

DETROIT CHARTER REVISION COMMISSION
PROPOSAL/ISSUE REVIEW SUMMARY

ISSUE NUMBER: GDS 101

ISSUE CATEGORY: Government Department & Services

SOURCE: Mayor Bing Administration
Letter, dated December 20, 2010

RELATED CHARTER SECTIONS: §6-505 (Civil Service Commission)

RELEVANT ORDINANCE SECTION:

RELEVANT LAW(S):

ISSUE/PROPOSAL STATEMENT: Remove Director of HR as member of Civil Service Commission; Remove City Council's appointment power to Commission; reduce Commission from six to five (5) members; Mayor appoints all members of Commission; Make HR Director, and not Commission, head of Human Resources.

ARTICLE 6. THE EXECUTIVE BRANCH: STAFF DEPARTMENTS

CHAPTER 5. HUMAN RESOURCES DEPARTMENT

Sec. 6-505. Civil Service Commission.

~~The human resources department is headed by a six (6) member civil service commission. The mayor shall appoint two (2) members to two (2) year terms beginning February fifteenth (15th) of each even numbered year and the city council shall appoint three (3) members to two (2) year terms beginning February fifteenth (15th) of each odd numbered year. A member may be removed only for cause by the appointing authority. A vacancy on the commission shall be filled for the unexpired term, if any, by the authority making the original appointment. The human resources director shall serve ex officio on the commission.~~

~~A member must be a citizen of the United States and a resident of the city. The members of the commission may hold no other public office or public employment except that of notary public. The commission shall be representative of the total community and shall meet at least once each month.~~

~~The commission may hold hearings, subpoena witnesses, administer oaths, take testimony, and require the production of evidence. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the commission shall apply to the appropriate court. The commission may delegate the powers to hold hearings, administer oaths and take testimony.~~

~~A five (5) member Civil Service Commission shall be appointed by the Mayor. A member may be removed by the Mayor for cause.~~

~~A member must be a citizen of the United States and a resident of the City of Detroit. The members of the Commission may not hold any other public employment or public office except the office of notary public.~~

The two (2) members of the Commission, who were appointed by the Mayor and are serving at the time this section becomes effective, shall serve until the expiration of their original two (2) year terms. Upon expiration of their terms, one (1) shall be appointed to a term of two (2) years, and one (1) shall be appointed for a term of one (1) year. All subsequent appointments, or reappointments, shall be for a term of five (5) years.

The initial terms of the three (3) other members of the Commission who are appointed after this section becomes effective shall be five (5) years for one (1) member, four (4) years for one (1) member, and three (3) years for one (1) member. All subsequent appointments, or reappointments, shall be for a term of five (5) years.

The Commission shall be representative of the entire community and shall meet at least once each month. The Commission may hold hearings, subpoena witnesses, administer oaths, take testimony, and require the production of evidence. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the Commission shall apply to the appropriate court. The Commission may delegate the powers to hold hearings, administer oaths, and take testimony.

RATIONALE: *“Section 6-505 of the 1997 Detroit City Charter improperly makes the Director of the Human Resources Department a member of the Civil Service Commission and authorizes the City Council to make three (3) appointments to the Commission. This change will reduce the composition of the Commission from six (6) to five (5) members, will eliminate the Director as a member, will eliminate the appointment of three (3) members of the Commission by the City Council, will provide for the appointment of new Commission Members by the Mayor for staggered five (5) year terms, and will result in the Human Resources Department being headed by its Director rather than by the Commission.”-Mayor Bing Administration, Letter, Rec’d December 21, 2010.*

ANALYSIS:

DISPOSITION/COMMISSION ACTION:

NOTES: