

**Minutes of Regular Meeting of the
Alexandria Civil Service Commission
August 19, 2020 at 4:30 p.m.**

The meeting was called to order by Chair Lindsey Torbett at 4:35 p.m. The Pledge of Allegiance was recited. In attendance were Commissioners: Mr. Lindsey Torbett, Ms. Connie Baker, and Mr. Charles Harvey. Mr. Michael Brewer was absent. A quorum was present. Staff members present were: Ms. Leisa Lawson, Director of Civil Service; Ms. Candice Saucier, Assistant Director of Civil Service; and Ms. Mildred Price, Examination Analyst. Also present were: Ms. Monza Williams, Director of Human Resources; Mr. Charles Jones, Assistant Director of Human Resources; Mr. Michael Marcotte, Director of Utilities; Ms. Merriell Lawson, Director of Public Works; Ms. Deirdre Fuller, Counsel for the Commission; Dr. Henry Robertson; and Mr. Joshua Dara, Counsel for the Appointing Authority.

Mr. Torbett recognized Dr. Henry Robertson, former Commissioner, and thanked him for his dedicated service to the Alexandria Civil Service Commission and the City of Alexandria. Dr. Robertson thanked the Commissioners and stated he enjoyed his time as a Commissioner.

Chair Torbett read a statement regarding rights of the public to comment on matters on the agenda prior to action being taken on them, as required by the Louisiana Revised Statutes.

Mr. Torbett presented the **minutes of regular meeting held July 22, 2020** for approval. Ms. L. Lawson noted there were corrections to the minutes as printed in the Commissioners' packet. A motion to approve the minutes as corrected was made by Mr. Harvey, seconded by Ms. Baker. On vote, the motion carried.

Ms. L. Lawson and Ms. Monza Williams, Director of Human Resources, reported on **filling vacant positions in the classified civil service**. Ms. Lawson stated the report covered the month of July 2020. She reported for July the Civil Service Department was processing 38 personnel requisitions and 31 certified lists were in Human Resources, with an average turnaround of 36.2 days. She stated the Commission may see an increase in the number of days to forward a certification list to Human Resources. Due to Covid-19, testing is spread over more days to allow applicants to social distance and for cleaning between examinations. No additional certifications had been requested, and ten (10) personnel requisitions were closed. Ms. Williams reported 11 candidates were selected by the Mayor in July 2020, which included two (2) new hires, eight (8) promotions, and one (1) provisional appointment. No candidates declined employment offers.

Mr. Torbett addressed agenda item **Request to Extend Two Classified Employees' Special Assignments**. Ms. L. Lawson asked the Commission to extend for 90 days two (2) special assignments set to expire prior to the September meeting. Ms. L. Lawson noted that of the special assignments included on the report, three (3) positions currently have certification lists in Human Resources, Civil Service was advertising for one (1) position, and one (1) special assignment would end on Friday, August 21, 2020, due to that employee being promoted to the position. Ms. Baker asked which special assignments would end prior to the September meeting. Ms. L. Lawson responded that the expiring assignments were

highlighted in yellow in the Commissioners' packet. Mr. Harvey made a motion to extend the two (2) employees' special assignments 90 days, and the motion was seconded by Ms. Baker. On vote, the motion carried.

Mr. Torbett addressed agenda item **Request per Civil Service to Amend Class Specifications.**

Ms. Saucier stated there were a number of proposed amendments to several specifications relating to one issue. The proposed amendments were included on one (1) comment form. Civil Service recommended amending the following specifications: Crew Supervisor Cathodic Protection, Crew Supervisor Gas Distribution, Crew Supervisor Wastewater Collection, Crew Supervisor Water, Equipment Operator I, Maintenance Mechanic I, Supervisor Wastewater Collection, Supervisor Wastewater Treatment, Wastewater Plant Operator, and Wastewater Treatment/SCADA Operator in the Utilities Division; and Equipment Operator I, Traffic Signal Technician, Superintendent Traffic Signals & Signs, and Zoo Director in the Public Works Division. The proposed amendment would change the Class D driver's license requirement from time of application to add the requirement of a valid driver's license at time of application, valid Louisiana driver's license at time of appointment, and valid Class D driver's license within 60 days. Civil Service recommended the amendment to broaden the applicant pool while also allowing sufficient time for an applicant to obtain a Class D license. In addition, the proposed amendment for Maintenance Mechanic I removed language pertaining to Water Department certification and license requirements due to there being no budgeted positions, per the Division Director. Mr. Harvey made a motion to approve the proposed amendments to class specifications, and the motion was seconded by Ms. Baker. On vote, the motion carried.

Ms. Saucier stated the proposed amendment to the classification specification for Engineering Technician II would clarify which department may require the position obtain a Louisiana Class B commercial driver's license. She explained the Engineering Technician II in Electric Distribution may be required to obtain a CDL-B within five (5) months while the Engineering Technician II in Utility Services was not required to have a CDL-B. Mr. Marcotte stated obtaining the CDL-B is part of an employee's probation. He also explained that due to the cost and training involved in obtaining a CDL-B, it made sense to shift the requirement to the employee's working test period. Ms. Baker asked if the specification should include how the DOT program was managed. Ms. Williams stated the DOT testing program was included in employee orientation. Mr. Harvey made a motion to approve the proposed amendment to the class specification for Engineering Technician II, and the motion was seconded by Ms. Baker. On vote, the motion carried.

Ms. Baker moved to table agenda item 9(c), and Mr. Harvey seconded the motion. On vote, the motion carried.

Mr. Torbett addressed agenda item **Request per Civil Service and the Rules Sub-Committee to Introduce for Consideration the Following Proposed Civil Service Rules.** Ms. L. Lawson

stated the Rules Sub-Committee and Civil Service had three (3) proposed rules revisions to bring to the Commission at this time. This was for introduction only of proposed amendments and adoption would be considered at the next meeting after public notice.

Ms. L. Lawson stated the Rules Sub-Committee recommended two revisions to Rule VI § 23.2 – Holiday Pay. The Sub-Committee recommended adding the phrase “in advance” following the word “determines”. This revision was designed to distinguish between an employee who was scheduled to work on a holiday prior to the holiday and an employee who was called to report to duty but would otherwise not have worked on the holiday. The second proposed revision to Rule VI § 23.2 would clarify that an employee could elect to receive the compensation described in this subsection in the form of a cash payment or compensatory leave earned. Ms. Baker made a motion to introduce the proposed revision to Rule VI § 23.2 – Holiday Pay, and the motion was seconded by Mr. Harvey. On vote, the motion carried.

Ms. L. Lawson stated the Rule Sub-Committee recommended adding a new subsection Rule VI § 23.5 – Holiday Pay. This proposed revision would further clarify that an employee called into work on a holiday due to a sudden and unexpected event would receive call out pay. Mr. Harvey made a motion to introduce the proposed amendment of Rule VI § 23.6 – Holiday Pay, and the motion was seconded by Ms. Baker. On vote, the motion carried.

Ms. L. Lawson presented a proposed revision to Rule VII § 1.1 – Public Announcement, Applications, and Deadlines. The proposed revision would remove the requirement that announcements advertise to the midpoint. The proposed rule would require that an announcement include only the minimum of the pay grade. Ms. Baker made a motion to introduce the proposed revision to Rule VII § 1.1 – Public Announcement, Applications, and Deadlines, and the motion was seconded by Mr. Harvey. On vote, the motion carried.

Mr. Torbett addressed agenda item **Request per the Appointing Authority for the approval of the Commission to suspend Vern Breland, Assistant Superintendent, Water, without pay.** Mr. Dara, counsel for the Administration, presented the Appointing Authority’s request. The Appointing Authority was seeking the Commission’s approval to suspend Mr. Breland without pay pending a criminal investigation under Civil Service Rule XII § 1.4. Mr. Dara stated the Ouachita Parish District Attorney indicted Mr. Breland on a charge of malfeasance in office on Monday, August 10, 2020.

Mr. Harvey questioned why the Administration was seeking the approval of the Commission. Mr. Dara responded this was a unique scenario where the Appointing Authority was not instituting disciplinary action; rather, the Appointing Authority sought to suspend Mr. Breland without pay instead of placing him on an indefinite leave with pay. The Civil Service rules give the authority to suspend an employee without pay to the Commission. Ms. Baker asked the current status of Mr. Breland. Mr. Dara stated Mr. Breland had been on administrative leave with pay. Ms. Baker asked when a suspension without pay would take effect. Mr. Dara stated there was no real direction in

the rules and the Administration's position was that it would make that determination after receiving the Commission's approval. Mr. Dara stated Rule XII § 1.4 only applies when the Administration seeks to suspend an employee without pay pending criminal proceedings.

Ms. Baker asked whether the City would be responsible for back pay if the employee prevails on the criminal charges. Mr. Dara responded there was no guidance under the Civil Service Rules regarding back pay in that circumstance. Ms. Fuller stated she was not comfortable advising the Commission in the event the matter came back to the Commission as an appeal. Mr. Dara noted that Rule XII § 1.4 and a suspension without pay preserved Mr. Breland's status as an employee while allowing the criminal proceedings to play out.

Ms. Fuller suggested that the matter be tabled to allow her time to research and provide additional information to Ms. L. Lawson and Ms. Williams. Mr. Torbett asked if the Commission would need to meet again to make a decision on the Administration's request. Ms. Baker asked whether the Commission needed to have a special meeting to vote on the request. Mr. Torbett asked Ms. Fuller whether the Commission would need to have conflict counsel present to advise the Commission during a special meeting on the Administration's request to suspend Mr. Breland without pay.

Mr. Marcotte expressed his concerns with maintaining Mr. Breland in his position as Assistant Superintendent, Water due to the nature of the charges against him. Mr. Dara asked that the record be closed prior to any special meeting because Mr. Breland had notice and an opportunity to respond at tonight's meeting.

Mr. Dara requested that this agenda item be decided at a subsequent meeting. Mr. Torbett moved that the record be closed and the Administration's request be tabled. Ms. Baker seconded the motion. On vote, the motion carried.

Ms. L. Lawson presented the **Director's Report**. She congratulated Mr. Torbett on the City Council's resolution confirming his reappointment to the Commission.

Ms. L. Lawson stated that she continued to be in contact with Louisiana College regarding its nomination to the Commission. She noted that Dr. Rick Brewer, President of Louisiana College, emailed the name of a prospective nominee. However, that person did not live in the City of Alexandria.

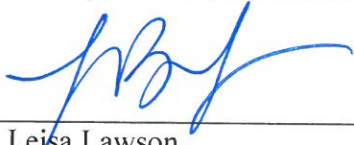
Ms. L. Lawson reported the Administration and Larry Franklin had agreed to settlement terms. Mr. Franklin would withdraw his appeal.

She stated there is another appeal pending. She would like to set that appeal hearing for the October regular meeting. Ms. L. Lawson and the parties have been in discussion regarding the date of the hearing and desire to have a full Commission available to hear the appeal.


Ms. L. Lawson stated Civil Service was still working with the Administration to present information about the compression market adjustment to the Electric Distribution Department.

Ms. L. Lawson concluded by recognizing Civil Service intern Linda Riser.

There were no items discussed under the **New Business (No action will be taken)** agenda item. Mr. Torbett adjourned at 5:35 p.m., following a motion to do so by Ms. Baker and a second by Mr. Harvey; on vote, the motion carried.



Ms. Leisa Lawson
Director of Civil Service



Mr. Lindsey Torbett, Chair