

Meeting of the Civil Service Board

Present: Chair Ron Chapman, Jr., Vice-Chair Marvin M. Lane, Jr., George L. Allen, Jr., Juan C. Hernandez, F. Ray Hill, Pat Parrish

Absent: Johnnie Goins

Attendees:

Mike Cekinovich, Grievant – Captain, Dallas Fire-Rescue Department
John Cook, Assistant Chief - Dallas Fire-Rescue Department
Steven Corder, Lieutenant – Dallas Fire-Rescue Department
Dell Morgan, Rehire Applicant
Janice Moss, Senior Assistant City Attorney
D.D. Pierce, President – Dallas Firefighters Association
Ayeh Powers, Assistant City Attorney

Civil Service Department Staff:

Randall Carman, Senior Human Resource Analyst
Michelle Hanchard, Assistant Director
Patricia Marsolais, Secretary to the Civil Service Board
Kim Martin, Senior Human Resource Analyst
Pamela McDonald, Manager – Examining and Recruitment Division
Savina Rikhilal, Administrative Specialist
Martha Santos, Executive Assistant

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

The Board unanimously approved the minutes of the June 2, 2009 regular meeting.

The Board unanimously approved the minutes of the June 26, 2009 special meeting.

The Board heard the rehire appeal of former Sanitation Services Department employee Dell Morgan. After much discussion with Ms. Morgan about her previous employment with the City and consideration of material provided for the Board's review, the Board unanimously approved Ms. Morgan's request to apply for employment opportunities with the City.

Rehire applicant Leonel Quintero did not appear to present his appeal to the Board.

City employee Randal Hawley did not appear to address the Board on his disagreement with the disqualifications established for the Environmental Coordinator position.

Assistant Director Michelle Hanchard gave the Board an update on Fire and Police promotional testing projects. Ms. Hanchard noted that due to the interpretation of rules provided to candidates during mandatory orientation there were some question as to the appropriateness of turning away two individuals who were "late" to the registration process for the Fire-Rescue Lieutenant Oral Assessment. The possibility of administering an alternate assessment to these candidates is being explored. The Chair instructed staff to make sure this problem doesn't happen again. The Secretary advised that a decision making chain is being developed. Ms. Hanchard also informed the Board that First Assistant City Manager Ryan Evans had called the Secretary to inform her that there would be no Police or Fire promotions in the next fiscal year.

The Board went into executive session from 8:41 a.m., to 9:17 a.m., pursuant to Section 551.074 of the Texas Open Meetings Act to receive an update on the Fiscal Year 09-10 budget and its impact on Civil Service Department staffing.

The Board heard the grievance appeal of Dallas Fire-Rescue Captain Mike Cekinovich in which he claims that the Civil Service Department failed to administer the oral assessment portion of the Fire-Rescue Battalion Chief promotional examination in a manner that fairly tested knowledge of the actual duties, responsibilities, and requirements of the position to be filled and a candidate's fitness and qualifications to discharge such duties and meet such requirements. The grievance was based on the assertion that the Civil Service Department had violated Civil Service Rule XIV – PROMOTIONS, Section 6.

Captain Cekinovich represented himself. He was assisted by Dallas Fire-Rescue Lieutenant Steven Corder. The Civil Service Department was represented by Assistant City Attorney Ayeh Powers. Patricia Marsolais, Civil Service Director, was the Civil Service Department's representative for the hearing. Executive Assistant Martha Santos was Acting Secretary to the Board for the hearing. Captain Cekinovich's grievance specifically focused on the scores he received from assessors on the oral presentation exercise. He felt he did considerably better than he was rated. After hearing testimony and receiving documents from both sides, the Board voted five to one to deny Captain Cekinovich's grievance. The Chair thanked Captain Cekinovich for his service to the City and called him an asset to the department. He encouraged him to keep going with his career. **Voting Nay: Chapman, Lane, Hernandez, Hill, Parrish**
Voting Aye: Allen

There being no further business before the Board, the meeting was adjourned at 11:10 a.m.

(A complete transcription of this meeting is available)

ATTESTED

APPROVED