

Meeting of the Civil Service Board

Present: Vice-Chair Pat Parrish, Ron Chapman, Jr., F. Ray Hill, Marvin M. Lane, Jr.,  
Absent: Steve Sanderfer

Attendees:

Mike Buehler, President, Dallas Fire Fighters Association  
David Etheridge, Human Resources Director  
Ford Farris, Human Resources Assistant Director  
Shawn Garry, President, Dallas Black Fire Fighters Association  
Billy Ingram, Dallas Firefighter  
Jason McClain, Assistant City Attorney  
James Mongaras, General Manager, Human Resources Department  
Joe Pierce, Deputy Chief, Dallas Fire Department  
J.C. Rodriguez, Driver Engineer, Dallas Fire Department  
Tom Taylor, Grievance Chair, Dallas Fire Fighters Association  
Margaret Wright, Human Resources Assistant Director

Civil Service Department Staff:

Michelle Hanchard, Assistant Director  
Sheneice Hughes, Coordinator, Test Development and Validation  
Sylvia Littleton, Executive Assistant  
Patricia Marsolais, Secretary to the Civil Service Board

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

The minutes of the August 1, 2005 regular meeting were unanimously approved.

The Board voted unanimously to deny the rehire appeal of Toni Broadway, a former Sanitation Department employee. Ms. Broadway was not present at the time the Board reached the item concerning her on the agenda.

Human Resources Director David Etheridge presented the Board with a briefing document entitled "Civil Service & Human Resources Consolidation Plan Update." Mr. Etheridge reviewed the information contained in the presentation with the Board. In addition to providing an update on the four recommendations made by the Human Resources/Civil Service Efficiency TaskForce and endorsed by City Council on February 16, 2005, he stated a series of additional recommendations proposed by the City Manager. Mr. Etheridge emphasized that the City Manager feels strongly about employees who are civil service protected having appeal rights for both disciplinary and testing processes. He added that Ms. Suhm is also requesting changes to the Civil Service rules to require departmental consolidation. Her proposal suggests that the Human Resources Department manage testing, validation, uniform and civilian recruitment, the application process, and background checks.

Mr. Etheridge asserted that the revisions to the Personnel Rules to effect the four recommendations made by the TaskForce cannot move forward until the City Attorney's Office finalizes the review of the rule revisions submitted to their staff. He characterized the progress as in a pending status. Mr. Etheridge indicated that the Human Resources Department sent the ordinance preparation information to the City Attorney's Office in July 2005.

In response to a question from Mr. Lane, Mr. Etheridge said the process has been delayed by the City Attorney's Office. Mr. Lane asked Mr. Etheridge if his boss, Interim Assistant City Manager David Cook, had made contact with the City Attorney on this. Mr. Etheridge replied that to his knowledge he had not. Mr. Lane requested that Mr. Etheridge ask Mr. Cook to contact City Attorney Tom Perkins and copy the Civil Service Board members on what the City Attorney's schedule is on this project.

Mr. Etheridge stated that he had been approached in July 2005 by Mike Buehler, President of the Dallas Fire Fighters Association and Tom Taylor, Grievance Chair for the Dallas Fire Fighter's Association with concerns about the lack of language in the Civil Service Rules about a testing appeal process. He added that the Dallas Fire Fighters Association, Dallas Police Association and the Dallas Hispanic Fire Fighters Association submitted letters supporting the City Manager's recommendation to add language to the Civil Service Rules and to allow the testing process to be administered

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by the Human Resources Department. He stated that other associations, specifically the Black Fire Fighters Association and the Fraternal Order of Police had expressed concerns verbally. Mr. Etheridge said that most municipalities have some type of appeal process for testing as well as disciplinary matters.

Mr. Etheridge reviewed various models of organizational structure and pointed out the one favored by the City Manager. He stated that the information contained on the page entitled "Uniform Associations supporting the Manager's Recommendations to Consolidate Civil Service and Human Resources" had not been shared with the Secretary to the Board, the Assistant Director, or the Board. Mr. Etheridge added that the associations are recommending that the Civil Service Board establish a committee to revise the Civil Service Rules to support these recommendations. In addition, the recommendations include a change of rules that would establish the Secretary as the Chief Examiner responsible for managing the appeal process for disciplinary and testing grievances.

Mr. Lane requested the Human Resources Director break the "Executive, managerial and supervisory training schedule" down into some detail. He is concerned that right now there are only three line items: What's been completed, what's in progress and when they're all done. Mr. Lane would like to see a detailed schedule showing when the training for each department or sub-department will be completed. He visualizes a chart with 10 or 15 departments listed indicating the start and completion of the training. Mr. Etheridge agreed to have this to the Board prior to its next meeting in October.

Mr. Lane asked Mr. Etheridge if there was a date set for the approval of the rule revisions in English by the City Attorney's Office. Mr. Etheridge said no. Mr. Etheridge added that both the English and Spanish versions would have to be approved by the City Attorney's Office due to the number of Spanish dialects there are.

With respect to the videotape production of the City's "Rules of Conduct", Mr. Lane asked Mr. Etheridge what the first milestone in this process is. As a project under the direction of the Human Resources Department, he responded that obtaining authorization to contract with a vendor if it exceeds the Director's budget authority of \$25,000 will need to be considered by the City Council as an agenda item. Mr. Etheridge said three potential vendors have been identified. Mr. Lane asked when Mr. Etheridge anticipates receiving bids from potential vendors. He said that a bid request had not been sent out yet. It will be sent out when it is better understood where the City Attorney's office is on the issues under their review.

Mr. Lane said that at the budget town hall meeting he attended in his council district, Interim Assistant Manager/Chief Finance Officer David Cook announced that there is increased funding for employee training in the 2005-2006 proposed budget. He asked Mr. Etheridge how much money is being proposed. Mr. Etheridge said he was perplexed by this and needed to speak with Mr. Cook.

Board member Chapman questioned Mr. Etheridge on what he was asking the Board to do with a proposed committee to address these recommendations. Mr. Etheridge reemphasized that the City manager is asking the Board to strongly consider the recommendations she has made as supported by the identified associations and to establish a committee to look at adding an appeals process to the Civil Service Rules for testing. Mr. Etheridge added that out of the committee's work it is anticipated that the Board will support the City Manager's recommendation to allow the testing components to be handled by the Human Resources Department. Mr. Chapman said he would support the formation of a committee but did not want to talk about what the end result of the effort would be. None of the other Board members commented on the subject of a committee.

Vice-Chair Parrish emphasized that she was disappointed that Mr. Etheridge had presented the recommendations to the Board without advising the Secretary in advance what they would be. The Vice-Chair added that the recommendations have done a 180 degree turn from what they were in the past. She asked Mr. Etheridge what had changed. He said to his knowledge nothing with the exception of the associations'

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concern about the testing appeal process. The Vice-Chair said that she thought some of the changes would have to be done as charter revisions. Mr. Etheridge indicated that he could not answer that and would have to speak with the City Attorney's office about it.

Tom Taylor, Grievance Chair of the Dallas Fire Fighters Association addressed the Board and expressed their support of a Civil Service System for employees. Mr. Taylor emphasized the association's ongoing concern about an appeal process for the assessment center process. With the Civil Service Department administering the tests and grievances filed with the Secretary, he does not feel there is a check and balance in the process. Without the check and balance their grievances aren't being heard and are not reaching the Board. He says they would rather not pursue these issues through outside venues. They believe in the Civil Service System and intend to live and die by it.

The Board entered into closed executive session from 9:15 to 9:20 a.m. pursuant to Sections 551.071 and 551.074 of the Texas Open Meetings Act to seek advice from the City Attorney and to discuss the continued administrative leave of Civil Service Department employee Brenda Curry.

Assistant Director Michelle Hanchard provided the Board with an update on uniformed testing. She advised that the written examination for Police Lieutenant would be given on Monday, September 19, 2005. Police Sergeant will be given in December 2005. The assessment centers for Lieutenant and Sergeant are tentatively scheduled for November 2005 and February 2006 respectively. The test validation project for the Fire physical abilities test is in full progress.

In department news, The Secretary commented that she had never received the July 11, 2005 memorandum from Human Resources Director David Etheridge to City Attorney Tom Perkins about revisions to personnel rules although her name appears at the bottom of those copied. The Secretary talked a little about the Challenge Review process for written examinations and the grievance process for assessment center complaints. Members of the Civil Service Board discussed issues and concerns relating to the turn of events concerning the civil service and human resources matters raised at this meeting and over the past few months. Board members will look for the briefing to be presented on September 21, 2005 to the City Council on the internet at the end of the week. The Board talked about the idea of a committee only to address the employee test appeals issue. Mr. Lane said he would go back and read what is being said and will come back with a recommendation of the functions that should be represented on a committee. He would be happy to serve as chair.

There being no further business before the Board, the meeting adjourned at 9:40 a.m.

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