

**DRAFT MINUTES OF A REGULAR MEETING
OF THE
CITY OF EULESS CIVIL SERVICE COMMISSION
April 29, 2013**

CALL TO ORDER

The Civil Service Commission met on Monday, April 29, 2013, in the Mayor's Conference Room at City Hall in the Municipal Complex, 201 North Ector Drive.

The following persons were in attendance:

Chairperson Carla Shields, Place 1
Commissioner Jimmy Payton, Place 2
Commissioner Bobby Baker, Place 3
Commissioner John Deithloff, Alternate No. 1
City Manager Gary McKamie
Deputy City Manager Loretta Getchell
Police Chief Mike Brown
Fire Chief Wes Rhodes
Fire Division Chief/Operations Chanc Bennett
Civil Service Officer and Human Resources/Risk Administrator Carolyn Marshall
Assistant to the City Secretary Holly Houston

ITEM NO. 1. CALL TO ORDER

Chairperson Carla Shields called the meeting to order at 9:00 a.m.

ITEM NO. 2. INVOCATION

Commissioner Bobby Baker gave the invocation.

ITEM NO. 3. ELECTION OF CHAIRMAN

Commissioner Jimmy Payton motioned to select Chairperson Shields to continue to serve as chairman. Commissioner Baker seconded the motion, the motion carried by a unanimous vote.

**ITEM NO. 4. APPROVAL OF MINUTES OF A SPECIAL CALLED MEETING
ON MARCH 25, 2013**

Commissioner Baker motioned to approve the minutes of the March 25, 2013, special called meeting as presented. Commissioner Payton seconded the motion, the motion carried by a unanimous vote.

ITEM NO. 5. APPROVED REVISIONS TO CIVIL SERVICE PROVISIONS

City Manager Gary McKamie advised that city staff would review the proposed various amendments/revisions to the Civil Service Provisions that had previously been given to the Commission and answer any questions they may have.

Deputy City Manager Loretta Getchell thoroughly highlighted the proposed amendments/revisions to the Provisions on each page, specifically to the following:

- Equal Employment Opportunity – handled primarily through administrative policy.
- Excluded Employees – revising job titles to reflect current positions.
- Extended Family and Immediate Family - clarification of included family members for purposes of bereavement leave.
- Sexual Harassment – revised definition to coincide with the guidelines of the U.S. Equal Employment Opportunity Commission (EEOC) and refers to policy.
- Promotions – allows an employee that was promoted to be returned to their former position if they do not satisfactory perform duties of the new position during the probationary period.
- Military Leave – revised to follow federal and state law.
- Leave of Absence - incorporate two types of leave, Family and Medical Leave Act (FMLA) Leave and Non-FMLA Leave.
- Emergency Leave – modified to bereavement leave for the loss of an immediate or extended family member.
- Discipline and Appeals - insert grievance into the title and provide grievance procedures within the section.
- Appeals Procedures – allows eligible employee to file an appeal to protest, contest, or challenge a suspension, demotion or discharge.
- Grievance Procedures – allows employee to address a complaint concerning a written reprimand, compensation, work hours, working conditions, transfers, job performance reviews, job assignment, or other treatment received from management or a supervisor which the employee considers to be unjust or unfair.
- Throughout the Provisions, the term introductory period has been revised to probationary period.

Commissioner Payton asked if the City performs employee drug testing.

Deputy City Manager Getchell stated that drug testing is performed on several occasions, including hiring of all new employees, randomly on an annual basis, and when an employee is involved in an accident.

City Manager McKamie highlighted the proposed amendments/revisions to the promotional examinations process that allows opportunities for candidates to file a complaint during the fire and police promotion process.

Chairperson Shields requested that the within Chapter 6 “Promotional Examinations” the term “less than” be changed to “fewer than.”

Deputy City Manager Getchell stated that within Section 6.16 “Promotional Eligibility Lists”, in the first sentence, “as certified by the Civil Service Commission” needed to be removed.

Chairperson Shields inquired about the transference of the potential liability to the Commission since the Commission’s decision will be final.

City Manager McKamie stated that the Commission has immunity and that the City indemnifies board and commission members provided that their actions are taken in good faith.

City Manager McKamie advised that the city attorney will review the Civil Service Provisions in its entirety after the Commission’s approval and prior to consideration by the City Council.

Police Chief Mike Brown and Fire Chief Wes Rhodes stated that the Eules Firefighters Association and the Eules Police Officers Association have reviewed the proposed provisions.

Commissioner Payton motioned to approve the revisions to the Civil Service Provisions contingent upon the city attorney reviewing the Provisions. Commissioner Baker seconded the motion, the motion carried by a unanimous vote.

ITEM NO. 6. ADJOURNMENT

Chairperson Shields adjourned the meeting at 10:09 a.m.

APPROVED:

Chairperson Carla Shields

Date