

City of Miami

*3500 Pan American Drive
Miami, FL 33133
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Meeting Minutes

Tuesday, October 02, 2018

10:00 AM

Commission Chambers

Civil Service Board

***Troy Sutton, Chairperson
Michael Dames, Chief Examiner
Rafael Cabrera, Board Member
Ulysses Garcia, Board Member
Wilbur Jackson, Jr., Board Member***

PLEDGE OF ALLEGIANCE

The meeting was called to order at 10:08 am, with the Pledge of Allegiance. At commencement of the meeting, attendance was as follows:

Attendee Name	Title	Status
Troy Sutton	Chairperson	Present
Michael Dames	Chief Examiner	Present
Rafael Cabrera	Board Member	Present
Ulysses Garcia	Board Member	Present
Wilbur M. Jackson, Jr.	Board Member	Present

ADOPTION OF AGENDA

Chair Sutton asked if there were any revisions to the Agenda. Hearing none, a motion to adopt the Agenda as printed was considered and resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

A. APPROVING OF THE MINUTES**A.1 Civil Service Board - Regular Meeting - July 24, 2018**

A motion was entered to approve the Minutes as amended, which resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

A.2 Civil Service Board - Special Meeting - September 17, 2018

A motion was entered to approve the Minutes as presented, which resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

A.3 Civil Service Board - Regular Meeting - September 18, 2018

A motion was entered to approve the Minutes as presented, which resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

B. PERSONNEL MATTERS

- B.1** Copy of a letter from Emilio T. Gonzalez, City Manager, notifying Chondria Harrington, Administrative Aide I, of her resignation pursuant to Article 17 of the AFSCME Local 1907, effective September 26, 2018. (NOTIFICATION)

C. MILITARY LEAVES OF ABSENCE

- C.1** Kirk Gilliland-Rodriguez, Solid Waste Safety Specialist, requests re-employment as a Solid Waste Safety Specialist following his return from Military Leave. Copy of his DD214 indicating Honorable Discharge submitted. (DISCUSSION)

The Board entered a motion to approve the re-employment as requested, and thanked the employee for his service.

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

- C.2** Sarah Page, Administrative Assistant I, requests re-employment as an Administrative Assistant I, following her return from Military Leave. Copy of her DD214 indicating Honorable Discharge submitted. (DISCUSSION)

The Board entered a motion to approve the re-employment as requested, and thanked the employee for her service.

Motion by Chief Examiner Dames, seconded by Board Member Jackson, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

- C.3** Anthony Montes, Police Officer requests retroactive Military leave without pay from June 11, 2018 through June 25, 2018. Copy of Orders Submitted. (DISCUSSION)

The Board entered a motion to approve the leave as requested, and thanked the employee for his service.

Motion by Board Member Jackson, Jr., seconded by Chief Examiner Dames, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

D. DISCIPLINARY MATTERS

- D.1** Copy of a letter from Chief Jorge R. Colina, Director, Department of Police, notifying Jose Villasmil, Police Officer, of a 10-hour forfeiture, effective September 19, 2018. (NOTIFICATION)

E. GENERAL ITEMS

- E.1** Copy of a Request to Continue from Teri Guttman-Valdes, Attorney, on behalf of Edwin Gomez, Sergeant et. al., relative to his Grievance hearing, concerning the examination process for Police Lieutenant, pursuant Civil Service Rules 16.1 - Investigation by the Board and 16.2 - Complaint by employee, alleging violation of Civil Service Rules 6.3 - Contents of Examination, 6.5 - Method of Rating, and 6.7 - Seniority. (DISCUSSION) Hearing is scheduled for today.

Teri Guttman-Valdes, Attorney, appeared on behalf of Edwin Gomez, requesting a Continuance in this matter. She advised that the reasons for the request are because her witness, Dr. Kraus is unavailable (vacation) for today's hearing and she is waiting on additional documents from the Department of Human Resources. She requested that the hearing be rescheduled for October 16, 2018, assuming Dr. Kraus will be available. Barbara Diaz, Assistant City Attorney (ACA), expressed no objection to the request and further asked Ms. Guttman-Valdes to keep her in the loop regarding the public records requests. Following discussion, a motion to grant the continuance resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Chief Examiner Dames, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

- E.2** Copy of a Request to Continue from Teri Guttman-Valdes, Attorney, on behalf of Jeovanny Herbello, Police Officer, concerning his Grievance hearing pursuant to Civil Service Rule 16.2 - Complaint by Employee, concerning alleged violations of Civil Service Rules 5.1 - Announcement, 5.2 - Application Forms, 6.2 - Promotional Examinations, and 17.1 - Prohibited Practices, as it relates to the 2017 examination process for Police Sergeant. Approved by the Board October 31, 2017. (DISCUSSION)

Hearing is scheduled for October 16, 2018.

Teri Guttman-Valdes, Attorney, appeared on behalf of Jeovanny Herbello, requesting a Continuance in this matter, which is set for October 16, 2018. She advised that her witness will be unavailable to appear in person. Barbara Diaz, Assistant City Attorney (ACA), responded that the Department did not have an objection to the request. Following discussion, a motion to grant the continuance resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

- E.3** Findings of Fact concerning the Hearing of Appeal on behalf of Barbara Reyes, Public Service Aide, concerning her 40-hour suspension, effective January 8, 2018. (DISCUSSION)

Chair Sutton asked if there were any objections to the Findings of Fact as presented. The Executive Secretary advised that the employee indicated no objections. The Department responded that there were no objections. Hearing no objections or corrections from the Board, a motion to approve the Findings and Recommendations as presented, resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.

F. REPORTS

- F.1** Pending Hearings as of October 2, 2018. (NOTIFICATION)

G. REQUESTS FOR HEARINGS

H. TODAY'S HEARINGS

- H.1** Hearing on behalf of Edwin Gomez, Sergeant, relative to his Grievance

hearing, concerning the examination process for Police Lieutenant, pursuant Civil Service Rules 16.1 - Investigation by the Board and 16.2 - Complaint by employee, alleging violation of Civil Service Rules 6.3 - Contents of Examination, 6.5 - Method of Rating, and 6.7 - Seniority.

Hearing was continued at Today's Meeting.

H.2 Hearing of Appeal on behalf of Angela Ginnie, Emergency Dispatcher, concerning her 40-hour suspension, effective November 13, 2017.

The Executive Secretary advised that a Joint Request for Continuance had been received. Following discussion by the Board, a motion to grant the continuance resulted as follows:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.
NAYS: Michael Dames

ADJOURNMENT:

There being no further business before the Board, a motion was entered to adjourn the meeting at 10:19 am, which resulted as follows:

Motion by Board Member Jackson, Jr., seconded by Board Member Cabrera, that this matter be Approved, passed by the following vote:

AYES: Sutton, Dames, Cabrera, Garcia, Jackson, Jr.
NAYS: Michael Dames

SIGNATURE: _____
Troy Sutton, Board Chairperson

ATTEST: _____
Tishria L. Mindingall, Executive Secretary