

# **Milwaukee County Personnel Review Board**

## **Meeting Minutes**

### **I. Roll Call**

Board President Coral D. Pleas called to order the regular meeting of the Personnel Review Board at 9:00 AM on Tuesday, October 2, 2012 in Room 201-B of the Milwaukee County Courthouse.

The following Board Members were present: Coral D. Pleas, Patrick E. Doyle, Florence H. Dukes and Fran Bauer.

Mr. H. Fred Delmenhorst is excused.

### **II. Approval of Minutes**

Ms. Dukes moved, Ms. Bauer seconded, and the Board, by vote of 4-0, approved the minutes of the September 18, 2012 meeting.

### **III. Communications and/or comments from the public, if any**

#### **DESIREE SINGH, Correction Officer 1, SHERIFF**

The Board heard the report of Calvin Lee, Staff Representative, District Council 48, AFSCME, that the employee Desiree Singh will submit her resignation. The Board will continue the matter for an update on October 16, 2012 to accept the resignation.

### **IV. Correspondence**

#### **Briefs re Application for Reinstatement of James Tietjen.**

Prior to hearing oral arguments on this matter, Ms. Coral D. Pleas, Board President, Personnel Review Board, stated for the record that the September 4, 2012 submission of Attorney Zillig and the September 6, 2012 submission of Attorney Elliot have been received by the Board along with the other documents. Attorney Robert Elliot, private legal counsel for James Tietjen and Attorney Molly Zillig for the appointing authority, then presented their arguments regarding the application for reinstatement of James Tietjen. Ms. Dukes moved, Mr. Doyle seconded, and the Board voted 4-0 to deliberate the matter in closed session. Attorney Elliott believed the PRB's Executive Secretary, Veronica W. Robinson, represented Milwaukee County and objected to Ms. Robinson remaining in the room during closed session. Ms. Pleas clarified for Attorney Elliott that Ms. Robinson is the Executive Secretary for the Personnel Review Board, not for Milwaukee County.

(Refer further to Agenda item VII D)

## V. First Appearance

### A. **SUSPENSIONS**

#### **CHARLOTTE HUTCHINS, Human Service Worker, FAMILY CARE**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, continued the matter for hearing certain on March 19, 2013, at the request of union representation.

Ms. Penni Secore, Staff Representative, District Council 48, AFSCME, stated on the record that it was taking too long to schedule hearings for employees and that employees were running out of unemployment compensation while suspended from duty.

Mr. Patrick E. Doyle, Board Vice President, Personnel Review Board, responded that the Personnel Review Board had in years past asked the union representatives to meet with the appointing authorities to attempt to resolve matters and open spots on the calendar.

Ms. Secore stated that 90% of the PRB cases came from the Sheriff's Office, who would not agree to settle.

Ms. Coral D. Pleas, Board President, Personnel Review Board, reminded Ms. Secore that the PRB had already been scheduling additional hearings, coming in early, and staying late to accommodate the case load.

Ms. Secore asked the PRB to hold additional hearing dates, to which Ms. Pleas responded that Ms. Secore would need to petition the County Executive to increase the PRB budget.

Attorney Molly Zillig, Principal Assistant Corporation Counsel for the appointing authority stated, in defense of the Milwaukee County Sheriff's Office, that there were cases on the current days calendar that had been settled. Attorney Zillig felt that Ms. Secore's statements were unfair and invited the union to contact her if they wanted to attempt to work out a settlement on a matter.

Ms. Secore explained that the department level disciplinary process at the Sheriff's Department has changed because there are no department level hearings; matters go directly to investigation.

Ms. Pleas stated that the proper person for Ms. Secore to address her concerns to was Attorney Molly Zillig.

#### **CALVIN J. SMITH, Correction Officer 1, SHERIFF**

Ms. Bauer moved, Mr. Doyle seconded, and the Board, by vote of 4-0, continued the matter for hearing certain on February 5, 2013, at the request of Corporation Counsel on behalf of the employee.

**BARBARA DUNCAN, Correction Officer 1, SHERIFF**

**SUS dated 09/13/12 for IA # 12-252 for 20 days**

**SUS dated 09/13/12 for IA # 12-286 for 10 days**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, continued both matters for joint hearing certain on April 2, 2013, at the request of union representation.

**RENE C. RICHARDSON, Correction Officer 1, SHERIFF**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, accepted the withdrawal of charges and closed this case.

**VIVALYNN ANDERSON, Registered Nurse 1, SHERIFF**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, continued the matter for an update on October 16, 2012, at the request of union representation.

**SCOTT D. DUCHARME, Deputy Sheriff 1, SHERIFF**

**SUS dated 09/13/12 for IA # 12-271 for 1 day**

**SUS dated 09/13/12 for IA # 12-283 for 60 days**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, continued both matters for joint hearing certain on April 2, 2013, at the request of union representation.

**JERMEKA L. GRIFFIN, Correction Officer 1, SHERIFF**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, continued the matter for hearing certain on April 2, 2013, at the request of union representation.

**RAFAEL LOPEZ, Correction Officer 1, SHERIFF**

**SUS dated 09/13/12 for IA # 12-190 for 20 days**

**SUS dated 09/13/12 for IA # 12-303 for 5 days**

**SUS dated 09/13/12 for IA # 12-304 for 1 day**

Ms. Bauer moved, Ms. Dukes seconded, and the Board, by vote of 4-0, continued all matters for hearing certain on April 16, 2013, at the request of union representation.

**BARBARA A. WALKER, Registered Nurse 1, SHERIFF**

**SUS dated 09/13/12 for IA # 12-295 for 10 days**

**SUS dated 09/13/12 for IA # 12-310 for 15 days**

Ms. Bauer moved, Ms. Dukes seconded, and the Board, by vote of 4-0, continued both matters for an update on October 16, 2012, at the request of union representation.

**VI. Update**

**A. DISCHARGE**

**ARETHA JOHNSON, Correction Officer 1, SHERIFF**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, accepted the settlement agreement and closed this case.

**B. SUSPENSION**

**JANYCE D. ROCKETT, Clerical Assistant 2, SHERIFF**

Mr. Doyle moved, Ms. Dukes seconded, and the Board, by vote of 4-0, accepted the waiver of Janyce D. Rockett and closed this case.

**VII. Hearings**

**A. DISCHARGES**

**CHRISTOPHER CONELL, Deputy Sheriff, SHERIFF**

Ms. Bauer moved, Mr. Doyle seconded, and the Board, by vote of 4-0, rescheduled the matter for hearing certain on October 30, 2012, at the request of union representation.

**LUCILLE M. ARMSTRONG, Correction Officer 1, SHERIFF**

(Refer to Agenda item VII D)

**RONALD J. ROBINSON, Certified Nursing Assistant, BHD**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, accepted the withdrawal of charges and closed this case.

**B. DISCHARGE & SUSPENSION**

**SARAH A. AMBLE, Correction Officer 1, SHERIFF**

**DIS dated 08/27/12 for IA # 12-133**

(Refer to Agenda item VII D)

**SARAH A. AMBLE, Correction Officer 1, SHERIFF**

**SUS dated 08/30/12 for IA # 11-330 for 10 days**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, continued the matter for hearing certain on April 2, 2013, at the request of Attorney Jefferson Cooper, private legal counsel for the employee.

**C. SUSPENSIONS**

**DIONNE GREER, Juvenile Correction Officer, Del & Ct. Svcs, DHHS**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, accepted the settlement agreement and closed this case.

**KIM WAHL, Clerical Assistant 2, Office of the Sheriff**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote 4-0, at the request of union representation, placed this matter to the Call of the Chair.

**D. HEARINGS**

*The Board heard the Lucille M. Armstrong and Shirley J. Thomas cases.*

**SHIRLEY J. THOMAS, Correction Officer 1, SHERIFF**

Mr. Doyle moved, Ms. Bauer seconded, and the Board by unanimous vote (4-0) found the evidence was sufficient and not controverted to sustain the charges and upheld the 4-day suspension.

*At 11:42 am, Mr. Doyle moved, Ms. Dukes seconded, and the Board voted (4-0) to go into closed session to deliberate the Lucille M. Armstrong and James Tietjen matter and have lunch.*

**LUCILLE M. ARMSTRONG, Correction Officer 1, SHERIFF**

Ms. Dukes moved, Mr. Doyle seconded, and the Board, by unanimous vote (4-0) found the evidence was sufficient to sustain the charges and upheld the discharge.

**JAMES TIETJEN**

Mr. Doyle moved, Ms. Bauer seconded, and the Board unanimously voted (4-0), that the Personnel Review Board does not have jurisdiction to review the discharge case of James Tietjen; the employee was not in Classified Civil Service.

*Ms. Bauer moved, Mr. Doyle seconded, and the Board voted (4-0) to come out of closed session at 1:00 pm.*

*The Board heard the Discharge case of Sarah A. Amble.*

*Mr. Doyle moved, Ms. Dukes seconded, and the Board voted (4-0) to go into closed session to deliberate the Sarah A. Amble discharge case at 2:23 pm.*

**SARAH A. AMBLE, Correction Officer 1, SHERIFF**

**DIS dated 08/27/12 for IA # 12-133**

Mr. Doyle moved, Ms. Bauer seconded, and the Board unanimously voted (4-0) that Sarah Amble did not violate the Sheriff Office Rule and Regulation 202.17, but found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (l), (u) and (kk) to wit; Sheriff's Office Rule and Regulation 202.14, 202.20, 202.26 and 202.40. Ms. Dukes moved, Mr. Doyle seconded, and the Board voted (4-0) and found the penalty of discharge too severe. The Board imposed a penalty of suspension without pay from August 27, 2012 through October 2, 2012, time served.

*Mr. Doyle moved, Ms. Bauer seconded, and the Board voted (4-0) to come out of closed session at 2:36 pm.*

**VIII. Adjournment**

Ms. Bauer moved, Ms. Dukes seconded, and the Board, by vote of 4-0, adjourned the meeting at 2:37 PM.

Minutes submitted by: Veronica W. Robinson, Executive Secretary