

City of Miami

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

Tuesday, October 6, 2015

10:00 AM

Commission Chambers

Civil Service Board

*Javier Baños, Chairperson
Troy Sutton, Chief Examiner
Lillie Harris, Board Member
Vishwani Ramlal, Board Member
William W. Riley, Board Member*

PLEDGE OF ALLEGIANCE

Chair Banos called the meeting to order at 10:00 a.m. with the Pledge of Allegiance. At the commencement of the meeting roll call was as follows:

Present: Chairperson Baños, Chief Examiner Sutton, Member Ramlal and Member Riley

Absent: Member Harris

ADOPTION OF TODAY'S AGENDA

Chair Banos asked for a motion to adopt today's Agenda as printed, which resulted as follows:

Motion by Member Riley, seconded by Member Ramlal, to APPROVE. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

A. APPROVING THE MINUTES OF:

Regular Meeting of September 15, 2015.

Motion by Member Ramlal, seconded by Member Riley, to APPROVE. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

B. PERSONNEL MATTERS**B.1**

Copy of a memorandum from Maurice Kemp, Director, requesting to extend the probationary period of Richard Escandell, Firefighter, for six (6) additional months beyond October 7, 2015. (DISCUSSION)

Chair Banos asked if anyone was present to discuss this issue. Niorge Aragon, Executive Assistant to the Fire Chief appeared before the Board on behalf of the Department and confirmed the request. Firefighter Escandell was also present and confirmed that he had no objection to the extension. Following discussion, the Board voted to grant the requested extension of probation as follows:

Motion by Chief Examiner Sutton, seconded by Member Ramlal, that this matter be APPROVED. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

B.2

Copy of a memorandum from Chief Rodolfo Llanes, Director, Department of Police, requesting to extend the probationary period of Angel Velasco, Crime Scene Investigator I, for three (3) additional months beyond November 17, 2015. (DISCUSSION)

Chair Banos asked if anyone was present to discuss this issue and if there were any objections to this request. Ms. Velasco appeared before the Board and confirmed that she did not object to the extension. Following discussion the Board voted to grant the extension as follows:

Motion by Member Ramlal, seconded by Member Riley, that this matter be APPROVED. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

- B.3** Copy of a memorandum from Chief Rodolfo Llanes, Director, Department of Police, requesting to extend the probationary period of Carolina Galvez, Police Officer, for one (1) additional month beyond September 20, 2015. (DISCUSSION)

Chair Banos asked if anyone was present to discuss this issue. Officer Galvez appeared before the Board and confirmed that she does not object to the extension. Following discussion the Board voted to grant the requested extension which resulted as follows:

Motion by Member Ramlal, seconded by Member Riley, that this matter be APPROVED. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

- B.4** Copy of a memorandum from Chief Rodolfo Llanes, Director, Department of Police, requesting to extend the probationary period of Roberto Rubio, Police Officer, for one (1) additional month beyond September 24, 2015. (DISCUSSION)

Chair Banos asked if anyone was present to discuss this issue. Officer Rubio appeared before the Board and confirmed that he did not object to the extension. Following discussion the Board voted to grant the extension request as follows:

Motion by Member Ramlal, seconded by Member Riley, that this matter be APPROVED. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

- B.5** Copy of a memorandum from Chief Rodolfo Llanes, Director, Department of Police, requesting to extend the probationary period of Alejandro Rebollar, Police Officer, for one (1) additional month beyond September 20, 2015. (DISCUSSION)

Chair Banos asked if anyone was present to discuss this issue. Officer Rebollar appeared before the Board and confirmed that he does not object to the extension request. Following discussion, the Board voted to grant the extension as requested which resulted as follows:

Motion by Member Ramlal, seconded by Member Riley, that this matter be APPROVED. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

- B.6** A copy of a memorandum from Amy Klose, Director, Department of Human Resources, notifying Lilia Serrano, Administrative Aide I, of her denial to return to her former classification of Personnel Services Representative (Human Resources Clerk). (NOTIFICATION)

NOTIFIED

C. MILITARY LEAVES OF ABSENCE

D. DISCIPLINARY MATTERS

- D.1 Copy of a letter from Chief Maurice Kemp, Director, Department of Fire Rescue, notifying Alberto Hoyos, Fire Lieutenant, of his 24-hour suspension, effective August 25, 2015. (NOTIFICATION)

NOTIFIED

- D.2 Copy of a letter from Chief Rodolfo Llanes, Director, Department of Police notifying Javier Herbello, Police Officer of his 10-Hour forfeiture, effective September 16, 2015. (NOTIFICATION)

NOTIFIED

E. GENERAL ITEMS

F. REPORTS

- F.1 Pending Hearings as of October 6, 2015. (NOTIFICATION)

PRESENTED

G. REQUESTS FOR HEARINGS

- G.1 Copy of a Request for Grievance Hearing from Osnat K. Rind, Attorney, Phillips, Richard, & Rind, P.A., on behalf of Jorge Solino, Videographer/Editor, pursuant to Rule 16.1, alleging an Abuse of Power by Angel Zayon, Chief of Communications and Protocol. (DISCUSSION)

Chair Banos asked who was present to discuss this matter. Attorney Osnat K. Rind appeared on behalf of the Grievant and stated that the correspondence written by the employee is before the Board. She went on to say that the correspondence provides details of what the grievant considers to be abuse of power by his supervisor, Angel Zayon, and she is available if the Board has questions or needs additional information.

Chair Banos advised that the Board has reviewed the grievant's correspondence, and asked the Board members if they had any questions. Hearing none, he then asked the Department's representative for his opinion on the request. Assistant City Attorney (ACA) Carlos Gamez appeared on behalf of the Department and asked that the Board deny the request. He went on to say that the grievant has not fully exhausted all administrative remedial measures. ACA Gamez advised that the grievant has filed a complaint with the City's Office of Equal Opportunity and Diversity Programs (EO/DP) which handles these sensitive matters, and uses measures to address these issues raised by aggrieved employees internally before these issues are brought before a televised platform. He requested that the Board wait until the completion of the investigation by the EO/DP prior to having a grievance hearing. ACA Gamez further stated that the request for a hearing was not properly filed due to the correspondence not specifying the allegedly violated Civil Service Rules or the relief requested by the grievant.

Chair Banos asked the Executive Secretary if the hearing would be scheduled for approximately April or May of 2016. The Executive Secretary responded that it was likely based on the current schedule. Chair Banos asked if six (6) months was enough time for EO/DP to complete the investigation. ACA Gamez responded that six months

may be enough time. Attorney Rind informed the Board that a legal requirement to exhaust all administrative measures does not exist.

Chair Banos asked Attorney Rind to provide the Board with the Civil Service Rules the grievant feels were violated. Attorney Rind responded that the Rules the grievant feels were violated are Rules 14.2(h), (i), (k), (o) and (r).

Following discussion the Board offered a motion to Grant the hearing which resulted as follows:

Motion by Member Ramlal, seconded by Chief Examiner Sutton, that this matter be APPROVED. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

H. TODAY'S HEARINGS

ADJOURNMENT

Having no further Agenda items to discuss the meeting adjourned at 10:10 a.m.

Motion by Member Riley, seconded by Member Ramlal, to APPROVE. PASSED by the following vote.

Aye: Baños, Sutton, Ramlal and Riley

SIGNATURE:

Javier Banos, Chairperson

ATTEST:

Tishria L. Mindingall, Executive Secretary