

Personnel Board of Jefferson County

The Foundation of Your Merit System Career

MINUTES OF MEETING OF THE PERSONNEL BOARD OF JEFFERSON COUNTY July 11, 2017 - 1:30 p.m.

The Personnel Board of Jefferson County met on Tuesday, July 11, 2017. Present at the meeting were L. Kenneth Moore, Chair; Ann Florie, Associate Member; and Lonnie Washington, Associate Member. Present from the Personnel Board were Lorren Oliver, Personnel Director; Jeff Crenshaw, Deputy Personnel Director; Guy Dewees, Applicant Services; Kim Kinder, Employee Services; Robert Groce, Information Services; Cynthia Holiness, Business Office; Leslie Coyne, Counsel for the Personnel Board; and Personnel Board staff.

I. OPENING REMARKS BY L. KENNETH MOORE, CHAIR

Chairman L. Kenneth Moore opened by welcoming the assembly and providing a brief overview of the proceedings.

II. OPERATIONAL UPDATES

Personnel Director – Mr. Oliver reported that in June 2017, the Personnel Board conducted ongoing recruitment for fifty-one (51) Merit System job classes and received two thousand one hundred ninety-one (2,191) applications. The Board placed one thousand four hundred seventy-two (1,472) individuals on registers. The Board established eighteen (18) new registers with a total of one thousand four hundred fifty-one (1,451) qualified individuals for employment consideration within the jurisdictions. Another twenty-one (21) qualified applicants were placed on eight (8) registers for difficult-to-recruit job classes. The Personnel Board conducts continuous or open-until-filled recruiting for these jobs classes. Registers released in June 2017 included Firefighter, Police Officer/Deputy Sheriff and Public Health Nurse. The Board received one hundred fifty-four (154) new requests to fill a total of two hundred sixty (260) vacancies in the Merit System. One hundred thirty-seven (137) of these requests (89%) were processed immediately, and the remaining seventeen (17) requests (11%) were sent to Employment Testing and are at varied stages of the register development process. The Board issued one hundred sixty-three (163) certifications in June 2017 to provide qualified personnel to fill vacancies in ninety-four (94) Merit System job classes.

The business systems function processed one thousand two hundred seven (1,207) personnel actions (e.g., Hires, Promotions, Separations, Transfers, Merit Increases, and Premiums) in June 2017, bringing the year-to-date total to four thousand nine hundred seven (4,907). The Board processed seventeen thousand five hundred nine (17,509) payroll records, bringing this year's total to eighty thousand four hundred fifty-seven (80,457). The Board also audited one thousand eight hundred forty-nine (1,849) individual payroll records in June 2017, for a total of seventeen thousand four hundred forty-four (17,444) records year-to-date.

The Personnel Board delivers training in a variety of courses ranging from business software to supervisory skills. In June 2017, three hundred eighty-one (381) Merit System employees attended training offered by the Board, bringing the year-to-date total to two thousand one hundred thirty-four (2,134).

Deputy Director – Jeff Crenshaw reported that the Information Services Department is in the initial planning phase for implementation of Workday, the Board's new human resources information system (HRIS). Workday is a fully integrated HRIS and applicant tracking system that will replace the existing Infor (Lawson) and PeopleAdmin systems. Workday should provide enhanced functionality, allow for greater configuration, and increase system efficiencies. During the planning phase the Board staff and the Workday consultant will establish the implementation schedule and interim steps and activities involved in the implementation. The implementation is expected to take approximately nine (9) months.

The Training and Development Department will hold the annual graduation ceremony on Friday, July 21, 2017 at 9:00 am at the Boutwell Auditorium. The graduation will celebrate the accomplishments of Merit System employees who successfully completed certificate programs (Leading People Certificate, Leading Processes Certificate, Professional Development Certificate, Technical Development Certificate, and the MPACT program). The keynote speaker for the graduation will be Ms. Yolanda Sullivan, CEO of the YWCA of Central Alabama. The Board thanked the City of Birmingham for agreeing to allow the use of the Boutwell Auditorium free of charge.

Employment Testing – On behalf of Brian Bellenger, Cynthia Parker, Sr. Assessment & Development Specialist presented the report on the department's activities. As of July 11, 2017, there are sixty-three (63) job classes being studied in order to create new eligible lists. Seventeen (17) of these jobs are requests received during the month of June. One (1) request has been

received during the month of July. Employment Testing is in the process of conducting job analyses, developing minimum qualifications or administering and scoring tests for thirteen (13) jobs. The remaining fifty (50) jobs have been sent to Applicant Services and are in some phase of announcement and application screening.

The 2017 IPAC conference, which is being hosted by the Employment Testing Department of the Personnel Board, will officially begin on Sunday, July 16, through Wednesday July 19, 2017. The Board is excited to open its' doors to professional peers in the public and private sector, and look forward to exchanging the latest advances in personnel selection.

Dr. Crenshaw introduced the latest additions to the Employment and Testing Division, including two (2) Interns, Brady Coleman and Jessica Sneed, both seniors with majors in Psychology at Birmingham Southern. Both are interested in pursuing higher degrees in the field of I/O Psychology. The Board also welcomed the return of Dale Frey to the Police and Fire Team as an Assessment and Development Specialist.

Applicant Services – Guy Dewees reported that the majority of recruiting activity has been focused on positions in Property Appraisal, Skilled Trades, and Law Enforcement. Social media was utilized to recruit for all of these positions. The Board posted and networked on LinkedIn, Facebook, and Twitter, as well as professional association web sites in relevant fields.

Since the last meeting, recruiters have served as mock interviewers for the State of Alabama Department of Rehabilitation Services for visually challenged students. A recruiter served on a panel to discuss interview tips and advice hosted by the Return to Work Program at Jeff State Community College. Mr. Dewees reported that Jim Greene, Talent Sourcing Specialist, has been selected to serve on a newly formed advisory board for Stillman College, where he will collaborate with other board members to offer guidance regarding program offerings and strategies to improve student outcomes.

First Responders Night at Regions Field with the Birmingham Barons went very well. The game was nearly a sellout with 8,358 in attendance. The Board extended thanks and appreciation for the support and participation from several Personnel Board employees and Merit System jurisdictions. Public Safety employees from Birmingham, Bessemer, Tarrant, Mountain Brook, Homewood, and the Sheriff's Department were on hand to discuss Merit System careers with Barons fans and distribute nearly 2,500 giveaways.

In closing, Mr. Dewees introduced Luke Huffstuttler, the new intern assigned to Applicant Services this summer. Luke is a senior at Birmingham Southern. He will be administering a survey on new hires in the Merit System to help determine source and influence of hire.

Employee Services – Kim Kinder reported that for the month of June 2017, the Classification and Compensation Department approved twenty-nine (29) advanced step requests, processed twenty-five (25) certification requests for new positions and approved thirty-seven (37) premium pay requests. The Employee Relations Department received notification of seven (7) appeals, twenty-six (16) suspensions, three (3) written warnings, four (4) terminations and one (1) settlement agreement. There were no pre-hearing conferences held and four (4) hearings were held during the month of June 2017. Two cases where the Board upheld the Hearing Officer's Recommendation were appealed to Circuit Court.

She further reported that since the creation of the contract submission procedure (December 2015), the Board has conditionally approved a total of fifteen (15) proposed contracts. The conditions are that the services provided are the same as represented in the submission, that no work begins prior to an execution of a contract and that the jurisdiction submits a copy of the executed contract to the Board. Of the fifteen (15) contracts conditionally approved since 2016, all but two (2) have been received and the conditions were satisfied. The remaining two (2) were approved in the past couple of months and the Board expects to receive the executed contracts shortly. Ms. Kinder noted that there are two (2) additional contracts for conditional approval on today's agenda. Staff will continue to monitor and bring any issues to the Board's attention.

Business Office – Cynthia Holiness reported that as of the end of June 2017, the Board has expended approximately \$6.3 million dollars and has \$1.7 million dollars in open purchase orders. Of the \$6.3 million dollars that have been expended, \$4.7 million dollars were expended in salaries and fringe benefits; \$236 thousand dollars for maintenance support for our IT systems; \$335 thousand dollars for online testing assessments, IT consulting fees, janitorial, painting and carpet cleaning services; and airfare reservations for the Board's volunteer assessors; \$116 thousand dollars for legal and hearing officer expenses; \$71 thousand dollars for hotel accommodations for volunteer Testing assessors; \$116 thousand dollars for advertising of Merit System positions; \$52 thousand dollars for volunteer assessor travel and per diem; \$33 thousand dollars for the renewal of the Board's Public Officials and Employment Practices Liability Insurance; and the Board's Cyber Protection Insurance; \$46 thousand dollars for information technology supplies and software

licenses; \$477 thousand dollars for lease payments to Jefferson County for the rental of office space in the 2121 Building; and \$78 thousand dollars in other items such as meals for volunteer assessors, telephone services and office supplies. The Board has committed approximately 75% of its \$10.7 million dollar budget. With only three (3) months remaining in the fiscal year, the Board is projected to be under budget.

III. ACTION ITEMS

- a) The Board approved the minutes for the meeting held on June 13, 2017. (Motion made by L. Washington and Seconded by A. Florie)
- b) The Board approved the Jefferson County Health Department's request to create the new class of Air Pollution Data Quality Assurance Analyst to provide overall quality of work relative to the technical aspects of the Air Monitoring Program. This position would directly supervise and manage the Sr. Air Pollution Instrumentation Technicians, Air Pollution Instrumentation Technicians and Environmental Health Specialists within the department. The new class, Air Pollution Data Quality Assurance Analyst is a pay grade of G-23 and has a pay range of \$46,404 - \$71,947. (Motion made by L. Washington and Seconded by A. Florie)

In one vote, the Board approved items *c* and *d*. (Motion made by L. Washington and Seconded by A. Florie)

- c) The City of Birmingham's request to appoint a new Exempt Executive Service position of Assistant Director of Finance. In conjunction with Rule 6.1 of the Rules and Regulations of the Personnel Board, the Appointing Authority may request the Board to place positions under the Exempt Executive Service. A position may be placed in the Exempt Executive Service if the position is designated for primary policy determinations, such as department heads and their chief deputies. Employees in the Exempt Executive Service have no rights or appeal to the Board and no property interest in their position.
- d) The Jefferson County Commission's request to appoint a new Exempt Executive Service position of Director of Youth Detention. Pursuant to Act 2011-70 and in conjunction with Rule 6.1 of the Rules and Regulations of the Personnel Board, the Appointing Authority may request the Board to place positions under the Exempt Executive Service. A position may be placed in the Exempt Executive Service if the position is designated for primary policy determinations, such as department heads and their chief deputies. The Appointing Authority provides the details of the request, including title, job description and minimum qualifications to the Director

for review and preparation for Board approval. Employees in the Exempt Executive Service have no rights or appeal to the Board and no property interest in their position.

- e) The Board approved Jefferson County Commission's request to establish a new premium pay code to compensate employees in the Waste Water Treatment Plant (WWTP) Operations Department for obtaining or possessing the Grade III certification. Jefferson County requests to compensate WWTP Operator I, Skilled Laborers and Maintenance Workers at a two-step premium above the regular rate of pay for possessing an Alabama Department of Environmental Management (ADEM) Grade III certification. Jefferson County currently operates Grade II, Grade III and Grade IV plants. (Motion made by L. Washington and Seconded by A. Florie)

IV. JURISDICTION CONTRACTS

In one vote, the Board **conditionally approved** the proposed contracts referenced in item *a* and item *b*. (Motion made by L. Washington and Seconded by A. Florie)

- a) The **proposed** contract between Jefferson County (Fleet Management) and a yet to be determined vendor for wrecker services consisting of 24 hour towing services 7 days a week. The contract term is three (3) years and the total cost is not to exceed \$135,000.00. The contract was conditionally approved based on the limited and sporadic nature of the services and that the estimated cost for staffing and equipment far exceed the contract amount.
- b) The **proposed** contract between Jefferson County (Fleet Management) and a yet-to-be-determined vendor for automotive body work and repair, and advanced diagnostics (requiring proprietary diagnostic software) and/or repairs that are related to accident damage. The County has submitted an Invitation to Bid (ITB) which is expected to result in contracts with multiple vendors to perform body work for **all** fleet management vehicles. The resulting contracts would cover the aforementioned services for three (3) years at an estimated cost not to exceed \$1,555,000 per year. Based on the sporadic nature of the services provided, the fact that the services are customarily performed by contractors, the anticipated cost of operating a body shop and the inability to acquire the proprietary diagnostic software, the contracted services were approved conditioned on: 1) the resulting services and projected costs in the contracts not deviating from the representations made in the submission; 2) no work beginning prior to the execution of the contract; and 3) the submission of the executed contract to the Personnel Board for its records.

- V. CONTESTED ITEMS - Appeal of Disciplinary Actions (Suspension, Demotion, Termination)
- a) Cornel R. Marshall vs City of Birmingham (Pub Wks) DA-2017-2102-BH – Joint Motion to Dismiss and Settlement Agreement – Michael Fliegel, Counsel for the City of Birmingham, appeared before the Board. Upon review, the Board finds that the terms of the Settlement Agreement are consistent with the Rules and Regulations of the Personnel Board of Jefferson County. This appeal is hereby DISMISSED.(Motion made by L. Washington and Seconded by A. Florie)
 - b) **Carried over from June 13, 2017** - Jeremy Jordan vs. City of Birmingham (Police) DA-2016-2089-BH (H.O. Report & Recommendation) - Michael Fliegel, Counsel for the City of Birmingham, appeared before the Board. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer’s recommendation to uphold the decision to suspend Complainant Jordan for ten (10) days beginning November 28, 2016. (Motion made by L. Washington and Seconded by A. Florie)
 - c) Yolanda McKinney vs. City of Birmingham (Pub Wks) DA-2017-2098-BH (H.O. Report & Recommendation) – Michael Fliegel, Counsel for the City of Birmingham, appeared before the Board. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer’s recommendation. The two (2) day suspension will be upheld and the five (5) day suspension will be reduced to a two (2) day suspension and the Complainant shall be awarded backpay for the three (3) days she was suspended without pay. (Motion made by L. Washington and Seconded by A. Florie)
 - d) Carl Jackson vs. City of Birmingham (Pub Wks) DA-2017-2100-BH (Hearing Officer Report & Recommendation) – Michael Fliegel, Counsel for the City of Birmingham, appeared before the Board. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer’s recommendation to uphold the decision to terminate Complainant Jackson effective March 24, 2017. (Motion made by A. Florie and Seconded by L. Washington)
 - e) Edna Sue Moses vs. Jefferson County (Cooper Green MHS) - DA-2017-2101-JC (H.O. Report & Recommendation) – Shawna Smith, Counsel for the Jefferson County Commission, appeared before the Board. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer’s recommendation to uphold the decision to terminate Complainant Moses effective March 23, 2017. (Motion made by A. Florie and

Seconded by L. Washington)

VII. INFORMATION AND DISCUSSION ITEMS

a) Mr. Gary Carter Appeal of Director's Determination – Mr. Carter applied for the job of Fire Chief III. Upon review of his application, it was determined that Mr. Carter failed to meet the minimum qualifications, therefore, he was deemed not qualified to participate in the Fire Chief III examination. Mr. Carter appealed through a letter to the Director and a response denying his appeal was sent to Mr. Carter via email. Mr. Carter wished to appeal the decision to the Board; however, Rule 9.12d explicitly prohibits appeal of the content of examinations and Rule 9.12e expressly prohibits a candidate from appealing failure to meet the minimum qualifications to the Board. This issue was deemed not appealable to the Three-Member Board.

b) Provisional Appointment(s)

1. Michael McMilian	Birmingham	A/Dir Boutwell Auditorium	Approved
2. Sarah Freed	Jefferson County	Test Admin Coord I	Approved

c) Advance Step(s)

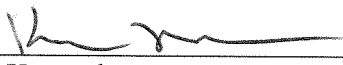
1. Vinson, Linda	Dir of Sr. Citizens Ctr	Bessemer	Approved
2. Books, Travis	Asst Purchasing Agent	Birmingham	Approved
3. Christian, Shantrena	Paralegal	Birmingham	Approved
4. Coleman, Betty	Budget Analyst	Birmingham	Approved
5. Holt, Odessa	Budget Analyst	Birmingham	Approved
6. Thomas, Jessica	Budget Analyst	Birmingham	Approved
7. Armolt, Jennifer	Nutrition Consultant	Health Dept	Approved
8. Williams, Vanessa	Social Worker	Health Dept	Approved
9. Baylor, John	Building Maint Supt	Jefferson Co	Approved
10. Boglin, Roderick	Truck Driver	Jefferson Co	Approved
11. Burpo, Regina	Paralegal	Jefferson Co	Approved
12. Clayton, Thomas	Const Equip Oper	Jefferson Co	Approved
13. Coleman, Coniah	Electrician	Jefferson Co	Approved
14. Crane, Michael	Const Equip Oper	Jefferson Co	Approved
15. Farness, Enloketa	Administrative Clerk	Jefferson Co	Approved
16. Geesling, Michael	Labor Supervisor	Jefferson Co	Approved
17. Hagood, Adam	Traffic Control Tech	Jefferson Co	Approved
18. Holder, James	Truck Driver	Jefferson Co	Approved
19. Kilgore, Robert	Sewer Line Video Spec	Jefferson Co	Approved
20. Kilgore, Steven	Const Equip Oper	Jefferson Co	Approved
21. Lewis, Bruce	Const Equip Oper	Jefferson Co	Approved
22. Monday, Stormy	Truck Driver	Jefferson Co	Approved

23. Muya, Eddah	Clinical Nurse Practitioner	Jefferson Co	Approved
24. Pitts, Anthony	Electronics Technician	Jefferson Co	Approved
25. Poole, Anitra	Personal Property Appr'r	Jefferson Co	Approved
26. Spooner, Karen	Labor Supervisor	Jefferson Co	Approved
27. Stewart, Amy	I/O Psychologist	Jefferson Co	Approved
28. White, William	Sr. Maint Repair Wkr	Jefferson Co	Approved
29. Williams, Jeffery	Const Equip Oper	Jefferson Co	Approved


d) June 2017 Bi-monthly Board Expenditure Report(s)

VIII. EXECUTIVE SESSION

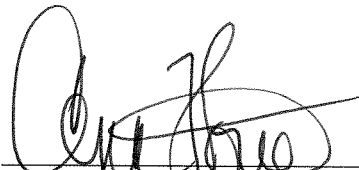
The Board, Counsel and Division Managers went into an executive session at 2:09 p.m. to discuss pending litigation. Upon conclusion of the executive session and there being no further business, the meeting was adjourned at 2:13 p.m.



L. Kenneth Moore, Chairman
Personnel Board of Jefferson County




Lonnie Washington, Associate Member
Personnel Board of Jefferson County



Ann Florie, Associate Member
Personnel Board of Jefferson County

Attested By:



Jeff Crenshaw, Deputy Director
Personnel Board of Jefferson County