

City of Miami

*City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com*



Meeting Agenda

Tuesday, January 12, 2010

10:00 AM

Commission Chambers

Civil Service Board

*Miguel M. de la O, Chairperson
William J. Scarola, Chief Examiner
Jessica Angel-Capo, Board Member
Mariano Cruz, Board Member
Michael T. Dames, Board Member*

PLEDGE OF ALLEGIANCE**A. APPROVING THE MINUTES OF:**

Regular Meeting of December 15, 2009.

B. PERSONNEL MATTERS**C. MILITARY LEAVES OF ABSENCE****D. DISCIPLINARY MATTERS**

- D.1** Copy of a letter from Hector Mirabile, Ph.D., Director, Department of Employee Relations, notifying Arcadio Mestril, Sign Painter, of the "Correction/Reversal of Separation from Employment." (NOTIFICATION)
- D.2** Copy of a letter from Chief Kemp, Director, Department of Fire-Rescue, notifying Einar Ojito, Firefighter, of his 48-hour fine, effective January 1, 2010. (NOTIFICATION)
- D.3** Copy of a letter from Chief Kemp, Director, Department of Fire-Rescue, notifying Elmore Johnson, Firefighter, of his 80-hour suspension, effective January 5, 2010. (NOTIFICATION)
- D.4** Copy of a Judgment from the City Manager concurring with the Board's findings concerning Alice Dunn, Typist Clerk II, relative to her 40-hour suspension, effective September 1, 2008. Ordered and adjudged that the decision of the Chief of Police that she shall serve a 40-hour suspension is hereby modified to a 20-hour suspension. (NOTIFICATION)
- D.5** Copy of a Judgment from the City Manager concurring with the Board's findings concerning Humberto Mijares, Building Inspector III, relative to his 3-day suspension, effective August 27, 2008. Ordered and adjudged that the decision of the Director of the Building Department that he be suspended for three (3) days is hereby reversed. (NOTIFICATION)
- D.6** Copy of a Judgment from the City Manager concurring with the Board's findings concerning Silvia Benitez, Communications Operator, relative to her 80-hour suspension, effective February 9, 2009. Ordered and adjudged that the decision of the Chief of Police that she shall serve an 80-hour suspension is hereby modified to a 40-hour suspension. (NOTIFICATION)
- D.7** Copy of a Judgment from the City Manager concurring with the Board's findings concerning Teresa Borkowski, Police Sergeant, relative to her 10-hour suspension, effective April 4, 2006. Ordered and adjudged that the decision of the Chief of Police that she shall serve a 10-hour suspension is hereby reversed. (NOTIFICATION)

D.8 Copy of a Judgment from the City Manager concurring with the Board's findings concerning Teresa Borkowski, Police Sergeant, relative to her 10-hour suspension, effective May 24, 2006. Ordered and adjudged that the decision of the Chief of Police that she shall serve a 10-hour suspension is hereby reversed. (NOTIFICATION)

D.9 Copy of a Judgment from the City Manager concurring with the Board's findings concerning Reginald Kinchen, Police Sergeant, relative to his 20-hour forfeiture letter, effective July 27, 2005. Ordered and adjudged that the decision of the Chief of Police that he shall forfeit 20-hours of earned time is hereby affirmed. (NOTIFICATION)

E. GENERAL ITEMS

E.1 Copy of Findings of Fact concerning the appeal hearing of Barbara Shaffner, Police Officer, relative to her 20-hour forfeiture, effective March 3, 2005. (DISCUSSION)

E.2 Copy of Findings of Fact concerning the appeal hearing of Kenneth McIlwain, Police Officer, relative to his 20-hour forfeiture, effective March 3, 2005. (DISCUSSION)

E.3 Copy of Findings of Fact concerning the grievance hearing on behalf of Suzanne Bermudez, Administrative Aide I. (DISCUSSION)

E.4 Copy of Findings of Fact concerning the appeal hearing of Clive Vernon, Police Officer, relative to his termination, effective December 1, 2008. (DISCUSSION)

Item deferred from the meeting of December 15, 2009.

E.5 Copy of a Memorandum from Pedro G. Hernandez, City Manager, concerning a remedy in the grievance hearing of Miguel Hervis, Police Lieutenant, pursuant to Civil Service Rule 16.2, Complaint by Employee. (NOTIFICATION)

E.6 Copy of a Settlement Agreement between City of Miami and Daniel Rodriguez, Police Officer, concerning the hearing of appeal relative to his 40 hour suspension, effective February 24, 2009 and a Notice of Withdrawal of Appeal hearing. (NOTIFICATION)

F. REPORTS

F.1 The 2009 Annual Board Report to the City Commission. (DISCUSSION)

F.2 The 2009 Annual Report reflecting Board action on Hearings, Administrative Activities, and Outstanding Judgments. (NOTIFICATION)

F.3 Pending Hearings as of January 12, 2009. (NOTIFICATION)

G. REQUESTS FOR HEARINGS

- G.1** Copy of a Request for Grievance Hearing from Osnat K. Rind, Attorney, on behalf of Cynthia Bennett, Payroll Aide, pursuant to Rule 16.2, alleging a violation of Civil Service Rule 8.10(b). (DISCUSSION)

H. TODAY'S HEARINGS

- H.1** Hearing of appeal on behalf of Kate Abia, Police Officer, relative to her termination effective July 21, 2008.
- H.2** Hearing of appeal on behalf of Stephon McGill, Police Officer, relative to his 120-hour suspension, effective August 3, 2009.
- H.3** Grievance Hearing on behalf of Lazaro Cabezas, Telecommunications Technician, pursuant to Civil Service Rule 14.
- H.4** Grievance Hearing on behalf of Neal A. Muhammad, Fire Lieutenant, pursuant to Civil Service Rule 4.2, concerning the 2008 Fire Captain's Oral Board Exam.