

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 9:03 AM on Tuesday, October 15, 2013 in Room 201-B of the Milwaukee County Courthouse.

The following Board Members were present: Ms. Coral D. Pleas, Mr. H. Fred Delmenhorst, Ms. Fran M. Bauer and Ms. Mary K. Bruno.

Ms. Susan A. Lueger was excused.

II. Approval of Minutes

Ms. Bauer moved, Mr. Delmenhorst seconded and the Board, by vote of 4-0, approved the minutes of the October 1, 2013 meeting.

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

None

IV. Correspondence

UPDATE: Letter to Personnel Review Board advising that Milwaukee County Department of Transportation Management will not process grievances involving disciplinary suspensions of 10 days or less under Sec. 17.207.

Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel, legal counsel for the appointing authority requested a briefing schedule, Attorney Ray Dall'osto agreed.

Ms. Pleas outlined the following briefing schedule:

- Corporation Counsel brief due by November 15, 2013
- Attorney Dall'osto brief due by December 16, 2013
- Corporation Counsel response due by December 30, 2013

The briefs shall be filed to the attention of the Office of Personnel Review Board to be forwarded to the Board members. This matter will be scheduled for an update on January 7, 2014.

Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board voted (4-0) to approve the briefing schedule as outlined on the record and to schedule the matter for an update on Tuesday, January 7, 2014.

V. First Appearances

A. DISCHARGES

DAVID W. POKER, Operation & Maintenance Supervisor, DOT-Airport

(Refer to Agenda item VI D for the Decision)

MARLO M. KNOX, Human Resources Manager, DHR

The Board heard the request of Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel, for the appointing authority, to continue the matter of Marlo M. Knox for hearing certain on February 4, 2014. This continuation is made with the knowledge and consent of Marlo M. Knox, who was present that she waived her right to a hearing within 21 days, pursuant to Chapters 63.10 and 63.12, Wis. Stats. Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board, by unanimous vote (4-0), continued the matter for hearing date certain on Tuesday, February 4, 2014.

MICHAEL J. VLACH, Airport Maintenance Worker, DOT-Airport

The Board heard the request of Attorney Mark Sweet, Sweet and Associates, LLC, legal counsel for District Council 48, AFSCME, to continue the matter of Michael J. Vlach for hearing certain. This continuation is made with the knowledge and consent of Michael J. Vlach, who was present, that he waived his right to a hearing within 21 days, pursuant to Chapters 63.10 and 63.12, Wis. Stats., and authorized District Council 48, AFSCME to represent him before the Board in all matters regarding the instant charges. Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board, by unanimous vote (4-0), continued the matter for hearing date certain on Tuesday, March 18, 2014.

B. SUSPENSIONS

WYNONA ALEXANDER, Certified Nursing Assistant (Pool), BHD

The Board heard the request of Attorney Molly Zillig, Principal Assistant Corporation Counsel, for the appointing authority, to continue the matter of Wynona Alexander for hearing certain. This continuation is made with the knowledge and consent of Wynona Alexander, who was not present that she waived her right to a hearing within 21 days, pursuant to Chapters 63.10 and 63.12, Wis. Stats. Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board, by unanimous vote (4-0), continued the matter for hearing date certain on Tuesday, March 18, 2014.

SANTANA BANKHEAD, Certified Nursing Assistant (Pool), BHD

The Board heard the request of Attorney Molly Zillig, Principal Assistant Corporation Counsel, for the appointing authority, that Santana Bankhead had submitted a signed waiver of hearing on the Notice of Suspension. Ms. Bauer moved, Ms. Bruno seconded, and the Board, by unanimous vote (4-0), accepted the waiver and closed this case.

ROSHONDA S. HENLEY, Certified Nursing Assistant, BHD

(Refer to Agenda item VI D for the Decision)

LETRINA L. TURNER, Certified Nursing Assistant, BHD

The Board heard the request of Charmaine Gee, Administrative Assistant, Office of the Personnel Review Board, that the employee Letrina L. Turner called the Office of the Personnel Review Board and requested to continue the matter for hearing certain. This continuation is made with the knowledge and consent of Letrina L. Turner, who was not present that she waived her right to a hearing within 21 days, pursuant to Chapters 63.10 and 63.12, Wis. Stats. Ms. Bauer moved, Mr. Delmenhorst seconded, and the Board, by unanimous vote (4-0), continued the matter for hearing date certain on Tuesday, April 1, 2014.

VI. Hearings

A. DISCHARGES

JACOB D. MILLER, Deputy Sheriff, SHERIFF

The Board heard the request of Attorney Graham Wiemer, MacGillis Wiemer, LLC, legal counsel for the Deputy Sheriff's Association, to reschedule the matter of Jacob D. Miller for hearing certain on April 1, 2014. Attorney Molly Zillig, Principal Assistant Corporation Counsel for the appointing authority, agreed. Mr. Delmenhorst moved, Mr. Bauer seconded, and the Board, by unanimous vote (4-0) continued the matter for hearing date certain on Tuesday, April 1, 2014.

ALFONSO KENNEL, Facilities Worker (Security), DAS-Facilities
(Refer to Agenda item VI D for the Decision)

B. DISCHARGES & SUSPENSION

LANINA O. EVERSON, Correction Officer 1, SHERIFF

DIS dated 06/28/13 for IA # 13-129

DIS dated 06/28/13 for IA # 13-130

SUS dated 03/28/13 for IA # 13-074 for 20 days

The Board heard the request of Calvin Lee, Staff Representative, District Council 48, AFSCME, to reschedule all matters of Lanina O. Everson for joint hearing certain on April 1, 2014. Calvin Lee stated for the record that if Ms. Everson was reinstated, back pay would not be awarded to her beyond October 15, 2013. Attorney Molly Zillig, Principal Assistant Corporation Counsel for the appointing authority, concurred. Ms. Bauer moved, Mr. Delmenhorst seconded, and the Board, by unanimous vote (4-0), rescheduled all matters for joint hearing certain on Tuesday, April 1, 2014.

C. SUSPENSIONS

ROSHANDA D. ANDERSON, Correction Officer 1, SHERIFF

The Board heard the report of David Rugaber, Captain, House of Correction, that the parties had reached oral resolution agreement. Attorney Molly Zillig, Principal Assistant Corporation Counsel for the appointing authority, concurred.

The terms of the oral agreement are as follows:

- The charges are well founded.
- The 10-day suspension shall be reduced to a written reprimand.

Ms. Bauer moved, Mr. Delmenhorst seconded, and the Board, by unanimous vote (4-0), accepted the oral agreement and closed this case.

SONJI CHEELY, Certified Nursing Assistant, BHD

(Refer to Agenda item VI D for the Decision)

D. HEARINGS

The Board heard the Alfonso Kennell matter. At 11:18 am, Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board voted (4-0) to go into closed session to deliberate the Kennell matter and go to lunch. Mr. Delmenhorst moved, Ms. Bruno seconded, and the Board voted (5-0) to come out of closed session at 12:13 pm.

The Board heard the David W. Poker matter.

The Board next heard the Roshonda S. Henley matter.

The Board next heard the Sonji Cheely matter.

At 3:28 pm, Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board voted (4-0) to go into closed session to deliberate the David Poker and Sonji Cheely matters.

ALFONSO KENNEL, Facilities Worker (Security), DAS-Facilities

Ms. Bauer moved, Mr. Delmenhorst seconded, and the Board, by unanimous vote (4-0) found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (d), (n), (k), (dd) and (ff), and upheld the discharge.

DAVID W. POKER, Operation & Maintenance Supervisor, DOT-Airport

Ms. Bruno moved, Mr. Delmenhorst seconded, and the Board, by unanimous vote (4-0) found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (b), (l), (w), (dd), (ff) and (kk), and upheld the discharge.

ROSHONDA S. HENLEY, Certified Nursing Assistant, BHD

The employee, Roshonda S. Henley, who was served by a deputy sheriff, failed to appear and failed to contact the office of the Personnel Review Board to request a continuation. Attorney Molly Zillig, Principal Assistant Corporation Counsel, for the appointing authority, stated that she had her witnesses present and wished to proceed with the hearing as scheduled. The Board concurred. After hearing all the testimony and evidence presented by the appointing authority, the Board voted directly. Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board by unanimous vote (4-0) found the evidence was sufficient and not controverted to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (i), (l), (o) and (t), and upheld the 3-day suspension.

SONJI CHEELY, Certified Nursing Assistant, BHD

Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board, by unanimous vote (4-0) found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (i), (l), (t), (u), (w) and (kk), but found the penalty of a 5-day suspension too severe and reduced the penalty to a 3-day suspension.

Mr. Delmenhorst moved, Ms. Bruno seconded, and the Board voted (4-0) to come out of closed session at 3:56 pm.

VII. Adjournment

Ms. Bauer moved, Mr. Delmenhorst seconded, and the Board, by vote of 4-0, adjourned the meeting at 3:56 PM.

Minutes submitted by: Veronica W. Robinson, Executive Secretary