

SENATE BILL 9 REVIEW Civil Service Board

Public Safety Committee - October 9, 2023

Topics for review

- Overview of the legislation
- Composition/structure of Civil Service Board
- Meetings and meeting procedures
- Authority and jurisdiction of CSB
- Hearing process
- Next steps

Overview of Senate Bill 9 – Civil Service Board

- The North Carolina General Assembly has passed Senate Bill 9 (Bill) which requires the City of Winston-Salem to establish a Civil Service Board (CSB) for the City. Article XVI of the Charter of the City of Winston-Salem, being Chapter 232 of the Private Laws of 1927, as amended, will now be amended to incorporate these provisions
- The Bill likewise requires the City of Greensboro to establish a Civil Service Board
- The Bill applies to only certain police and fire employees of both cities

Composition/Structure of CSB

- CSB is made part of City government
- CSB is composed of five (5) members appointed as follows:

One member elected by employees of police dept. as defined by Bill; One member elected by the employees of fire dept. as defined by Bill; One member chosen by city council; One member chosen by mutual agreement of police and fire chiefs; Last member selected by majority vote of the other 4 members (city council appoint by default)

- Members must be "qualified voters of the City" and cannot be employed by the City or be a City Council Member
- City Council determines process for election of members

Meetings of CSB and Meeting Procedures

- CSB sets meeting agenda for the calendar year in January
- Meeting notices must include agenda items
- Agendas must include provision for the consideration of "other business ... related to the Board's functions and duties" as requested by a CSB member or public
- Any action items approved must be submitted to Human Resources for implementation

Authority and Jurisdiction of CSB

- CSB may propose certain rules as to personnel policies
 within the police and fire departments; however, City
 Council must approve
- Subject matter for proposed rules includes: probationary periods; disciplinary suspensions; discharge/reduction in rank/compensation; investigations and record-keeping
- CSB by majority vote may initiate investigations as to matters within its authority and jurisdiction

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Hearing process for CSB

Police and Fire employees may request a hearing before the CSB as to:

discharges

suspensions

reductions in rank

involuntary transfers

denial of a promotion

denial of a pay raise

Hearing process for CSB (continued)

- Employee must request a hearing with CSB within an established timeframe or if the City's grievance procedure is not concluded within 30 days
- Hearing must be set within between 5 and 15 days of request (unless time is extended by CSB)
- Employee may be represented by an attorney
- CSB is given subpoena power

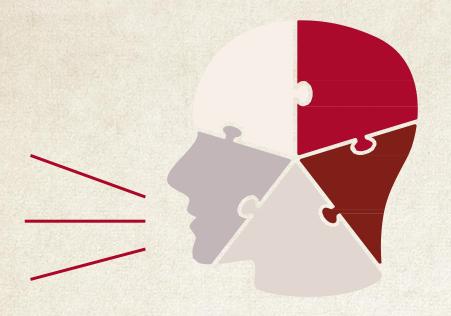
Hearing process for CSB (continued)

- CSB must issue decision on hearing within 10 days
- Employee or City may appeal a decision of the CSB to Forsyth County Superior Court and may request a jury trial
- CSB may choose its own legal counsel for hearings, with fees paid by the City; City Attorney to represent CSB only when at least 4 Board members make request



Next Steps

- Address any outstanding issues/technical clarification with Legislative Delegation
- Develop ordinance establishing the CSB and outlining election procedures for Council review and approval
- City Council to allocate funding for establishment and operation of CSB as required by Senate Bill 9



QUESTIONS?