

**RESOLUTION OF THE WINSTON-SALEM CITY COUNCIL OPPOSING
HOUSE BILL 470-GREENSBORO/WINSTON-SALEM CIVIL SERVICE BOARD**

WHEREAS, House Bill 470-Greensboro/Winston-Salem Civil Service Board (“CSB”) was not requested by the City of Winston-Salem; and

WHEREAS, House Bill 470 (“HB 470”) provides, amongst other things, the proposed CSB with the authority to rescind terminations upheld by the City Manager including terminations for excessive use of force; and

WHEREAS, HB 470 provides, amongst other things, the proposed CSB with the ability to overturn, modify and otherwise change a transfer appealed to the CSB, although the transfer was made by the Fire Chief, Police Chief, or department head, in their expert opinion, to be in the best interest of city operations, and

WHEREAS, HB 470 provides, amongst other things, for a proposed CSB with the authority to overturn or modify these decisions upon *de novo* review that obligates it to give no deference to the professional expertise of such city leaders and, in fact, places the burden of proof to defend such decisions as being “justified” upon the City. This lack of specificity about the standard for review will make any appeal of a decision by the CSB difficult to pursue or to adjudicate; and

WHEREAS, HB 470 provides, amongst other things, the proposed CSB with the ability to designate its own independent legal counsel which the City will have to pay for thereby increasing outside legal costs for the City of Winston-Salem; and

WHEREAS, the City of Winston-Salem opposes HB 470 for the reasons stated above and the additional reasons set forth in the April 20, 2023 letter, attached hereto and incorporated herein, from Mayor Allen Joines to Representatives Zenger and Hall; and

WHEREAS, the City of Winston-Salem is not opposed to having discussions with employees regarding a Civil Service Board with a reasonable structure, duties, and responsibilities that do not undermine the Council-Manager form of government.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Winston-Salem City Council hereby oppose HB 470-Greensboro/Winston-Salem Civil Service Board.

This the 1st day of May 2023.