



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



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?