

OFFICIAL
BY-LAWS OF THE CIVIL SERVICE COMMISSION

These By-Laws are established pursuant to Section 11.107 of the Metropolitan Charter which provides as follows:

"Each board or commission may make such by-laws, rules and regulations, not inconsistent with law, as it deems appropriate for the conduct of its' business, copies of which shall be filed with the metropolitan clerk and with the secretary of the board or commission."

SECTION 1 - Officers of the Commission

The Commission shall have a Chairman and a Vice-Chairman. These officers shall be elected by the Commission at the first (1st) regular meeting in December. The terms of the officers shall be from January through December of each year. Should an officer no longer be able to serve, the Commission shall select from among its membership a replacement to fill the vacant office. The new officer will serve out the remainder of the term.

SECTION 2 - Selection of Administrative Law Judge or Hearing Officer

Appeal of Dismissals, Full Demotions, Suspensions, Temporary Demotions, or Grievance Decisions shall be conducted by an Administrative Law Judge from the Office of the Secretary of State, subject to available funds and review by the Commission. If funds are not available, the proceeding will be conducted by a majority of the Commissioners, with the law member of the Commission sitting as the Administrative Law Judge. If the law member is not present at the appeal hearing, the Chairman or Vice-Chairman shall conduct the appeal by serving in the capacity of a Hearing Officer. When neither the Chairman nor the Vice-Chairman is available, one of the remaining Commissioners may serve in the capacity of a Hearing Officer provided there is still a quorum.

SECTION 3 - Meetings

The Commission shall meet in regular session on the second (2nd) Tuesday of the month. If deemed necessary a second meeting may be announced in advance by the Director of Personnel for the fourth (4th) Tuesday of the month. Meetings will begin at 8:30 a.m., and are to be conducted in the Howard Office Building – Sonny West Room, 700 2nd Avenue South, Nashville, Tennessee, 37210, or any other meeting location designated on the Meeting Agenda published by the Department of Personnel.

The term meeting as used in these By-Laws may refer to a regular or a special called meeting unless specified as either one or the other.

SECTION 4 - Special Meetings

Special meetings shall be called by the Chairman or any two (2) Commission members. A special meeting will only consider matters for which the special meeting was called.

SECTION 5 - Conduct of Meetings

The meetings shall be conducted under Robert's Rules of Order unless otherwise provided for in these By-Laws.

SECTION 6 - Quorum

A majority of the total Commission membership is required to be present before any action of the Commission in a regular or special meeting can be conducted.

There shall be no consideration or review of a matter previously brought before the Commission unless the same number of members, or more, are present to vote on the issue as were present at the meeting when the issue was initially considered.

SECTION 7 - Ex Parte Communications

No Commission member shall communicate, either directly or indirectly, with any person concerning a contested disciplinary or grievance case which is pending before the Commission. If a Commission member receives an ex parte communication concerning a pending, contested matter, such communication shall be disclosed at the next meeting of the Commission. A notation of the substance of the communication and the identity of the individual(s) making the communication shall be made a part of the minutes of the meeting.

SECTION 8 - Voting

The decision of the majority of the Commission members present and voting shall determine the outcome of any particular issue upon which a vote is taken. The Chairman of the Commission shall not vote except in the case of a tie vote.

SECTION 9 - Items to be Placed on the Regular Meeting Agenda

All items to be placed on the Regular Meeting Agenda for the Commission must be received and date stamped in the Department of Personnel by 12:00 o'clock noon on the Monday of the week preceding the regular meeting.

SECTION 10 - Commission Agendas and Minutes

Agendas for the meetings will be furnished to the Commission members at least three (3) days prior to the regular meeting. By Friday of the week before each meeting, an agenda will be furnished to the Department of Information Technology Services for posting on the Nashville.gov Internet website for the Commission meeting. Minutes will be furnished to the Department of Information Technology Services for posting on the Nashville.gov Internet website by the end of the next business day following approval of the minutes by the Commission. Agendas and approved minutes will be provided to each Metro Department and furthermore, any member of the public shall be entitled to request and receive written notice by mail or email of the meeting date, time, location, approved minutes, and agenda of the Commission meeting. Agendas and minutes furnished to the Department of Information Technology Services will be in searchable PDF format.

SECTION 11 - Staff Reports

The Director of Personnel shall supply the Commission with the Agenda and a staff report on items that appear on the Agenda.

SECTION 12 - Appearances Before the Board

All items on the Agenda of the Commission must be presented by the Department Head or his designee or the person making the request to the Commission for the items to be considered by the Commission unless the individual's appearance is otherwise excused by the Commission.

SECTION 13 - Late Item Requests

Late items are hereby defined to be those written requests received in the Personnel Department after the regular meeting Agenda deadline, but no later than Friday, 12:00 o'clock noon preceding the regular scheduled meeting.

- a.) A formal late item Agenda shall be prepared with copies of such late item requests attached thereto.
- b.) No late item shall be considered if any member of the Commission present at the meeting objects.
- c.) To be considered, the Appointing Authority or his designee from the department making the request must be present to justify consideration of the late item.

NOTE: The Commission may for good cause waive the above deadline for late item requests.

SECTION 14 - Approval of Rules, Policies, and Pay Plans

Any amendments to the Rules of the Commission must be considered at a Public Hearing prior to action being taken by the Commission. Approval of new or revised Civil Service Policies may be presented and approved at any meeting of the Civil Service Commission, and do not have to be considered at a Public Hearing. Any amendments to a Pay Plan in effect and over which the Commission has jurisdiction shall be presented to the Commission at least one (1) meeting prior to action being taken by the Commission.

SECTION 15 - Amendment to By-Laws

Any proposed amendment to the By-Laws must be submitted in writing at a regular Commission meeting and no action shall be taken on the amendment prior to the next regular meeting of the Commission. Any amendment to the By-Laws shall require a majority vote of the total membership of the Commission.

SECTION 16 – Secretary to the Civil Service Commission as provided by the Metropolitan Charter

The Director of Personnel shall serve as Secretary to the Commission and shall attend all regular and special meetings of the Commission. The Secretary to the Commission shall advise the Chairman and Vice-Chairman when the Secretary shall not be able to attend and shall designate to them an individual to serve as Secretary to the Commission.

SECTION 17 - Filing of By-Laws

Upon approval by the Commission of these By-Laws or any amendments the Secretary to the Commission shall immediately file a copy with the Metropolitan Clerk and maintain a copy in the office of the Secretary as a public record. The Secretary shall also forward a copy of these By-Laws and all amendments to each Department Head upon adoption.

SECTION 18 – Use of Masculine Noun and Pronoun

The use of the masculine noun or pronoun in these By-Laws shall be interpreted to include the feminine.