wastewater Pretreatment Specialist classification would no longer reflect the work performed in the Water Division. In discussions with department representatives, it was noted that the duties assigned to the remaining position would be better classified by the Water Service Technician II classification. Subsequently, it was agreed that a personnel action to reallocate the position to the Water Service Technician II classification would be the most appropriate remedy to deal with the remaining position in the Water Division.

It was requested that the employee occupying this position retain his classification seniority and status upon reallocation. While the classification title will be changing, the work assigned and performed by this employee will remain the same.

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

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RE: Residency Hearing Reviews.

No residency hearing reviews were submitted this month.

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RE: Background Removals – Pre-Exam.

	Name of Applicant	Position Applied For
1.	H. Michelle Laxton	Police Communications Technician

After reviewing the file of H. Michelle Laxton, the Commissioners decided her name would be reinstated to the Police Communications Technician testing process.

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RE: Background Removals – Post-Exam.

	Name of Applicant	Position Applied For	BAR #
1.	Justin Engel	Firefighter	13-BR-076

After reviewing the file of Justin Engel, the Commissioners decided his name would not be reinstated to the Firefighter eligible list.

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RE: Other Administrative/Jurisdictional Reviews.

Review of the appeal of Beth Berry, regarding her denied application for a Management Analyst II position, City of Columbus, Appeal Number 13-CA-0010.

The Commissioners reviewed the appeal filed by Beth Berry on November 22, 2013 regarding the determination that she did not meet the minimum qualifications for the position of Management Analyst II with the City of Columbus.

In her appeal, Ms. Berry cited the United States Department of Labor's definition of discretion and independent judgment. She stated that she believes she meets the requirement of four years of professional experience based on that definition. The Civil Service Commission reviewed this information as well as the description of Ms. Berry's work experience originally submitted.

The Commission had previously determined that Ms. Berry's work experience as a consultant for her husband's business would be credited for two years full-time professional experience based on a pro-rated total of the part-time hours. Her additional experience was considered to be clerical and not counted as professional experience. Ms. Berry's initial Request for Review also listed examples of work, particularly as an Office Assistant III; however, these examples still fit within the definition of that job classification. In addition, the Commission's policy is to consider only post-degree experience as professional experience. Her application and all of her appeal materials were reviewed and it was determined that Ms. Berry did not meet the minimum qualifications for this position.

Based upon the foregoing, the Civil Service Commission upheld the rejection of Ms. Berry's application for Management Analyst II and decided to dismiss her appeal without a hearing pursuant to Rule XIII (G)(1).

Review of the appeal of Thomas Marshall, regarding his denied application for a Water Maintenance Supervisor I examination, City of Columbus, Appeal Number 13-CA-0011.

The Commissioners reviewed the appeal filed by Thomas Marshall on December 11, 2013 regarding the rejection of his application for the Water Maintenance Supervisor I examination with the City of Columbus.

In his appeal, Mr. Marshall stated that his application was not updated properly on the computer, but that he resubmitted it with current work experience. His original application only listed experience as a construction worker, a computer technician, a driver/dock worker, and a Sewer Maintenance Worker with the City of Columbus. He did not meet the minimum qualifications based on the jobs that were listed on his application.

The Civil Service Commission reviewed the information on the appeal form that Mr. Marshall submitted and his original application for this exam. Unfortunately, Commission policy does not allow jobs to be added to an application once it has been reviewed and a determination has been made as to whether or not the individual meets the minimum qualifications for the job class. Therefore, Mr. Marshall's application remains rejected since he did not include enough experience on his original application to show that he met the qualifications.

Based upon the foregoing, the Civil Service upheld the rejection of Mr. Marshall's application for Water Maintenance Supervisor I and decided to dismiss his appeal without a hearing pursuant to Rule XIII (G)(1).

Review of the appeal of Fred Cunningham, regarding his denied application for the Sewer Service Supervisor (Emergency) examination, City of Columbus, Appeal Number 13-CA-0012.

The Commissioners reviewed the appeal filed by Fred Cunningham on December 20, 2013 regarding the rejection of his application for the Sewer Service Supervisor (Emergency) examination.

In his appeal, Mr. Cunningham stated that he felt he had the necessary experience to meet the minimum qualifications. His application and the materials submitted with his appeal were carefully reviewed. In addition, Commission staff consulted with the Department of Public Utilities to verify which classifications and specific positions allow employees to meet the experience requirements for this position.

After a review of all of the information submitted, it was determined that while Mr. Cunningham has a number of years of experience with the Department of Public Utilities, he did not meet the minimum qualifications specifically required for Sewer Service Supervisor (Emergency).

Based upon the foregoing, the Civil Service Commission upheld the rejection of Mr. Cunningham's application for Sewer Service Supervisor (Emergency) and decided to dismiss his appeal without a hearing pursuant to Rule XIII (G)(1).

Review of the appeal of Sarah Wheeler, regarding her discharge from the position of Police Officer, City of Columbus, Appeal Number 13-CA-0013.

The Commissioners reviewed the appeal filed by Sarah Wheeler on December 23, 2013 regarding her probationary termination from the position of Police Officer with the City of Columbus.

In her appeal, Ms. Wheeler described concerns about her treatment during the Academy and during field training in the Division of Police. Civil Service Commission Rule XI (D) permits termination during an employee's probationary period by

submission of a written report to the Commission. Rule XI section D (4) states, "There shall be no appeal of any kind from the action of the appointing authority removing an employee during or at the end of the probationary period." A decision to terminate an employee during the probationary period is made by the appointing authority and there are no appeal rights to the Commission under this Rule.

Therefore, for the foregoing reasons, the Commission has no jurisdiction over Ms. Wheeler's appeal and dismissed the appeal without a hearing.

Review of the appeal of Sheryl Elkins, regarding her denied application for a Management Analyst II position, City of Columbus, Appeal Number 14-CA-0001.

The Commissioners reviewed the appeal filed by Sheryl Elkins on January 9, 2014 regarding the determination that she did not meet the minimum qualifications for the position of Management Analyst II with the City of Columbus.

In her appeal, Ms. Elkins stated that she was a shared employee for the City of Newark, working for both the Economic Development Director and the Director of Public Service. Ms. Elkins indicated that she worked in both capacities beginning in August 2008 until she was appointed to the position of Secretary II in March 2010.

The Commission had previously determined that Ms. Elkins' work experience at the City of Newark would be counted as three years and eight months of experience. After a review of the documents she submitted, including performance evaluations, letters, and Council Minutes dated May 2008, it appears that she was performing this work prior to 2010. Although it is unclear how much of her time as a shared employee was devoted to coordinating budgets and advising management, even experience weighted at 50 percent would give her more than the four months needed to total four years of experience. Therefore, a determination was made that Ms. Elkins meets the minimum qualifications for this position.

Based upon the foregoing, the Civil Service Commission granted Ms. Elkins' appeal and approved her application for the position of Management Analyst II.

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The Commissioners adjourned their regular meeting at 12:53 p.m.

Grady L. Pettigrew, Jr., President

Date