

Regular Meeting

September 29, 2014
9:00 a.m.

A regular meeting of the Municipal Civil Service Commission convened on Monday, September 29, 2014, at 9:05 a.m. with Grady Pettigrew, Jr., 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 August 25, 2014 Regular Meeting.

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

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RE: Pre-Hearing Conference Reviews.

a. Sasaun Lane vs. Columbus City Schools; Student Safety Resource Coordinator; Discharge. Trial Board Hearing scheduled for November 5, 2014; Appeal Number 14-BA-0010.

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Brenda Sobieck presented the pre-hearing conference review of Sasaun Lane, a Student Safety Resource Coordinator, who was discharged from Columbus City Schools. Columbus City Schools will have three witnesses and the Appellant will have five witnesses. Both counsel believes there is no need for expansion of time.

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RE: Rule Revisions

No Rule revisions were submitted this month.

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Re: Review and Approval of the 2015 Civil Service Commission Trial Board Hearing Schedule.

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

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Re: Review and Approval of the 2015 Regular Commission Meeting/Full Commission Hearing Schedule.

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

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Re: Review of the Findings and Recommendation of the Trial Board hearing held on December 4, 2013 and April 28, 2014, John Fink vs. City of Columbus, Appeal Number 13-CA-0008.

A motion to adopt the trial board's recommendation affirming the action of the City of Columbus demoting Mr. John Fink from the position of Facilities Operations Manager was made, seconded, and passed unanimously.

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Re: Review of the Findings and Recommendation of the Trial Board hearing held on May 12, 2014, Denise Rhoades vs. Columbus City Schools, Appeal Number 13-BA-0026.

A motion to adopt the trial board's recommendation affirming the action of the Columbus City Schools discharging Ms. Denise Rhoades from the position of Food Service Worker was made, seconded, and passed unanimously.

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Re: Review of the Findings and Recommendation of the Trial Board hearing held on May 28, 2014, Kimberly Podolski vs. Columbus City Schools, Appeal Numbers 13-BA-0020 and 14-BA-0001.

A motion to adopt the trial board's recommendation affirming the actions of the Columbus City Schools suspending Ms. Kimberly Podolski for five days and for 10 days from the position of Bus Driver was made, seconded, and passed unanimously.

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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 Sign Painter-Fabricator with no revisions (Job Code 4013).

Request of the Civil Service Commission staff to approve the specification review for the classification Machinist with no revisions (Job Code 3825).

Request of the Civil Service Commission staff to approve the specification review for the classification Engineering Associate I with no revisions (Job Code 1031).

Request of the Civil Service Commission staff to approve the specification review for the classification Engineering Associate II with no revisions (Job Code 1032).

Request of the Civil Service Commission staff to approve the specification review for the classification Electrical Engineering Associate I with no revisions (Job Code 1132).

Request of the Civil Service Commission staff to approve the specification review for the classification Electrical Engineering Associate II with no revisions (Job Code 1133).

Request of the Civil Service Commission staff to approve the specification review for the classification Receptionist-Secretary with no revisions (Job Code 0467).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented these requests to approve the specification reviews for the classifications Sign Painter-Fabricator, Machinist, Engineering Associate I, Engineering Associate II, Electrical Engineering Associate I, Electrical Engineering Associate II, and Receptionist-Secretary with no revisions as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years.

Based on a review of the specifications, questionnaires completed by incumbents, with supervisory review, and feedback from department representatives, there were no revisions to these classification specifications at this time.

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Building Inspection Specialist, retitle it to read Building Compliance Specialist, and amend Rule XI accordingly (Job Code 1773).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to revise the specification for the classification Building Inspection Specialist and retitle it to read Building Compliance Specialist. The revisions and retitling are consistent with the department's formation of a Building Compliance Section that is charged with managing matters of building compliance. In light of some of the more recent changes occurring within the Building Compliance Section, several revisions were recommended.

The change in the title from "Inspection" to "Compliance" recognizes the work as being primarily compliance focused and less emphasis on the actual inspecting. The definition section was revised to simply reference the Building Compliance Section versus the Building Inspection Unit.

The examples of work section was revised to add, "Researches state and local building codes, and makes recommendations to how research can be applied to fit operational needs; Develops and recommends strategies for the enforcement of building codes relating to specific cases and operational programs of the Building Compliance Section; Manages a case load of building inspections to include tracking, monitoring, and follow-up; ensures consistent communication with all pertinent parties; prepares cases for litigation when needed; Provides various status reports of current cases to senior management, residential/business owners, City officials, and other stakeholders; Interacts and communicates with third parties such as architects, engineers, attorneys, and personnel from other City departments to include Code Enforcement, 311, and Fire;" and "Creates and issues building orders for violations of building codes." The statement "Develops new codes and modifies existing codes related to building issues such as building applications and contractor licensing" was changed to "Writes new codes and modifies existing codes related to building issues such as building applications and contractor licensing."

The minimum qualifications section was revised to read, "Possession of a bachelor's degree and three years of experience researching, analyzing, and making recommendations on matters relating to regulatory compliance, public policy, building industry, code enforcement, or other closely related area. Substitution(s): Possession of a valid State of Ohio certification as a Building Inspector and Residential Building Inspector (or Residential Building Official); as a Plumbing Inspector; as a Mechanical Inspector and Residential Mechanical Inspector (or Residential Building Official) OR as an Electrical Safety Inspector certification may substitute for the bachelor's degree requirement. Possession of a master's degree may substitute for one year of the required experience. Possession of a Juris Doctorate (J.D.) may substitute for two

years of the required experience. Possession of a valid motor vehicle operator's license."

The EEO category was assigned to the "Professional" category as it is more consistent with the level and type of work to be performed within the Building Compliance Section. There were no revisions to the knowledge, skills, and abilities section, the examination type, or the probationary period.

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Parking Meter Collector (Job Code 1300).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Parking Meter Collector as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. It was last reviewed in April 2010.

There are currently three employees serving in this classification located in the Public Service Department. Based on questionnaires received from incumbents, with supervisory review, and feedback from department representatives, some revisions were proposed.

There were no revisions to the definition section. One statement was amended in the examples of work section to note that the duties include swiping the meter with a meter collection card after the coin cups are removed, emptied, and reinserted into the meter. Additionally, one statement was modified to note that a meter key log will be completed daily to document the issuance and return of meter vault keys. New statements were added reflecting the use of a hand-held propane torch to thaw meter key locks during cold weather and the lubrication of key locks when necessary. The reference to sorting and filing handwritten parking tickets was removed as Parking Meter Collectors are no longer responsible for this.

The knowledge, skills, and abilities section was revised to add the ability to operate a computer and utilize related software. There were no revisions to the minimum qualifications section, the examination type, or the probationary period.

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Parking Enforcement Officer (Job Code 3022).

RE: Request of the Civil Service Commission staff to revise the specification for the classification Parking Enforcement Officer Supervisor (Job Code 3023).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented these requests to revise the specifications for the classifications Parking Enforcement Officer and Parking Enforcement Officer Supervisor as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. They were both last reviewed in April 2010. Based on questionnaires received from incumbents, with supervisory review, and feedback from department representatives, a minor revision was proposed.

There were no revisions to the definition sections. In the examples of work sections, the statement, "Makes appropriate notifications to report damaged or inoperable parking meters and/or missing parking restriction signage" was added.

There were no revisions to the minimum qualifications sections, the knowledge, skills, and abilities sections, the examination types, or the probationary periods.

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Education Program Instructor (Job Code 1619).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Education Program Instructor as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. It was last reviewed in March 2009. There are currently five part-time employees serving in this classification located in the Recreation and Parks Department. Based on questionnaires received from incumbents, with supervisory review, and feedback from department representatives, some minor revisions were proposed.

There were no revisions to the definition section. Statements added to the examples of work section include, "Plans and develops activities to enhance life skills experiences and personal growth for program participants; Assists in preparation and distribution of meals and snacks; Keeps abreast of school curriculum content and changes in curriculum;" and "May drive a City vehicle to transport participants to program activities and events."

The minimum qualifications section was revised to note that college training may substitute for required experience, and to specify that 30 semester hours or 45 quarter hours are equivalent to one year of experience and that some positions may require the possession of a valid motor vehicle operator's license. The knowledge, skills, and abilities section was revised to include the "ability to demonstrate integrity and to model appropriate socialization behaviors;" and the "ability to operate a computer and utilize related software."

There were no revisions to the examination type or the probationary period

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Education Program Supervisor (Job Code 1620).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Education Program Supervisor as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. It was last reviewed in March 2009. There are currently three full-time employees serving in this classification located in the Recreation and Parks Department. Based on questionnaires received from incumbents, with supervisory review, and 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 include the responsibility for the implementation of programming, fostering, and developing positive skills through life skills experiences, and participation in conferences with school officials and parents to provide parent advocacy support and to address academic and behavioral challenges. Also added to this section was that the Education Program Supervisors may drive a City vehicle to transport participants to program activities and events.

The minimum qualifications section was revised to add, "Some positions may require the possession of a valid motor vehicle operator's license." The knowledge, skills, and abilities section was revised to add the "ability to demonstrate and employ appropriate conflict resolution techniques;" and the "ability to operate a computer and utilize related software."

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Alcohol and Drug Abuse Program Manager (Job Code 1570).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Alcohol and Drug Abuse Program Manager as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. It was last reviewed in June 2009. There are currently two employees serving in this classification located within the Columbus Public Health Department. Based on questionnaires received from incumbents, with supervisory review, and feedback from department representatives, some minor revisions were proposed.

There were no revisions to the definition section. Within the examples of work section, the statement which reads, "Diagnoses clients for alcohol and drug abuse or dependency and other mental health problems," was revised to remove the reference to other mental health problems. The knowledge, skills, and abilities section was revised by adding the "ability to operate a computer and utilize related software."

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

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

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

PRESENT: Carol Lagemann, Personnel Analyst II

Carol Lagemann presented this request to create the specification for the classification Damage Prevention Supervisor pursuant to a class action request from the Department of Public Utilities. This creation is intended to fill a gap for work within the series in the classification plan. Damage Prevention Supervisor would supervise Utility Line Locators and report to the Damage Prevention Program Manager.

The definition section reads, "Under direction, is responsible for supervising underground utility line location personnel for a specified region in the city; performs related duties as required." Some of the examples of work are, "Conducts damage investigations in the field to provide an objective report of damaged facility, circumstances leading to the damage, assessment of third party damage and recommendations to prevent future damages; maintains regular contact with contractors in the field and resolves issues with contractors regarding excavation and associated utility line markings, particularly in regards to Capital Improvement Projects or other large projects; conducts quality assurance checks in the field to measure, including but not limited to, the accuracy, timeliness, and completeness of utility markings made by Utility Line Locators; and may determine the location of

underground utility lines using various locating equipment, maps and atlases, and mark same in field."

The guidelines for class use section reads, "This classification is not to exceed two positions in the Department of Public Utilities." The minimum qualifications are, "Four years of experience locating, installing, and/or inspecting utility lines, and possession of a valid motor vehicle operator's license." The knowledge, skills, and abilities section includes, "considerable knowledge of relevant Ohio Revised Code (Sections 153 and 3781) regarding responsibilities of utility facilities and excavators; considerable knowledge of techniques, tools, and materials used in utility line location/inspection; ability to read and comprehend collective bargaining agreements, city policies, and procedures;" and "ability to read and interpret construction drawings and maps."

The examination type was designated as competitive and the probationary period was assigned 365 days.

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Damage Prevention Program Manager (Job Code 4056).

PRESENT: Carol Lagemann, Personnel Analyst II

Carol Lagemann presented this request to revise the specification for the classification Damage Prevention Program Manager undertaken in tandem with the class action request to create a Damage Prevention Supervisor for the Department of Public Utilities. It was last reviewed in August 2010. There is one incumbent serving in this classification within the Department of Public Utilities.

After reviewing the class action request, updates to the Damage Prevention Program Manager were proposed as a result of reviewing the class plan and determining that the creation of an additional classification, Damage Prevention Supervisor, was needed to bridge the gap between the Damage Prevention Program Manager and the Utility Line Locators.

The definition section reads, "Under general direction, is responsible for managing the citywide Damage Prevention Program for the Department of Public Utilities; performs related duties as required." Revisions to the several statements within the examples of work section were proposed. Largely, these included referencing managerial responsibility rather than line supervision duties, and also added new statements to better reflect the programmatic duties that must be conducted to ensure the prevention of damages to underground facilities.

There were no revisions to the guidelines for class use section, the minimum qualifications section, the knowledge, skills, and abilities section, the examination type, or the probationary period.

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Sewer Telemonitoring Operator (Job Code 3973).

PRESENT: Carol Lagemann, Personnel Analyst II

Carol Lagemann presented this request to revise the specification for the classification Sewer Telemonitoring Operator as a result of a class action requested by the Department of Public Utilities. It was last reviewed in May 2013. There are four

employees within this classification located in the Department of Public Utilities, Division of Sewerage and Drainage. After communications with department representatives, revisions to the specification were requested in order to better reflect supervisory duties associated with the performance of the work.

In the definition section, to better reflect the more independent nature of the work, the beginning of the definition, "under general supervision" was changed to "under direction." The examples of work section was revised to include the statement, "Supervises at least one sewer maintenance worker to include evaluating and signing performance appraisals and initiating disciplinary action."

The knowledge, skills, and abilities section was revised to include the "ability to read and comprehend technical manuals, collective bargaining agreements, and City policies and procedures." There were no revisions to the minimum qualifications section, the examination type, or the probationary period.

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

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Sewer Service Worker (Emergency) (Job Code 3313).

PRESENT: Carol Lagemann, Personnel Analyst II

Carol Lagemann presented this request to revise the specification for the classification Sewer Service Worker (Emergency) as a result of a class action requested by the Department of Public Utilities to review the performance of supervisory duties of the Sewer Telemonitoring Operator classification. Sewer Service Worker (Emergency) was last reviewed in May 2013. There are 24 incumbents within this classification located in the Department of Public Utilities, Division of Sewerage and Drainage.

There were no revisions to the definition section. The examples of work section was revised to remove the statement, "Sets up winch to pull camera through sewer lines including loading and unloading winch from T.V. truck; assists camera operator with setup of cable to bypass physical obstructions." There were no revisions to the minimum qualifications section, the knowledge, skills, and abilities section, the examination type, or the probationary period.

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

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RE: Personnel Actions.

Request of the Civil Service Commission staff to reallocate designated positions currently classified as Legislative Analyst (U) (Job Code 0836) to Legislative Aide to City Council (U) (Job Code 0831) and to allow the affected employees to retain their current classification status and seniority.

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to reallocate certain positions in City Council to the recently created Legislative Aide to City Council (U) classification (Job Code 0831).

At the request of City Council, the classification Legislative Aide to City Council (U) was approved for creation by the Commission and pay was recently assigned via legislation #1794-2014. The reason for the creation was be able to distinguish the work performed by those individuals serving as aides to City Council Members by establishing a separate classification that, in turn, would allow a more equitable grade assignment for the given responsibilities. A guideline was placed on the classification that restricted the use of

this classification to one position to each City Council Member and President. This would permit a maximum of seven positions to be allocated to this classification.

Due to current vacancies, there are only four positions identified that are currently serving in the role of an aide to a City Council Member. It was requested that these four positions be reallocated to the new classification. It was further requested that the employees occupying these positions retain their classification seniority and status upon reallocation. While their classification title will be changing, the work assigned and performed by these employees will remain the same.

A motion to approve this request was made, seconded, and passed 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.	Robert Bell	Police Officer
2.	Raj Bhangu	Police Officer
3.	Samantha Black	Police Officer
4.	Stephen Callaway	Police Officer
5.	Geoffrey Doherty	Police Officer
6.	David Gloyd, Jr.	Police Officer
7.	Kori Hastrich	Police Officer
8.	Kevin Jagoe	Police Officer
9.	John Kanu	Police Officer
10.	Classie Mixon	Police Communications Technician
11.	Brittany Smith	Police Officer
12.	Anthony Thomas	Police Officer

After reviewing the files of Robert Bell, Raj Bhangu, Stephen Callaway, David Gloyd, Jr., Kevin Jagoe, John Kanu, and Brittany Smith, the Commissioners decided their names would be reinstated to the Police Officer testing process.

After reviewing the files of Samantha Black, Geoffrey Doherty, Kori Hastrich, and Anthony Thomas, the Commissioners decided their names would not be reinstated to the Police Officer testing process.

After reviewing the file of Classie Mixon, 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.	Elizabeth Smith	Police Officer	14-BR-027
2.	Miles Richardson	Firefighter	14-BR-029
3.	Kevin Lohrke	Firefighter	14-BR-030

After reviewing the file of Elizabeth Smith, the Commissioners decided her name would not be reinstated to the Police Officer eligible list.

After reviewing the files of Miles Richardson and Kevin Lohrke, the Commissioners decided their names would not be reinstated to the Firefighter eligible list.

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RE: Other Administrative/Jurisdictional Reviews.

Review of the appeal of Robert Hamiter, regarding the Firefighter Mile portion of the Firefighter examination, City of Columbus, Appeal Number 14-CA-0017.

The Commissioners reviewed the appeal filed by Robert Hamiter on August 21, 2014, regarding the Firefighter Mile portion of the Firefighter examination with the City of Columbus.

In his appeal, Mr. Hamiter stated that during the Equipment haul section of the Firefighter Mile test, he was told not to go past the blue line. Mr. Hamiter said that he failed the event for not crossing the line. The Candidate Orientation guide provides a description of the event and states, "Standing on [a] platform and reaching over a simulated railing..." The picture shows a person reaching over the railing. Our website also provides a video showing a demonstration of an individual leaning forward to reach over the railing. Candidates were offered three practice dates prior to the test for the opportunity to familiarize themselves with the events. The monitor gave instructions at the event that a warning would be given for leaning back behind the line. In addition, a Commission staff member reviewed Mr. Hamiter's test results and the instructions given by the monitor.

After a review of Mr. Hamiter's appeal, the video, and the instructions for this exam, it was determined that his test was concluded properly because he did not follow the appropriate procedure in that event. Based on the foregoing, the Commission decided to deny Mr. Hamiter's appeal and dismiss it without a hearing pursuant to Rule XIII (G)(1).

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The Commissioners adjourned their regular meeting at 9:37 a.m. to proceed with the Full Commission hearing at 9:57 a.m. on the following matter:

RE: Hearing on the merits of the appeal of Matthew L. Bailey vs. City of Columbus, Department of Public Safety, Division of Fire from the action of the Department of Public Safety suspending him for seventy-two (72) hours from the position of Firefighter – Appeal Number: 14-CA-0009.

Appearances were made by Susan Thompson, on behalf of the City of Columbus, Emily Workman, on behalf of the City of Columbus, and Matthew Bailey, Appellant, representing himself. Appellant and Ms. Thompson clarified that it was a three day suspension (72 hours), not a five day suspension.

By and through the Appellant's own statements during the hearing, Mr. Bailey admitted to the allegations made against him and to the following charge and specification. The Commission proceeded on this charge and specification.

CHARGE 1: Violation of City of Columbus Central Work Rule: **Rule 2 (B). Rude, Abusive or Violent Behavior.** All employees should at all times conduct themselves in a polite and civil manner toward all City employees and members of the public with whom they may come in contact in the performance of their duties. Employees shall not abuse, verbally or physically, any City employee or a member of the public under any circumstances. Employees threatened with verbal or physical abuse or violence should report it to their supervisors or law enforcement authorities, rather than responding in a similar manner. All acts of abuse and violence are absolutely prohibited, including but not limited to the following:

(B) Threatening, intimidating, coercing, abusing or menacing of a City employee, or a member of the public, when such behavior is connected with or arises out of City employment or any other situation where there is a nexus to the employee’s City employment.

SPECIFICATION I: Firefighter Bailey left menacing telephone calls on July 14, 2013 starting at 1:45 a.m. and ending at 2:15 a.m. to Battalion Chief Dwayne White in Professional Standard Unit.

FINDINGS OF FACT AND DECISION

The Commission, in a unanimous decision, found that the evidence in the record, as well as Mr. Bailey’s statements to the Commission admitting the conduct, substantiated the charge and specification. Mr. Bailey’s allegation concerning a procedural matter related to the Director’s hearing and the audio recording is outside the Commission’s jurisdiction.

Based upon the foregoing, the Civil Service Commission therefore, affirms the appointing authority’s action to suspend Mr. Bailey for seventy-two (72) working hours.

THIS BY DIRECTION OF THE COMMISSION.

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The hearing was adjourned at 10:14 a.m.

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Grady L. Pettigrew, Jr., President

Date