

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

WHEREAS, neither Greensboro nor Winston-Salem requested House Bill 470-Greensboro/Winston-Salem Civil Service Board (“HB 470”);

WHEREAS, HB 470 provides, amongst other things, for a proposed Civil Service Board (“CSB”) with the authority to rescind terminations upheld by the City Manager including terminations for excessive use of force or a direct violation of policy by an officer who may have even been indicted;

WHEREAS, HB 470 provides, amongst other things, for a 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 professional opinion, to be in the best interest of city operations and pursuant to city policy;

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;

WHEREAS, HB 470 provides, amongst other things, for a 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;

WHEREAS, the City is not opposed to having discussions with employees regarding a CSB with a reasonable structure, duties, and responsibilities that do not undermine the Council-Manager form of government; and

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