

City of Miami

*City Hall
3500 Pan American Drive
Miami, FL 33133
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Meeting Agenda

Tuesday, November 2, 2010

10:00 AM

Commission Chambers

Civil Service Board

*Miguel M. de la O, Chairperson
Joseph Kaplan, Chief Examiner
Michael T. Dames, Board Member
Sean Moy, Board Member
Gerald Silverman, Board Member*

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

Regular Meeting of October 19, 2010.

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

- D.1** Copy of a letter from Chief Miguel Exposito, Director, Department of Police, notifying Nicole Sweet, Communications Operator, of her 16-hour suspension, effective October 30, 2010. (NOTIFICATION)
- D.2** Copy of a letter from Chief Miguel Exposito, Director, Department of Police, notifying Nicole Sweet, Communications Operator, of her 24-hour suspension, effective November 1, 2010. (NOTIFICATION)
- D.3** Copy of a letter from Chief Miguel Exposito, Director, Department of Police, notifying Terrel Cheever, Communications Assistant, of his 40-hour suspension, effective October 27, 2010. (NOTIFICATION)
- D.4** Copy of a letter from Chief Kemp, Director, Department of Fire-Rescue, notifying Robert Sanon, Firefighter, of his 24-hour suspension, effective the first full pay period of 2011. (NOTIFICATION)
- D.5** Copy of an amended Judgment from the City Manager, pursuant to an opinion dated May 6, 2010 from Circuit Court quashing previous Judgment entered by the City Manager; thereby reversing the decision of the Chief of Police that Edward Lugo, Police Officer, serve 120-hour suspension. (NOTIFICATION)
- D.6** Copy of a Judgment from the City Manager, concurring with the Board's Findings concerning Fignole Lubin, Police Officer, relative to his 40-hour forfeiture, effective August 29, 2006. It is ordered and adjudged that the decision of the Chief of Police that he shall serve a 40-hour forfeiture is hereby reversed. (NOTIFICATION)
- D.7** Copy of a Judgment from the City Manager concurring with the Board's Findings concerning Alice Dunn, Typist Clerk II, relative to her 80-hour suspension, effective August 18, 2008. It is ordered and adjudged that the decision of the Chief of Police that she shall serve an 80-hour suspension is hereby sustained. (NOTIFICATION)

- D.8** Copy of a Judgment from the City Manager concurring with the Board's Findings concerning Maurice Brighthaupt, Fire Fighter, relative to his 24-hour suspension, effective November 19, 2008. It is ordered and adjudged that the decision of the Chief of Fire-Rescue that he shall serve a 24-hour suspension is hereby sustained. (NOTIFICATION)
- D.9** Copy of a Judgment from the City Manager concurring with the Board's Findings concerning Robert Byrd, Labor Crew Leader II, relative to his 3-day suspension, effective March 23, 2009. It is ordered and adjudged that the decision of the Director of Public Works that he shall serve a 3-day suspension is hereby reversed. (NOTIFICATION)
- D.10** Copy of a Judgment from the City Manager concurring with the Board's findings concerning Marcel Jackson, Police Officer, relative to his 40-hour suspension, effective May 16, 2009. It is ordered and adjudged that the decision of the Chief of Police that he shall serve a 40-hour suspension is hereby reversed. (NOTIFICATION)
- D.11** Copy of a Judgment from the City Manager concerning the Grievance hearing of Cornelius Pierre, Code Enforcement Inspector, regarding a violation of Civil Service Rule 12. The City Manager rejected the Board's interpretation of Rule 12.1(3)(c) with regards to the number of required hours an employee must work to be awarded seniority credit for a full month of service and ordered effective immediately that Rule 12.1(3)(c) interpret a "full month of service" as any employee who has eight (8) hours or less of leave without pay in any one (1) month shall be awarded seniority credit for that month. Any employee who has more than eight (8) hours of leave without pay in any one (1) month shall not be awarded a seniority credit for that month. Further, the City Manager accepted the Board's additional recommendations. (NOTIFICATION)
- D.12** Copy of a Judgment from the City Manager, concurring with the Board's Findings concerning Lazaro Cabezas, Telecommunications Technician, relative to his de facto demotion and reduction in grade. It is ordered and adjudged that the decision of the Director of Information Technology to reduce his salary range from a 32M to a 25M is hereby sustained. (NOTIFICATION)

E. GENERAL ITEMS

- E.1** Notice of a Withdrawal of Appeal from Osnat K. Rind, Attorney, on behalf of Joel Vasquez, Heavy Equipment Mechanic, relative to his 1-day suspension, effective March 25, 2009. (NOTIFICATION)
- Case will be closed and removed from the Board's docket. Hearing of appeal is scheduled for today.

- E.2** Notice of a Withdrawal of Appeal from Osnat K. Rind, Attorney, on behalf of Melanie Ortiz, Typist Clerk, relative to her layoff, pursuant to an alleged violation of Civil Service Rule 12. (NOTIFICATION)
- Case will be closed and removed from the Board's docket. Hearing of appeal is scheduled for today.

F. REPORTS

- F.1** Pending Hearings as of November 2, 2010. (NOTIFICATION)

G. REQUESTS FOR HEARINGS

- G.1** A copy of a Request for a Grievance hearing from Teri Guttman-Valdes, Attorney, on behalf of Louis A. Brennan, Firefighter, pursuant to Civil Service Rule 16.1- Investigation by the Board and 16.2- Complaint by Employee, alleging a violation of Civil Service Rules 5, 6, 7, and 8. (DISCUSSION)

H. TODAY'S HEARINGS

- H.1** Hearing of Appeal on behalf of Raul Cabrera, Police Officer, relative to his 160-hour suspension, effective April 21, 2010.
- H.2** Hearing of Appeal on behalf of Marcel Jackson, Police Officer, relative to his 40-hour suspension, effective April 13, 2010.
- H.3** Hearing of Appeal on behalf of Joel Vasquez, Heavy Equipment Mechanic, relative to his 1-day suspension, effective March 25, 2009.
- H.4** Grievance hearing on behalf of Melanie Ortiz, Typist Clerk, relative to her layoff, pursuant to an alleged violation of Civil Service Rule 12.