

# **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 16, 2012 in Room 201-B of the Milwaukee County Courthouse.

The following Board Members were present: Coral D. Pleas, Patrick E. Doyle, Mr. H. Fred Delmenhorst and Fran Bauer.

Florence H. Dukes was excused.

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

Mr. Doyle moved, Ms. Bauer seconded and the Board, by vote of 3-0, (Mr. Delmenhorst abstained) approved the minutes of the October 2, 2012 meeting.

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

Mr. Calvin Lee, Staff Representative, District Council 48, AFSCME, approached the Board regarding the expected resignation of Desiree C. Singh and explained that Ms. Singh no longer wished to resign. Ms. Coral D. Pleas, Board President, Personnel Review Board, formally called the matter under discharge updates and Mr. Calvin Lee proceeded.

### **IV. Correspondence**

None

### **V. Update**

#### **A. DISCHARGE**

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

Mr. Calvin Lee on behalf of the employee and Attorney Molly Zillig, Principal Assistant Corporation Counsel for the appointing authority, stipulated for the record that if the Board restored Ms. Singh to work with back pay, the backpay would not extend beyond the original hearing date of October 30, 2012.

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, continued the matter for hearing certain on April 30, 2013, at the request of union representation.

#### **B. SUSPENSION**

##### **RUSSELL J. BARBIAN, Certified Nursing Assistant (Pool), BHD**

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

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

Mr. Delmenhorst moved, Mr. Doyle seconded, and the Board, by vote of 4-0, held the matter in all fairness to the employee for service on October 30, 2012, at the request of Ms. Coral D. Pleas, Board President, Personnel Review Board.

**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**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, accepted the 25 days waiver of Barbara A. Walker and closed this case.

**VI. Hearings**

**B. DISCHARGES & SUSPENSIONS**

**NIKKI N. FRANKLIN, Correction Officer 1, SHERIFF**

**DIS dated 04/11/12 for IA # 12-051**

**DIS dated 04/11/12 for IA # 12-080**

**DIS dated 04/11/12 for IA # 12-081**

**DIS dated 04/11/12 for IA # 12-094**

**DIS dated 04/11/12 for IA # 12-110**

**SUS dated 04/11/12 for IA # 12-015 for 30 days**

**SUS dated 02/03/12 for IA # 11-357 for 15 days**

(Refer to Agenda item VI D)

**C. SUSPENSIONS**

**JEFFREY C. PAAPE, Deputy Sheriff, SHERIFF**

Ms. Bauer moved, Mr. Doyle seconded, and the Board, by vote of 4-0, rescheduled the matter for hearing certain on May 14, 2013, at the request of union representation.

**MIA L. REESE, Correction Officer 1, SHERIFF**

**SUS dated 02/03/12 for IA # 11-345 for 2 days**

**SUS dated 06/01/12 for IA # 12-114 for 15 days**

**SUS dated 06/11/12 for IA # 12-122 for 10 days**

**SUS dated 08/28/12 for IA # 12-215 for 2 days**

**SUS dated 08/28/12 for IA # 12-228 for 3 days**

(Refer to Agenda item VI D)

**QUINTON N. THOMAS, Correction Officer 1, SHERIFF**

**SUS dated 02/03/12 for IA # 11-375 for 1 day**

**SUS dated 02/02/12 for IA # 12-027 for 10 days**

(Refer to Agenda item VI D)

**D. HEARINGS**

*The Board heard the Mia L. Reese cases. At 12:12 pm, Mr. Doyle moved, Ms. Bauer seconded, and the Board voted (4-0) to go into closed session to deliberate the Mia L. Reese matters and have lunch.*

**MIA L. REESE, Correction Officer 1, SHERIFF**

**SUS dated 02/03/12 for IA # 11-345 for 2 days**

**SUS dated 06/01/12 for IA # 12-114 for 15 days**

**SUS dated 06/11/12 for IA # 12-122 for 10 days**

**SUS dated 08/28/12 for IA # 12-215 for 2 days**

**SUS dated 08/28/12 for IA # 12-228 for 3 days**

Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board, by unanimous vote (4-0) found the evidence was sufficient to sustain the charges, and upheld the 2-day suspension for IA # 11-345, 15-day suspension for IA # 12-114, 10-day suspension for IA # 122, 2-day suspension for IA # 12-215 and 3-day suspension for IA # 12-228.

*Ms. Bauer moved, Mr. Doyle seconded, and the Board voted (4-0) to come out of closed session at 1:16 pm.*

*The Board heard the Nikki N. Franklin cases.*

*The Board next heard the Quinton N. Thomas cases.*

**QUINTON N. THOMAS, Correction Officer 1, SHERIFF**

**SUS dated 02/03/12 for IA # 11-375 for 1 day**

**SUS dated 02/02/12 for IA # 12-027 for 10 days**

Mr. Doyle moved, Mr. Delmenhorst 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 (l), (o) and (p), and upheld the 1-day suspension for IA # 11-375 and 10-day suspension for IA # 12-027.

*At 3:05 pm, Mr. Delmenhorst moved, Ms. Bauer seconded, and the Board voted (4-0) to go into closed session to deliberate the Nikki N. Franklin matters.*

**NIKKI N. FRANKLIN, Correction Officer 1, SHERIFF**

**DIS dated 04/11/12 for IA # 12-051**

**DIS dated 04/11/12 for IA # 12-080**

**DIS dated 04/11/12 for IA # 12-081**

**DIS dated 04/11/12 for IA # 12-094**

**DIS dated 04/11/12 for IA # 12-110**

**SUS dated 04/11/12 for IA # 12-015 for 30 days**

**SUS dated 02/03/12 for IA # 11-357 for 15 days**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by unanimous vote (4-0) found the evidence was not sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (l) and (p), and dismissed the discharge for IA # 12-094.

Mr. Doyle 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 (l) and (p), but, based on the particular circumstances involved, found the penalty of discharge for IA # 12-051, IA # 12-080 & IA # 12-081 too severe. The Board imposed a penalty of suspension without pay from April 11, 2012 through October 16, 2012, time served.

Mr. Doyle 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 (l) and (p) and upheld the penalty of a 15-day suspension for IA # 11-357 and a 30-day suspension for IA # 12-015. The total of 45-days suspension is to be served concurrent with the penalty of suspension issued for IA # 12-051, IA # 12-080 and IA # 12-081.

Mr. Doyle 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 (l) and (p), but found the penalty of discharge for IA # 12-110 too severe and reduced the penalty to a 10-working days suspension to be served consecutive to the time-served suspension of IA # 12-051, IA # 12-080 and IA # 12-081.

*Ms. Bauer moved, Mr. Delmenhorst seconded, and the Board voted (4-0) to come out of closed session at 3:32 pm.*

## **VII. Adjournment**

Mr. Doyle moved, Ms. Bauer seconded, and the Board, by vote of 4-0, adjourned the meeting at 3:33 PM.

Minutes submitted by: Veronica W. Robinson, Executive Secretary