

Meeting of the Civil Service Board

Present: Chair Ron W. Chapman, Jr., Vice-Chair George L. Allen Jr., Johnny L. Clark, Michelle L. Collins, Walter Laidlaw, Albert T. Turner

Absent: Pat Parrish

Attendees:

Louie Bright, Assistant Chief, Dallas Fire-Rescue Department
Debra Carlin, Assistant Chief, Dallas Fire-Rescue Department
Randall Carman, City Employee
Scott Clumpner, Grievance Chair, Dallas Firefighters Association
Lawrence Coleman, Rehire Applicant
Antoine Dooley, Dallas Fire-Rescue Department
David Etheridge, Director of Human Resources
George Florence, Captain, Dallas Fire-Rescue Department
Jennifer Huggard, Assistant City Attorney
Billy Ingram, Dallas Fire-Rescue Department
Molly McCall, Assistant Director, Human Resources Department
Mike McCloskey, Grievant
Janice Moss, Senior Assistant City Attorney
Deborah Parks, Rehire Applicant
D.D. Pierce, President, Dallas Firefighters Association
Diana Salinas, Dallas Fire-Rescue Department
William Slater, Rehire Applicant
Jamilay Way, Observer from City Attorney's Office
Shannon Whitaker, Dallas Fire-Rescue Department

Civil Service Department Staff:

Michelle Hanchard, Assistant Director
Patricia Marsolais, Secretary to the Civil Service Board
Pamela McDonald, Manager – Examining and Recruitment Division
Martha Santos, Executive Assistant, Acting Secretary for McCloskey Grievance Hearing

The meeting was called to order at 8:30 a.m.

The minutes of the February 2, 2010 regular meeting were unanimously approved with amendments presented by the Chair.

The Board heard the rehire appeal of former Dallas Water Department employee Lawrence Coleman. After much discussion with Mr. Coleman about his previous employment with the City and consideration of material provided for the Board's review, the Board unanimously approved his request to apply for employment opportunities with the City.

The Board heard the rehire appeal of former Dallas Police Department employee Deborah Parks. After much discussion with Ms. Parks about her previous employment with the City and consideration of material provided for the Board's review, the Board unanimously denied her request to apply for employment opportunities with the City.

The Board heard the rehire appeal of former Sanitation Services Department employee William Slater. After much discussion with Mr. Slater about his previous employment with the City and consideration of material provided for the Board's review, the Board unanimously approved his request to apply for employment opportunities with the City.

Human Resources Director David Etheridge briefed the Board on the Meet and Confer process. Mr. Etheridge described Meet and Confer as a process designed for management and designated employees to meet and discuss various work conditions. In the City's case it will pertain to non-exempt uniform employees. The stipulations in the legislation for participation in this process are different for Police and Fire personnel although the areas for discussion are the same-wages, benefits, and other working conditions. The one subject that cannot be discussed is anything pertaining to the pension system. Mr. Etheridge gave members an overview of other Texas cities' Meet and Confer and collective bargaining experiences. He also talked about the federal legislation in Congress regarding mandatory collective bargaining for police and fire personnel. The first Meet and Confer meeting is set for today. Mr. Etheridge characterized it as collective bargaining 101. The objective of the get together will be to set ground rules and a timetable to conform with the City Manager's budget submission to the City Council. Mr. Etheridge assured the Board that anything pertaining to Civil Service in the Meet and Confer discussions would be brought to the Secretary's attention.

The Board heard the grievance appeal of Fire-Rescue Driver Engineer Mike McCloskey in which he claims that the Civil Service Department violated the Code of Rules and Regulations of the Civil Service Board, Rule VIII, CONDUCT OF EXAMINATIONS, Sec. 2. This rule states in part that "[a]ll examinations shall be impartial, fair and practical and designed to test the relative qualifications and fitness of applicants to discharge the duties of the particular position which they seek to fill." Driver Engineer McCloskey alleged this rule was violated when candidate David Andelman was allowed to participate in an alternate assessment after initially being turned away for being "late" to complete the sign-in process on the first day of the Oral Assessment for the Lieutenant promotional examination process.

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The City was represented by Assistant City Attorney Jennifer Huggard. Director Patricia Marsolais was the department representative. Driver Engineer McCloskey represented himself. After hearing testimony and receiving evidence, the Board did not vote on the alleged rule violation. The Board unanimously agreed to table the decision while it waits to see what happens with the list. The matter of where the list stands will be on the agenda of every subsequent Board meeting until it is clear whether Driver Engineer McCloskey has been affected by the change in his placement on the revised eligibility list.

The Board went into Executive Session from 11:10 to 11:32 a.m. pursuant to Section 551.074 of the Texas Open Meetings Act to receive a briefing on the Fiscal Year 2010-2011 proposed funding and its impact on departmental operations/staffing. There was no action taken by the Board.

There being no further business before the Board, the meeting was adjourned at 11:32 a.m.

(A complete transcription of this meeting is available)

ATTESTED

APPROVED