



City of Winston-Salem City Council
Council Agenda Item Summary

Title	Adoption of Civil Service Board Appeal Hearing Rules
City Council Committee	Committee of the Whole
Staff Lead (Presenter)	Sharon Wojda, Assistant City Manager Camille French, City Attorney
Department Head	
City Manager/ACM	W. Patrick Pate, City Manager

Agenda Item Summary

Recommended Council Action	Choose an item.
Suggested Motion Options	I move to approve adoption of the Civil Service Board Appeal Hearing Rules with the changes recommended by the City Attorney
Strategic Focus Area	Good Government
Strategic Plan Objective	GG1: Delivering Efficient and Effective Core Services
Anticipated Fiscal Impact	No Material Fiscal Impact

Summary of Information

The Winston-Salem Civil Service Board (CSB) was fully empaneled upon the Council appointment of the Board chair on 8/4/25. The first action of the CSB is to approve procedural rules that align with statutory guidance to provide a fair, open, and meaningful process by which to conduct grievance appeal hearings. The CSB held multiple meetings over the course of several months in which the proposed appeals hearing rules were discussed.

Two copies of Rules are attached to this agenda item: the Rules as approved by the Board, and the Rules as recommended by the City Attorney and City Staff. The City Attorney's recommended changes are shown in the attached document in yellow highlights, with key changes summarized below:

A. Authority and Purpose:

- Changes to the "Board Purpose" made for grammatical and clarifying purposes

B. Definitions:

- B6, B8, and B9, respectively: Added definitions for “Discharged”, “Reduced in Rank”, and “Suspended” as they are specifically named in the Statutes. Definitions are consistent with those in the City’s Employee Handbook unless otherwise designated or codified.
- B10: Different definition for “Transfer against their will” than approved by the CSB. Staff’s recommended language is simplified to state a transfer against will means a reassignment that is in effect a demotion as the result of a disciplinary action

D. CSB Members:

- D4: Changes the attendance requirement from 75% to 65% of regularly scheduled meetings in alignment with the attendance requirement of other City boards and commissions as already outlined in our code of ordinances

F. Appeal Hearings:

- F2: Staff has added in language that clarifies that only matters that have gone through the City’s internal grievance process will be heard by the CSB
- F5: Added language that clarifies appeal hearings will be held in closed session to protect the privacy of employees and witnesses
- F6: Added language to clarify that neither the City nor the Employee can introduce new evidence in support of their position at an appeal hearing and that if such evidence is entered into the record, the hearing will stop and the matter will be referred back to the City Manager for consideration of the new evidence.
- F7: Removed language that gave authority solely to the CSB Chair to exclude evidence from a hearing.
- F8: Added language that clarifies that a majority of CSB Members must be present and vote at an official meeting if they wish to designate independent legal counsel to advise and represent the Board
- F12a: Added language to clarify that the CSB shall not call witnesses to an appeal or gather evidence on behalf of either party. This responsibility lies solely with each party.

J. Amendments:

- Clarifies that amendments to the Rules must be adopted by Council in accordance with the Statutes.

*This item will require a Public Hearing before the rules are formally adopted by Council.

Analysis of Fiscal Impact

There is no financial impact associated with adoption of the proposed Rules.

Attachments

- Civil Service Board Appeals Hearing Rules Approved by the Board
- Civil Service Board Appeals Hearing Rules Recommend by City Staff
- NC Session Law 2023.112 SB 9

Committee Action	
For:	Against:
Remarks:	