

CIVIL SERVICE BOARD MEETING

JULY 25, 2018

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, July 25, 2018, in the Commissioners' Board Room.

Members present: Larry A. Bartlett, Chairman
 Troyce B. Lancaster, Vice-Chair
 Dr. Cephus Jackson, Member
 Virginia Phillips-Hall, Member

Member absent: J. Mark Trimble, Member

Also present: Human Resources Director Pamela Ambles and staff; Civil Service Board Attorney Joe Harris; County Attorney Pamela Everett; Sheriff's Office Assistant Chief Deputy Shawn Southerland; Rodney Williams; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:10 a.m.

Chairman Bartlett called for a motion to adopt the July 25, 2018 agenda. Dr. Jackson made the motion to adopt the agenda, second by Ms. Phillips-Hall. No further discussion on the motion. Motion was carried by unanimous vote (4-0).

1. Considered for approval the Civil Service Board's Meeting Minutes held June 27, 2018.
 - a. Chairman Bartlett advised the minutes were not complete and removed from today's agenda.

2. Considered for approval the Civil Service Board's Executive Session Minutes regarding **Dorian Greene, Transportation & Development**, termination appeal hearing held June 27, 2018.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the minutes, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (4-0).

3. Considered for approval the Civil Service Board's Decision regarding **Dorian Greene, Transportation & Development**, termination appeal hearing held June 27, 2018.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Decision, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
4. Considered for approval the Civil Service Board's Executive Session Minutes regarding **Brushawn Washington, Police Department**, for termination appeal hearing held June 27, 2018.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the minutes, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).
5. Considered for approval the Civil Service Board's Decision regarding **Brushawn Washington, Police Department**, termination appeal hearing held June 27, 2018.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Decision, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).
6. Considered request from **Janice Miller, State Court Clerk's Office**, for annual leave donation.
 - a. Janice Miller was not in attendance.
 - b. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the application, second by Vice-Chair Lancaster. No further discussion on the motion. Motion was carried by unanimous vote (4-0).
7. Considered request from **Ashley Gunn, Sheriff's Office**, for annual leave donation.
 - a. Ashley Gunn was not in attendance.
 - b. Sheriff's Office Assistant Chief Deputy Shawn Southerland stated the department had no objections.
 - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the application, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
8. Considered request from **Shegale Thurmond, Sheriff's Office**, to use sick leave in lieu of annual leave for the care of her Father.
 - a. Shegale Thurmond was not in attendance.
 - b. Chairman Bartlett called for a motion. Vice-Chair Lancaster made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (4-0).

9. Calendar Call.
 - a. **Vannakhan Souwan (Police Department)** – Appeal filed January 11, 2018, regarding: “Suspension of 10 days”. Attorney Grady Dukes requested a continuance on July 9, 2018. The request was granted on July 10, 2018.
 - i. The Board confirmed the appeal was continued.
 - b. **Rodney Williams (Sheriff’s Office)** – Grievance filed January 19, 2018, regarding: “Retaliation/Bullying”.
 - i. Chairman Bartlett advised the grievance possibly would be heard.
 - c. **Rodney Williams (Sheriff’s Office)** – Appeal filed February 8, 2018, regarding: “Termination”.
 - i. County Attorney Pamela Everett asked the Board to hear Mr. Williams’s termination appeal before the grievance appeal and explained in detail.
 - ii. Attorney Pamela Everett advised the County was ready to proceed.
 - iii. Mr. Rodney Williams advised he was ready to proceed.
 - d. **Brenda Thomas (Sheriff’s Office)** – Grievance filed February 22, 2018, regarding: “Being placed on 10pm to 6am permanent 8hr. shift per the email from the Sheriff dated 1/11/18 stated “the Sheriff’s Office will go to Permanent 8 hr. shifts based on mainly on seniority”. I have the second highest seniority amongst the clerical staff”. Ms. Thomas requested a continuance on July 5, 2018. The request was granted on July 6, 2018.
 - i. Chairman Bartlett confirmed the grievance was continued.
 - e. **Brenda Thomas (Sheriff’s Office)** – Grievance filed May 18, 2018, regarding: “Age discrimination, retaliation”. Ms. Thomas requested a continuance on July 5, 2018. The request was granted on July 6, 2018.
 - i. Chairman Bartlett confirmed the grievance was continued.
 - f. Chairman Bartlett called for a short break. Dr. Jackson made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
10. Discussion items.
 - a. Proposal to BOC- Civil Service Rule change regarding C.S.R. 11.310.
 - i. The Board agreed that this would be continued until August.

- b. Confirm meeting date(s) for August 2018.
 - i. The next meeting date is Wednesday, August 22, 2018.
 - ii. Chairman Bartlett called for a motion. Dr. Jackson made the motion to set the next meeting date as Wednesday, August 22, 2018, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).

Chairman Bartlett asked Rodney Williams to come to the Appellant's table. Chairman Bartlett advised the Board would hear the termination appeal dated February 8, 2018.

Attorney Pamela Everett advised the County witnesses were present and ready to testify.

Rodney Williams advised his witnesses were not present but he was ready to move forward today.

Rodney Williams asked if his witnesses showed up later would they be allowed to testify. Chairman Bartlett replied in the affirmative.

11. **(Appeal) – Rodney Williams (Sheriff's Office)** – Appeal filed February 8, 2018, regarding: "Termination".

- a. Chairman Bartlett asked Rodney Williams to come to the Appellant's table.
- b. Chairman Bartlett advised the Board would hear the termination appeal from February 8, 2018.
- c. Attorney Everett and Rodney Williams were in attendance and ready to proceed.
- d. The County and Appellant stated their witnesses were present.
- e. Civil Service Board Attorney Joe Harris swore in all witnesses who were present.
- f. Attorney Everett presented the County's opening statement. Rodney Williams presented his opening statement.
- g. Attorney Everett called Joseph Spain to the witness stand. He stated his name, where employed and his duties. Attorney Everett began questioning Investigator Spain. Investigator Spain responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned County Exhibits C-9, C-7, and C-10.
- h. Rodney Williams began cross-examination of Investigator Spain. Investigator Spain responded in detail to all questions posed by Mr. Williams. Mr. Williams mentioned County Exhibit C-5. Attorney Everett objected to a question and advised Rodney Williams was testifying. Chairman Bartlett over-ruled the objection.

- i. Attorney Everett objected to Mr. Williams asking and answering questions for Investigator Spain. Chairman Bartlett advised Mr. Williams that he must ask questions.
- j. Mr. Williams continued the cross-examination of Investigator Spain. Investigator Spain responded in detail to all questions posed by Mr. Williams. Mr. Williams mentioned Appellant Exhibit A-11. Attorney Pamela Everett objected to Mr. Williams asking a compound question.
- k. Mr. Williams continued the cross-examination of Investigator Spain. Investigator Spain responded in detail to all questions posed by Mr. Williams.
- l. The Board questioned Investigator Spain. He responded in detail to all questions posed by the Board.
- m. There being no further questions, the witness was released.
- n. Attorney Everett called Rebecca Thompson to the witness stand. She stated her name and where employed. Attorney Everett began questioning Lieutenant Thompson. Lt. Thompson responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned County Exhibit C-5.
- o. Mr. Williams began cross-examination of Lt. Thompson. Lt. Thompson responded in detail to all questions posed by Mr. Williams.
- p. The Board questioned Lt. Thompson. She responded in detail to all questions posed by the Board.
- q. There being no further questions, the witness was held for rebuttal.
- r. Attorney Everett called Shawn Southerland to the witness stand. He stated his name and where employed. Attorney Everett began questioning of Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions.
- s. Mr. Williams began cross-examination of Assistant Chief Deputy Southerland. Mr. Williams mentioned Progressive Discipline Policy 9.02 for the record. Assistant Chief Deputy Southerland in detail to all questions posed by Mr. Williams.
- t. The Board questioned Assistant Chief Deputy Southerland. He responded in detail to all question posed by the Board.
- u. There being no further questions, the witness was released from the witness stand.
- v. Mr. Williams called Stan Owen to the witness stand. He stated his name. Mr. Williams began questioning Mr. Owen. Mr. Owen responded in detail to all questions posed by Mr. Williams. Attorney Everett objected to Mr. Williams not letting Stan Owen answer the questions. Chairman Bartlett asked Mr. Williams to let Stan Owen answer the questions.

- w. Mr. Williams continued the cross-examination of Mr. Owen. Mr. Owen responded in detail to all questions posed by Mr. Williams. Attorney Everett objected to a question posed by Mr. Williams as he was drawing a "legal conclusion". Chairman Bartlett over-ruled the objection.
- x. Mr. Williams continued the cross-examination of Mr. Owen. Mr. Owen responded in detail to all questions posed by Mr. Williams.
- y. Attorney Everett began the cross-examination of Mr. Owen. Mr. Owen responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned County Exhibit C-18.
- z. Attorney Everett continued the cross-examination of Mr. Owen. Mr. Owen responded in detail to all questions posed by Attorney Everett.
- aa. The Board questioned Mr. Owen. He responded in detail to all questions posed by the Board.
- bb. There being no further question, the witness returned was dismissed.
- cc. Mr. Williams called Ronald Sherman to the witness stand. He stated his name and job title. Mr. Williams began questioning Mr. Sherman. Mr. Williams mentioned Appellant Exhibit A-7.
- dd. Mr. Williams continued questioning Mr. Sherman. Mr. Sherman responded in detail to all questions posed by Mr. Williams.
- ee. Attorney Everett began cross-examination of Mr. Sherman. Mr. Sherman responded in detail to all questions posed by Attorney Everett.
- ff. The Board questioned Mr. Sherman. He responded in detail to all questions posed by the Board.
- gg. There being no further questions, the witness was released.
- hh. Mr. Williams called Keith McLaughlin to the witness stand. He stated his name and job title. Mr. Williams began questioning Lieutenant McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Mr. Williams.
- ii. Attorney Everett began cross-examination of Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Everett
- jj. The Board questioned Lt. McLaughlin. He responded in detail to all questions posed by the Board.
- kk. There being no further questions, the witness released.

- ll. Mr. Williams called Virginia Williams to the witness stand. She stated her name and job title. Mr. Williams began questioning Sergeant Williams. Sgt. Williams responded in detail to all questions posed by Mr. Williams.
- mm. Attorney Everett began cross-examination of Sgt. Williams. Sgt. Williams responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned County Exhibit C-14.
- nn. Attorney Everett continued the cross-examination of Sgt. Williams. Sgt. Williams responded in detail to all questions posed by Attorney Everett.
- oo. The Board questioned Sgt. Williams. She responded in detail to all questions posed by the Board.
- pp. There being no further questions, the witness was released.
- qq. Time check: Rodney Williams used 1 hr. and 21 minutes. County used 1 hr. and 12 minutes.
- rr. Chairman Bartlett called for a break.
- ss. Chairman Bartlett called the meeting back to order.
- tt. Mr. Williams took the witness stand and provided testimony in his appeal.
- uu. Attorney Everett cross-examined Mr. Williams. Mr. Williams responded in detail to all questions posed by Attorney Everett.
- vv. The Board questioned Mr. Williams. He responded in detail to all questions posed by the Board.
- ww. Time check: 3:28 p.m. Rodney Williams had 6 minutes remaining in his allotted time for closing arguments.
- xx. Rodney Williams presented his closing arguments.
- yy. Attorney Everett presented the County's closing arguments.
- zz. Chairman Bartlett called for a motion to go into Executive Session. Dr. Jackson made the motion, second by Vice-Chair Lancaster. No further discussion on the motion. Motion carried by unanimous vote (4-0).
- aaa. Chairman Bartlett called the meeting back to order.
- bbb. Chairman Bartlett called for a motion regarding the termination appeal filed by Rodney Williams, Sheriff's Office, on February 8, 2018. Dr. Jackson made the motion to overturn the decision to terminate and find that the Sheriff's Office did substantiate a violation of Rules 7.15 and 7.17, and imposed a 3-day suspension for

that violation of the Rules, second by Vice-Chair Lancaster. No further discussion on the motion. Motion carried by unanimous vote (4-0).

- ccc. Chairman Bartlett advised the grievance would be heard at a later time.
- ddd. Attorney Pamela Everett advised the County would appeal the Board's Decision.

12. Discussion items.

- a. Proposal to BOC- Civil Service Rule change regarding C.S.R. 11.310.
 - i. The Board agreed to continue item until August 2018.
- b. Confirm meeting date for August 2018.
 - i. The Board confirmed its next Regular Meeting date would be 9:00 a.m., on Wednesday, August 22, 2018.
- c. Upcoming cases for August 2018.
 - i. *Vannakhan Souwan, Brenda Thomas, and Salim Gordon.*

13. Other business.

- b. None.

Chairman Bartlett stated that all matters have been concluded and called for a motion to adjourn this meeting. Dr. Jackson made the motion to adjourn, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

Meeting adjourned.


LARRY BARTLETT
CHAIRMAN


PAMELA R. AMBLES
HUMAN RESOURCES DIRECTOR