



Knox County Sheriff's Office Merit System Council

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Jim Jennings, Chairperson
Jim Wright Jr., Council Member
Regina Oster, Council Member
William Schaad, Alternate Council Member

Paula M. Taylor
Executive Director

COUNCIL MEETING MINUTES April 17, 2019 5:00 P.M., Merit System Council Office

Chairman Jennings called the meeting to order at 5:00 p.m.

Present at this meeting: Jim Jennings, Chairperson; Jim Wright Jr., Council Member; Regina Oster, Council Member; William Schaad, Alternate Council Member; Chief Mike Ruble, KCSO Counsel; Chief William Purvis, KCSO; Captain Erin Baxter, KCSO Assistant Director of Personnel; Lysette Aviles, KCSO Human Resource Director; Lieutenant Krystal Gibson, KCSO Law Enforcement Employee Representative; Jeff Smith, KCSO Corrections Employee Representative; Myers Morton, Knox County Law Director; Paula Taylor, Executive Director.

NEW BUSINESS:

The minutes of the previous meeting were reviewed. Mr. Jennings asked if there were any additions or corrections to the minutes, there being none, motion was made by Mr. Wright to approve the minutes as written, Mr. Schaad, seconded, motion passed.

The council then discussed a date for the next meeting. Council decided to leave the next meeting subject to the call of the Chair.

Chairman Jennings recognized Chief Purvis to discuss the request to amend the current Assistant Chief Deputy job description. The Sheriff's Office requested the Council approve the presented Assistant Chief Deputy job description, which will replace all other Assistant Chief Deputy job descriptions currently in the classified service. Chief Ruble clarified the request by stating this request would allow the Sheriff authority to transfer employees in Chief positions, broadening the scope of the job description so that the Sheriff can assign them where he needs them. This will also make more employees eligible for the Assistant Chief Deputy position. Chief Ruble stated that the Sheriff's Office would clarify the specific Assistant Chief Deputy job descriptions they would like to be eliminated at the next meeting. Mr. Wright made a motion to approve the job description as presented; Mr. Schaad seconded, motion passed.

*For the record, Regina Oster arrived at 5:08 p.m.. Mr. Schaad, as the alternate member, had been voting prior to her arrival.

Chief Purvis then presented the Pre-Release Program Supervisor position for approval. After a brief discussion regarding the position and duties, Mr. Wright made a motion to approve the job description as presented; Ms. Oster seconded, motion passed.

Chief Purvis requested that the Juvenile Court Officer job description be removed from active status and the position would be combined with the current Certified Court Security Officer position. Ms. Oster made a motion to approve the removal of the Juvenile Court Officer job description from the Merit Council classified service; Mr. Wright seconded; motion passed.

Chairman Jennings opened discussion to begin the process for the grievance request for Amanda Kitts. In Ms. Kitts' grievance request she stated when she was rehired by the Sheriff's Office on April 30, 2007, Chief Rodney Bivens, Director of Personnel, did not follow the Merit System Council Policy and Procedures rule 5.2.5 Starting Salary upon Return to Duty, regarding employees who are re-hired within one year of leaving employment with the Sheriff's Office. Ms. Kitts' stated that her salary has been incorrect every year since 2007 and requested that she receive back pay for the last twelve (12) years and that her salary be adjusted to where it should be.

Chairman Jennings recognized Ms. Kitts, who read a statement asking the Council to consider her grievance request to adjust her salary and to award back pay for the wages she lost due to the situation which she felt she was intentionally wronged by Chief Rodney Bivens. Myers Morton, Law Director for the Council, stated that because of a Statue of Limitations regarding unpaid salaries, the Council can only go back and consider the last six years of employment. There was lengthy discussion between the Council, Mrs. Kitts', Chief Mike Ruble, Myers Morton and Lieutenant Krystal Gibson.

Mr. Morton reiterated multiple times that the Council can only consider the complaint that has been brought before them as presented by Ms. Kitts' in her grievance request. Mr. Morton advised the Council that the Law states that due to the Statue of Limitations, the Knox County Law Director's Office advises that the Council can only take into consideration the last six (6) years of Ms. Kitts' employment when awarding back pay. Lengthy discussion and questions between the Council, Mr. Morton, Chief Ruble, Mrs. Kitts' and Lieutenant Krystal Gibson continued. Chairman Jennings stated that under advice of Counsel that six years was what the Council should consider and if Mrs. Kitts' believes that the decision is unfair that there are other avenues she could pursue beyond the Council.

After the hearing held by the Merit System Council on the Grievance filed by Amanda Kitts', the Council unanimously voted that the Sheriff failed to comply with procedures established by the Merit Council. All members also voted unanimously to award Mrs. Kitts' a salary adjustment in the amount of \$4,119.99 and issue back pay in the amount of \$38,656.23.

OLD BUSINESS:

STAFF BUSINESS:

ADJOURNMENT:

There being no further business, the Council adjourned at 6:08 P.M.

Respectfully Submitted:

Approved:

Paula M. Taylor
Executive Director

Jim Jennings
Chairperson