

Regular Meeting

December 15, 2014
9:00 a.m.

A regular meeting of the Municipal Civil Service Commission convened on Monday, December 15, 2014, at 9:16 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 November 17, 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. Marcus Johnson vs. Columbus City Schools; Bus Driver; Discharge. Trial Board Hearing scheduled for January 7, 2015; Appeal Number 14-BA-0014.

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Brenda Sobieck presented the pre-hearing conference review of Marcus Johnson, a Bus Driver, who was discharged from Columbus City Schools. Columbus City Schools will have two witnesses and the Appellant will have one witness, possibly one more. Both Columbus City Schools and the Appellant's counsel believe there is no need to expand the time for the hearing.

b. John Brandt vs. Columbus City Schools; Bus Driver; Discharge. Trial Board Hearing scheduled for January 21, 2015; Appeal Number 14-BA-0015.

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Brenda Sobieck presented the pre-hearing conference review of John Brandt, a Bus Driver, who was discharged from Columbus City Schools. Columbus City Schools will have four witnesses and the Appellant will have one witness. Both Columbus City Schools and the Appellant's counsel believe there is no need to expand the time for the hearing.

c. Matthew Freetage vs. City of Columbus, Department of Public Safety, Division of Police; Police Officer; Discharge. Full Commission Hearing scheduled for January 26, 2015; Appeal Number 14-CA-0016.

PRESENT: Brenda Sobieck, Personnel Administrative Officer

Brenda Sobieck presented the pre-hearing conference review of Matthew Freetage, a Police Officer, who was discharged from City of Columbus, Department of Public Safety, Division of Police. The City Attorney will have two witnesses, possibly three more and the Appellant will have three witnesses. The Appellant will be representing himself. Both the City Attorney and the Appellant believe the Hearing will only last for one day.

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RE: Rule Revisions

There were no Rule Revisions submitted this month.

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RE: Request of the Civil Service Commission staff to place Catherine Emhuff in the 90 band of the eligible lists for Community Relations Representative (0798), Employee Benefits Analyst I (0824), Human Resources Representative (0854), Management Analyst I (0779), and Relocation Specialist (2034).

PRESENT: Don White, Personnel Analyst Supervisor

Don white presented this request to place Catherine Emhuff in the 90 band of the eligible lists for Community Relations Representative, Employee Benefits Analyst I, Human Resources Representative, Management Analyst I, and Relocation Specialist. Rule VIII(C)(8) provides that "In unique situations where a Commission staff member has previously been appointed from an eligible list associated with a group exam for which they have subsequently been involved in test development or grading, and now the staff member is seeking appointment to a different job class associated with the group exam, placement on the associated eligible list, in a comparable band, may be considered and approved by official Commission action."

Catherine Emhuff was appointed on July 25, 2011, to a part-time Personnel Analyst I position with the Commission from the 90 band of the Personnel Analyst I eligible list. Personnel Analyst I is part of the Entry Level Professional group of classifications that also includes Community Relations Representative, Employee Benefits Analyst I, Human Resources Representative, Management Analyst I, and Relocation Specialist.

Due to staffing needs, Ms. Emhuff graded the In-Basket phase of the Entry Level Professional test that was administered in 2014. As a result, she cannot be permitted to take the test, but she has requested consideration for positions allocated to the other classifications in the group, and she meets the minimum qualifications for each.

A motion to approve this request was made, seconded, and passed 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 abolish the specification for the classification Refuse Collector and Packer Operator and amend Rule XI accordingly (Job Code 3925).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to abolish the specification for the classification Refuse Collector and Packer Operator. This classification has been vacant since 2003 and was last used by the Department of Public Service. The equipment operated by incumbents in this classification is no longer used by the department.

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 abolish the specification for the classification Power Line Troubleshooter and amend Rule XI accordingly (Job Code 3576).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to abolish the specification for the classification Power Line Troubleshooter. There is currently a moratorium on this classification and it has been vacant since 2006. This classification was previously used by the Public Utilities Department, Division of Power. Technological advances in the industry have eliminated the necessity for the Power Line Troubleshooter classification. In the past, Power Line Troubleshooters were required to drive to each substation where an issue was reported and manually troubleshoot the issue. Since this function has been computerized, there is no need for the classification.

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 abolish the specification for the classification Upholsterer and amend Rule XI accordingly (Job Code 3473).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to abolish the specification for the classification Upholsterer. The Upholsterer classification has been vacant since 2009. Upholsterer was previously used by the Department of Public Safety, Division of Fire. The duties previously performed by incumbents in the classification are now contracted to vendors outside the Division and there is no longer a need for the classification.

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 abolish the specification for the classification Network Technician and amend Rule XI accordingly (Job Code 0520).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to abolish the specification for the classification Network Technician. Network Technician was created in 2003; however, no position was ever allocated to this classification.

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 abolish the specification for the classification Micrographic Machine Operator and amend Rule XI accordingly (Job Code 0614).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to abolish the specification for the classification Micrographic Machine Operator. This classification has been vacant since 2011 and was last used by the Public Utilities Department, Division of Water. Incumbents in this classification primarily used microfiche and microfilm equipment, which is outdated and no longer used by the department, eliminating the need for the classification.

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 abolish the specification for the classification Research Analyst and amend Rule XI accordingly (Job Code 2081).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to abolish the specification for the classification Research Analyst. This classification has been vacant since 2013 and was last used by the Department of Development. The Research Analyst classification overlaps significantly with other classifications in the Class Plan, specifically the Management Analyst series, which is broader in scope and offers greater use to the departments. All incumbents have left the classification through attrition as intended during the moratorium.

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 Print Services Manager, retitle it to read Print Services Coordinator, and amend Rule XI accordingly (Job Code 0631).

PRESENT: Matt Wonderly, Personnel Analyst I

Matt Wonderly presented this request to revise the specification for the classification Print Services Manager and retitle it to read Print Services Coordinator. This action is a follow-up to the revision and retitling from the October 27, 2014 Civil Service Commission meeting in which Print Services Supervisor was retitled to read Print Services Manager. After further review and discussions with representatives from Labor Relations and the Department of Finance and Management, it was decided that retitling the classification to read Print Services Coordinator will more accurately reflect the type and level of work performed.

The definition section was revised to read, "Under general direction, is responsible for oversight and supervision of a duplicating services and print shop." There were no revisions to the examples of work 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 create the specification for the classification 911 Emergency Call Taker, designate the examination type as competitive, assign a probationary period of 365 days, and amend Rule XI accordingly.

PRESENT: Suzy Ulry, Personnel Analyst II and Matt Wonderly, Personnel Analyst I

Suzy Ulry and Matt Wonderly presented this request to create the specification for the classification 911 Emergency Call Taker. This action was initiated at the request of the Public Safety Department. Creation of the classification is the first step in implementing the department's plans to consolidate responsibilities associated with emergency call taking and dispatching to a single classification series.

The definition section reads, "Under general supervision, is responsible for receiving and handling incoming requests for emergency police, fire, and/or medical services; performs related duties as required." Some of the examples of work include, "Operates a computerized emergency telecommunications console; Responds to and handles incoming calls for emergency police, fire, and/or medical services via an

enhanced 911 system, non-emergency, TDD or TYY, and other telephone lines; Answers cellular 911 calls and determines location of incident using resources available; transfers the calls to correct jurisdictions when necessary; Inputs information into a computer in accordance with established protocol; May provide training, mentoring or coaching to trainee level personnel and prepare detailed documentation of training;" and "May prepare informal written reports."

The minimum qualifications require the completion of the 12th school grade with substitution(s) being that a certificate of high school equivalence (GED) will be accepted in lieu of a high school diploma. A special note section states "911 Emergency Call Takers will participate in specialized training and will be required to obtain and retain Emergency Medical Dispatch (EMD) certification."

The knowledge, skills, and abilities section includes, "Considerable knowledge of basic spelling and English usage; skill to data enter 4,000 keystrokes per hour; ability to listen and process information while quickly and accurately entering information using a keyboard; ability to hear, understand, and accurately transcribe spoken information; ability to work under pressure and in a high stress environment; ability to think and act quickly and calmly in emergency or crisis situations; and ability to locate principle streets, natural landmarks, major buildings, and institutions." The examination type was designated as competitive and the probationary period was set at 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 Building Maintenance Worker (Job Code 3494).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Building Maintenance Worker as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. It was last reviewed in December 2009. There are currently 24 employees serving in this classification located in the Department of Public Safety, within the Fire Division, in the Recreation and Parks Department, in the Finance and Management Department, within the Facilities Management Division, and in the Department of Public Utilities, within the Sewerage and Drainage, Water, and Power Divisions.

There were no revisions to the definition section. The examples of work section was revised to add the statements, "Maintains records of work performed and materials used; Participates in activities to remove snow and ice from building entrances, steps, landings, sidewalks, and ramps, including shoveling snow and the application of ice melting materials; May climb ladders and work at levels of elevation utilizing appropriate personal protective equipment;" and "May perform work that requires maneuvering in and out of tight spaces and confined areas."

Revisions to the knowledge, skills, and abilities section include the addition of the statements, "some knowledge of safety practices and the use of appropriate personal protective equipment; ability to reach with hands and arms and use hands and fingers to grasp and operate tools and equipment; ability to engage in physical activities that include walking, standing, kneeling, crouching, squatting, and stooping;" and "ability to lift heavy or bulky items in concert with other employees or with the use of appropriate assistive devices." One statement was revised to read, "ability to do arduous manual labor indoors and outdoors in all types of weather."

There were no revisions to the guidelines for class use section, 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 Fleet Coordinator (Job Code 3454).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Fleet Coordinator as part of the Commission's efforts to ensure that all classifications are reviewed at least every five years. It was last reviewed in September 2009. There are currently two employees serving in this classification located in the Department of Public Utilities, within the Water Division and the Sewerage and Drainage Division.

Based on questionnaires received from the incumbents, with supervisory review, and feedback from department representatives, some revisions were proposed. There were no revisions to the definition section. The examples of work section was revised to note responsibility for the supervision of subordinate supervisors, as well as mechanical and support staff. One statement was added that states, "Ensures that fleet maintenance operations are in compliance with applicable environmental regulations."

The guidelines for class use section was revised correcting references to the Fleet Operations Manager classification title and removing the inaccurate statement that it is a single position classification. A new statement was added to the knowledge, skills, and abilities section which reads, "general knowledge of safe environmental practices related to fleet maintenance operations."

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 Public Health Strategic Advisor (Job Code 1746).

PRESENT: Suzy Ulry, Personnel Analyst II

Suzy Ulry presented this request to revise the specification for the classification Public Health Strategic Advisor. This classification was created in November 2011. There is currently one employee serving in this classification located in the Columbus Public Health Department. Recent recruitment activities related to the use of this classification have caused Civil Service staff to re-examine the appropriateness of the minimum qualifications.

There were no revisions to the definition section. The examples of work section was revised to add the statement, "Coordinates inter-departmental initiatives related to a specific public health need."

The minimum qualifications section was revised to read, "Possession of a bachelor's degree in a technical field or specialty related to a specific public health need AND eight years' experience related to the technical field or specialty to which the position will be assigned. Substitution(s): A master's degree in a technical field or specialty related to a specific public health need may be substituted for one year of the required experience. OR Possession of a doctoral degree in a technical field or specialty related to a specific public health need AND five years' experience related to a technical field or specialty."

There were no revisions to 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 passed unanimously.

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RE: Request of the Civil Service Commission staff to create the specification for the classification Public Health Assistant Administrator (Environmental Health), designate the examination type as noncompetitive, assign a probationary period of 365 days, and amend Rule XI accordingly.

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to create the specification for the classification Public Health Assistant Administrator (Environmental Health). In September 2011, this classification was abolished at the request of the Columbus Public Health Department in an effort to reduce some of the layers of administration. This classification had been vacant for nearly three years at the time it was abolished. More recently, and as a result of multiple administrative concerns, the Columbus Public Health Department requested that a similar classification be created to the one that had been abolished in order to best address the growing challenges encountered in the area of environmental health.

The definition reads, "Under general direction, is responsible for assisting the Public Health Administrator (Environmental Health) in the overall administration of the Environmental Health section of the Columbus Public Health Department; performs related duties as required." Some of the examples of work include, "Oversees staff involved in the enforcement of public health codes to ensure environmental health responsibilities and obligations are discharged in an accurate, timely, efficient, and professional manner; Writes and revises policies, procedures, and forms for the Environmental Health area; ensures all policies and procedures are compliant with all governing regulations in the area of environmental health; Disseminates administrative orders and directives to staff and/or other affected parties; Serves as lead enforcement representative to provide expert testimony before the Board of Health and the courts;" and "Serves as the Public Health Administrator (Environmental Health) in his/her absence including approving all legal notices of violation."

The minimum qualifications section reads, "Possession of a valid State of Ohio certificate as a Registered Sanitarian and five years' environmental health experience with a public health agency, two years of which being supervisory experience over public health sanitarians. Substitutions: A master's degree in public health or related field may be substituted for one year of the non-supervisory experience. Possession of a valid motor vehicle operator's license."

The knowledge, skills, and abilities section includes, "thorough knowledge of the principles and practices of public health environmental sanitation control; thorough knowledge of the principles of public health administration; considerable knowledge of community and professional organizations and resources as they relate to public health;" and "ability to conduct comprehensive technical investigations." The examination type was designated as noncompetitive and the probationary period was set at 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 Data Management Coordinator (Job Code 0591).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to revise the specification for the classification Data Management Coordinator. This classification was created in April 2011. There are currently four employees serving in this classification within several

different departments. A class review was initiated in advance of the more typical five years due to the relative newness of this classification and the desire to be sure that the specification is meeting current departmental needs.

The definition section was revised to simply use more updated terminology. Instead of referring to a data processing system, information management systems is being used in its place. The examples of work section was revised to include some additional work statements currently performed and to reflect web-hosting as a viable platform that is being used more often when purchasing software applications from vendors. Two statements were added and read, "Partners with DoT to provide project governance to ensure vendor performance meets contractual requirements and City expectations;" and "Prepares and monitors the operating budget that is submitted to DoT as it relates to the information management system(s)." Two statements were removed from this section as well.

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.

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.

No background removals were submitted this month.

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RE: Other Administrative/Jurisdictional Reviews.

No administrative/jurisdictional reviews were submitted this month.

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The Commissioners adjourned their regular meeting at 9:34 a.m. to proceed with the Full Commission hearing at 10:30 a.m. on the following matter:

RE: Hearing on the merits of the appeal of James Hassey vs. City of Columbus, Department of Public Safety, Division of Police from the action of the Department of Public Safety discharging him from the position of Police Officer – Appeal Number: 14-CA-0012.

Appearances were made by Susan Thompson, on behalf of the City of Columbus, Natalia Harris, on behalf of the City of Columbus, and Daniel Klos, Attorney for the Appellant, James Hassey. Preliminary matters were handled. Opening statements were made by Ms. Thompson and Mr. Klos. A separation of witnesses was requested.

The Commission proceeded on the following charges and specifications:

CHARGE I: Officer Hassey is hereby charged with violating Rule of Conduct 1.36, "Unbecoming Conduct," which states, "Division personnel shall conduct themselves at all times, both on and off duty, in such a manner as to reflect favorably on the Division. Unbecoming Conduct is behavior that implicitly or explicitly dishonors the Division and/or its members, reflects discredit upon the individual as a member of the Division, or impairs the operation or efficiency of the Division or the individual. This includes, but is not limited to derogatory, discriminatory, or harassing comments, gestures, or insinuations."

SPECIFICATION I: Over a period of three to five years prior to September 27, 2013, Officer Hassey possessed marijuana in various amounts in violation of Ohio Revised Code 2925.11.

SPECIFICATION II: Officer Hassey obtained marijuana from his sister and supplied said marijuana to Ms. Elde Shepard for her use.

CHARGE II: Officer Hassey is hereby charged with violating Rule of Conduct 1.42(C), "Alcohol/Drugs," which states, "Division personnel shall not consume, possess, or purchase illicit/illegal drugs except as required in the line of duty."

SPECIFICATION I: Over a period of three to five years prior to September 27, 2013, Officer Hassey used marijuana on multiple occasions.

James Hassey - Ms. Thompson called Mr. Hassey as the City's first witness on cross. Mr. Hassey was sworn in by Commission President Pettigrew, examined on cross by Ms. Thompson, and was excused.

Chief Kimberley Jacobs - Ms. Thompson called Chief Jacobs as the City's second witness. Chief Jacobs was sworn in by Commission President Pettigrew, examined on direct by Ms. Thompson, examined on cross by Mr. Klos, examined on re-direct by Ms. Thompson, examined on re-cross by Mr. Klos, answered questions by Commission President Pettigrew, Commission Member Porter, and Commission Member Edwards, and was excused.

The hearing was adjourned at 4:46 p.m. and was scheduled to reconvene on Wednesday, December 17, 2014 at 9:00 a.m.

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Wednesday
December 17, 2014
9:11 a.m.

The Commission reconvened the disciplinary appeal hearing on the following matter:

RE: Hearing on the merits of the appeal of James Hassey vs. City of Columbus, Department of Public Safety, Division of Police from the action of the Department of Public Safety discharging him from the position of Police Officer – Appeal Number: 14-CA-0012.

Preliminary matters were handled. A separation of witnesses was requested.

Sergeant David Martin Barrowman - Ms. Thompson called Sergeant Barrowman as the City's third witness. Sergeant Barrowman was sworn in by Commission President Pettigrew, examined on direct by Ms. Thompson, examined on cross by Mr. Klos, answered questions by Commission President Pettigrew and Commission Member Porter, answered follow-up questions by Mr. Klos based on Commission Member Porter's questions, and was excused.

There being no further witnesses for the City, Ms. Thompson moved to admit City's Exhibits A through H. Mr. Klos had no objection and all of the exhibits were accepted into evidence.

Sergeant Timothy T. Fautz - Mr. Klos called Sergeant Fautz as the Appellant's first witness. Sergeant Fautz was sworn in by Commission President Pettigrew, examined on direct by Mr. Klos, examined on cross by Ms. Thompson, and was excused.

Sergeant John Standley - Mr. Klos called Sergeant Standley as the Appellant's second witness. Sergeant Standley was sworn in by Commission President Pettigrew, examined on direct by Mr. Klos, examined on cross by Ms. Thompson, examined on re-direct by Mr. Klos, answered questions by Commission President Pettigrew, answered follow-up questions by Mr. Klos based on Commission President Pettigrew, and was excused.

Mitchell J. Brown - Mr. Klos called Mr. Brown as the Appellant's third witness. Mr. Brown was sworn in by Commission President Pettigrew, examined on direct by Mr. Klos, answered questions by Commission President Pettigrew, and was excused.

Lisa Calendar - Mr. Klos called Ms. Calendar as the Appellant's fourth witness. Ms. Calendar was sworn in by Commission President Pettigrew, examined on direct by Mr. Klos, and was excused.

James Hassey - Mr. Klos called Mr. Hassey as the Appellant's fifth witness. Mr. Hassey was previously sworn in. He was examined on direct by Mr. Klos, examined on re-cross by Ms. Thompson, examined on re-direct by Mr. Klos, and was excused.

There being no further witnesses for the Appellant, Mr. Klos moved to admit Appellant's Exhibit Prysock, City objected to Tabs 1, and 4 through 7, overruled; Exhibit Taylor, City objected to Tabs 1, 2, 3, and 5 through 9, overruled; Exhibit Radich, City objected to entire Exhibit, overruled; and Exhibit Wagner, City objected to entire Exhibit, overruled. All of the exhibits were accepted into evidence.

Deputy Chief Kenneth James Kuebler - Ms. Thompson called Deputy Chief Kuebler as the City's rebuttal witness. Deputy Chief Kuebler was sworn in by Commission President Pettigrew, examined on direct by Ms. Thompson, examined on cross by Mr. Klos, examined on re-direct by Ms. Thompson, answered questions by Commission President Pettigrew, and was excused.

James Hassey - Mr. Klos called Mr. Hassey as the Appellant's rebuttal witness. Mr. Hassey was previously sworn in. Mr. Hassey was examined on direct by Mr. Klos and excused.

Ms. Thompson moves to enter City's Exhibits I and J into evidence with no objection from Mr. Klos; therefore, these exhibits were entered into evidence.

Commission President Pettigrew ordered closing arguments to be completed in writing as well as a brief regarding the FOP Contract Section 17.9 by close of business on January 15, 2015.

The hearing was adjourned at 3:01 p.m.

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Grady L. Pettigrew, Jr., President

Date