

Milwaukee County Personnel Review Board

Meeting Minutes

I. Roll Call

Board President Susan A. Lueger called to order the regular meeting of the Personnel Review Board at 9:03 AM on Tuesday, December 10, 2013 in Room 203-R of the Milwaukee County Courthouse.

The following Board Members were present: Ms. Susan A. Lueger, Ms. Jacqueline V. Russell, Ms. Melissa D. Hudson, and Ms. Mary K. Bruno.

II. Approval of Minutes

Ms. Hudson moved, Ms. Russell seconded and the Board, by vote of 4-0, approved the minutes of the November 26, 2013 meeting.

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

The Board heard the request of Attorney Teresa Mambu-Rasch to place the Brittney Mason-Gordon matter on to the Board's agenda for a status update pending back pay that was awarded by the Board on October 29, 2013. The appointing authority appeared by Attorney Lee Jones, Principal Assistant Corporation Counsel, did not object and stated for the record that the department is waiting on confirmation of payment from Human Resources. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0) placed the matter of Brittney M. Mason-Gordon on the calendar for an update on January 7, 2014.

IV. Correspondence

A letter to the Personnel Review Board from Attorney Mark Sweet, Sweet and Associates, LLC, requesting an extension of time, until January 13, 2014, to respond to the County's Motion to Deny a Request for Hearing in the Carol Beck matter. Attorney Paul Kuglitsch, Principal Assistant Corporation Counsel, legal counsel for the appointing authority, had no objection.

Ms. Lueger outlined the following briefing schedule:

- Attorney Sweet brief due by January 13, 2014
- Corporation Counsel response due by January 31, 2014

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 February 4, 2014. Ms. Hudson moved, Ms. Russell 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, February 4, 2014.

A letter to the Personnel Review Board from former Milwaukee County employee Willie McGee, requesting that the Board review his wrongful termination. Since Willie McGee is no longer a Milwaukee County employee, the Personnel Review Board does not have jurisdiction to respond to the letter.

V. First Appearances

A. DISCHARGE

PAUL ANDERLEY, Correction Officer 1, HOC

The Board heard the report of Charmaine Gee, Administrative Assistant, Office of the Personnel Review Board, that Mr. Anderley, who was not present, contacted the Office of the Personnel Review Board, waived his rights to a hearing within 21 days and requested a hearing certain date. Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Paul Anderley on Tuesday, April 15, 2014.

KARL CUMMINGS, Correction Officer 1, HOC

DIS dated 11/22/13 for HOC IA # 13-057

DIS dated 11/22/13 for HOC IA # 13-064

The Board heard the report of Charmaine Gee, Administrative Assistant, Office Personnel Review Board, that Mr. Cummings, who was not present, contacted the Office of the Personnel Review Board, waived his rights to a hearing within 21 days and requested a hearing certain date. Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Karl Cummings on Tuesday, June 10, 2014.

MICHAEL DRAPER, Correction Officer 1, HOC

The Board heard the report of Calvin Lee, Staff Representative, AFSCME District Council 48, that Mr. Draper, who was present, authorized the union to represent him in this matter, waived his rights to a hearing within 21 days and requested a hearing certain date. Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Karl Cummings on Tuesday, June 10, 2014.

PEG LAMPING, Dispatcher, SHERIFF

The Board heard the report of Charmaine Gee, Administrative Assistant, Office of the Personnel Review Board, that Ms. Lamping, who was not present, contacted the Office of the Personnel Review Board, waived her rights to a hearing within 21 days and requested a hearing certain date. Ms. Russell moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Peg Lamping on Tuesday, June 10, 2014.

BARBARA LATHAN, Correction Officer 1, HOC

The Board heard the request of Ms. Lathan, who was present, that she waived her rights to a hearing within 21 days and requested a hearing certain date. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Barbara Lathan on Tuesday, June 24, 2014.

ANDREW J. WOLF, Correction Officer 1, HOC

The Board heard the report of Calvin Lee, Staff Representative, AFSCME District Council 48, that Mr. Wolf, who was present, authorized the union to represent him in this matter, waived his rights to a hearing within 21 days and requested a hearing certain date. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Andrew J. Wolf on Tuesday, July 8, 2014.

B. SUSPENSIONS

ZAMBIA L. BROWN, Correction Officer 1, SHERIFF

The Board heard the report of Charmaine Gee, Administrative Assistant, Office of the Personnel Review Board, that Ms. Brown, who was not present, signed a waiver of suspension accepting her 5 day suspension. Ms. Russell moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0), accepted the waiver of Zambia L. Brown and closed this case.

CORY CHAMPION, Airport Maintenance Worker Assistant, DOT - Airport

The Board heard the report of Sean Moore, Human Resources Coordinator, Department of Transportation, that Mr. Champion, who was not present, signed a waiver of suspension accepting his 30 day suspension. Ms. Russell moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0), accepted the waiver of Cory Champion and closed this case, pending receipt of the waiver.

SUSAN M. GROOMS, Stores Clerk 1, SHERIFF

The Board heard the report of Charmaine Gee, Administrative Assistant, Office of the Personnel Review Board, that Ms. Brown, who was not present, signed a waiver of suspension accepting her 15 day suspension. Ms. Russell moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0), accepted the waiver of Susan M. Grooms and closed this case.

MARY E. GUENTNER, Human Services Worker, FAMILY CARE

The Board heard the report of Calvin Lee, Staff Representative, AFSCME District Council 48 that Ms. Guentner, who not was present, authorized the union to represent her in this matter, waived her rights to a hearing within 21 days and requested a hearing certain date. Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Mary E. Guentner on Tuesday, June 24, 2014.

DEBORAH JEFFERSON, Clerical Assistant II, SHERIFF

SUS dated 11/22/13 for IA # 13-244 for 30 days

SUS dated 11/22/13 for IA # 13-245 for 60 days

The Board heard the report of Charmaine Gee, Administrative Assistant, Office of the Personnel Review Board, that Ms. Jefferson, who was not present, contacted the Office of the Personnel Review Board, waived her rights to a hearing within 21 days and requested a hearing certain date. Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Deborah Jefferson on Tuesday, June 24, 2014.

RICHARD A. KAPUSTANCZEK, Airport Maintenance Worker Assist, DOT

The Board heard the report of Charmaine Gee, Administrative Assistant, Office of the Personnel Review Board, that Mr. Kapustanczek, who was not present, signed a waiver of suspension accepting his 5 day suspension. Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), accepted the waiver of Richard A. Kapustanczek and closed this case.

SONIA PORTER, Correction Officer 1, SHERIFF

The Board heard the request of Ms. Porter, who was not present, that she waived her rights to a hearing within 21 days and requested a hearing certain date. Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (4-0), scheduled the matter of Sonia Porter on Tuesday, June 24, 2014.

BRANDY SOLOMON, Correction Officer 1, SHERIFF

(Refer to Agenda item VII D for the Decision)

VI. Update

A. DISCHARGE

KEVIN G. WHEELER, Deputy Sheriff 1, SHERIFF

The Board heard the request of Roy Felber, President for the Deputy Sheriff's Association, to continue the matter for an update report on January 7, 2014. Attorney Lee Jones, Principal Assistant Corporation counsel, legal counsel for the appointing authority, had no objections. Ms. Hudson moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), continued the matter of Kevin G. Wheeler for an update report on Tuesday, January 7, 2014.

VII. Hearings

A. GRIEVANCE

DIANA BIAS, Correction Officer 1, HOC

(Refer to Agenda item VII D for the Decision)

B. DISCHARGE

VELMA DUARTE, Certified Nursing Assistant, BHD

(Refer to Agenda item VII D for the Decision)

C. SUSPENSIONS

CALVIN J. SMITH, Correction Officer 1, SHERIFF

SUS dated 06/04/12 for IA # 12-155 for 2 days

SUS dated 06/04/12 for IA # 12-187 for 3 days

SUS dated 06/04/12 for IA # 12-191 for 5 days

SUS dated 09/13/12 for IA # 12-218 for 10 days

The Board heard the report of Attorney Lee Jones, Principal Assistant Corporation Counsel for the appointing authority, that the department and Mr. Smith had reached an oral resolution agreement. David Rugaber, Captain, Internal Affairs - House of Correction, concurred.

The terms of the oral agreement are as follows:

- The charges are well founded.
- The total 20-day suspension for all four cases shall be reduced to a 5-day suspension stayed.

Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0), accepted this oral agreement and closed these cases.

D. HEARINGS

The Board heard the Diana Bias matter.

The Board next heard the Brandy Solomon matter.

BRANDY SOLOMON, Correction Officer 1, SHERIFF

Ms. Bruno moved, Ms. Russell seconded, and the Board, by unanimous vote (4-0) found the evidence was sufficient to sustain the charges, and upheld the 5-day suspension.

The Board next heard the Velma Duarte matter.

VELMA DUARTE, Correction Officer 1, SHERIFF

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

At 1:24 PM, Ms. Bruno moved, Ms. Hudson seconded, and the Board voted (4-0) to go into closed session to deliberate the Diana Bias matter. Ms. Hudson moved, Ms. Bruno seconded, and the Board voted (4-0) to come out of closed session at 2:04 PM.

DIANA BIAS, Correction Officer 1, HOC

Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0; Ms. Russell recused herself) granted 40-hours straight time for the five days requested during the week of August 13, 2013 to August 17, 2013.

Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0; Ms. Russell recused herself) denied the request for all other dates in this grievance including off days for the scheduled suspension dates July 27, 2013 to October 4, 2013.

VIII. Adjournment

Ms. Hudson moved, Ms. Russell seconded, and the Board, by vote of 4-0, adjourned the meeting at 2:13 PM.

Minutes submitted by: Charmaine J. Gee, Administrative Assistant