

Anyone who's ever wondered how Fulton County's employee grievance procedure actually works—or wondered what happened in the hearing of the Group Grievance filed in June 2000 to protest the Library's mass transfers in May—will learn a lot by reading the following transcript of the hearing of that Group Grievance. Judge for yourself whether you think these county employees were allowed to present their case in a hearing conducted by an unbiased chair of the county's Grievance Board.

Note: Some of the more obvious transcriber's errors (such as the mistaken use of "grievants" for "grievance," "mellow-dramatic" instead of "melodramatic," and references to the "Fox Loss and Classification System" instead of the "Fox-Lawson" study) and the worst instances of confusing punctuation have been corrected. A few other interpolations, inserted for clarity, are shown in brackets.

**Grievance Hearing
Grievance Committee of Fulton County
Case No. 06-19-00-3
August 17, 2000, 11 A.M.**

In re: [Group] Grievance of Maureen Kelly, Dowman Wilson, Katharine Suttell, Jo-Lynn Burge, Doug McCown, Cal Gough, Sherri Bowers, Mary Starck, and Monica Foderingham-Brown, *Grievants* [The transcript does not list grievants Richard Cruce, Ken Eastman, Ivan Lester, Juliet Rumble, Nancy Powers, and Pat Redmond]

Appearances of Counsel:

On behalf of the Grievants: Kelly J. Beard, Christopher S. Anulewicz, [and Michael Bowers] *Meadows, Icter & Trigg.*

On behalf of Atlanta/Fulton County: June D. Green, [and] Willie Lovett,
Office of the County Attorney

[Attorney for the Grievants] Ms. Beard: In terms of a preliminary issue and as a matter of courtesy, I'd just like to inform this committee that some of the grievants have filed a federal lawsuit. In that lawsuit we allege that the Board of Trustees and Ms. Hooker have violated their constitutional rights. And you should be advised that there is a hearing scheduled for a preliminary injunction to send those folks back to their appropriate positions. That hearing is scheduled for August 29th. If that affects your decision going forward, I just want you—

[Grievance Committee Chair] Ms. Howard: Ms. Green.

[Attorney for Ms. Hooker and Mr. McClure] Ms. Green: Ms. Howard, I don't believe that that gives [employees] a right to grieve, but I do think that any issues raised in the lawsuit are now outside the purview of this committee.

Ms. Beard: Well, let's raise that later if there is some reason to.

Ms. Howard: Do you not agree with Ms. Green that any information that pertains to the lawsuit cannot be entered into this hearing today?

Ms. Beard: Well, we don't know what issues are—

Ms. Howard: We're not going to be privy to that if you don't tell me.

Ms. Beard: You'll hear the information in which I'm going to present in terms of what the grievants say happened.

Ms. Howard: So the lawsuit is not relevant to us is what we're saying here today?

Ms. Beard: We haven't brought it. We haven't given it to you. It's up to you.

Ms. Howard: Just a matter of record. We just want to make sure.

[Grievance Committee Member] Mr. Threatt: But would it be, though, that if they have information pertaining to, let's say, the lawsuit that has been filed and it appears that that information is looked at by the county attorney, then they can make a determination in terms of when something might be introduced in this hearing that would be relevant to that?

Ms. Beard: Absolutely not. Absolutely not. This is not a judicial for[u]m. This is an administrative committee. I'm not sure that anybody on this committee has the—with all due respect, the ability—to make evidentiary rulings, which is what you're essentially making if you talk about relevancy issues. This is an administrative committee. In terms of motivating—

Ms. Howard: Just a moment, Ms. Beard. I am the chairman.

Ms. Beard: Yes, ma'am.

Ms. Howard: Ms. Hargro is our legal representative, so she is very capable of making a decision. That's why she was appointed by the Board of Commissioners and the county manager to represent the Grievance Board. So even if the board members don't have, as you say, the ability, Ms. Hargro certainly does. I just want that on the record. We do have a counsel present.

Ms. Beard: My contention is that your counsel cannot make evidentiary rulings for this hearing. The grievants have come here to tell you what they're grieving. The motivation behind their grievance is certainly relevant, if we want to talk about relevance, but the fact of the matter is I asked Ms. Green what policies and procedures we would be abiding by today, and I received this revised grievance policy. There is nothing in there about evidentiary rulings, about circumscribing the evidence the grievants present, or any other matter. And for that reason I would request that this committee allow the grievants to introduce any evidence that they find pertinent to the reassignments.

Ms. Howard: Which is relating to their grievance. You opened up the door about the lawsuit. And remember I said that we wanted to leave that out of this hearing. You brought that in, Ms. Beard, I didn't. You did. I'm only here on this Board to hear the grievance at hand. OK. So the lawsuit to me really is not relevant to this case because I'm not going to get into that.

Ms. Beard: I think we're having two different conversations.

Ms. Howard: Well, let me make myself clear. We're here to hear the grievance that I have in front of me, from the group grievance that these people have submitted to Fulton County, and that's as far as I'm going.

Ms. Green: Ms. Howard, if I may? I am familiar with the lawsuit and its contents. And I discussed with Ms. Beard the grounds for the grievance, and that is classification and pay. And I do consider it my duty to this committee to identify any matters which are outside of the grievance and are within the lawsuit and within the purview of the court.

Ms. Beard: And my reply to that would be that it is the complete perversion of the function of this committee, and I see no authority for it in the revised guidance policy and procedures that I was given.

Ms. Howard: Let me start over again. We're going to hear the grievance that I have in front of me. And we're going to proceed, if you wish to, on this grievance that I have in front of me. If you all want to adjourn and argue that and reschedule, that's fine with me. But we're here today, to my understanding, to hear this grievance as it relates to 100-424 Fulton County policy and procedures. Is that clear to everybody? OK. Now, I'm going to do what I do. Good morning. My name is Valerie Howard, I'm the chairperson of the Youth Committee for Fulton County. I have present my board members. At my immediate right is Ms. Rozzalin Biddings. She's our administrative coordinator. At her right is my vice chair, Major Michael Cook. Next to him is Ms. Christine Green, member; Ms. Joyce Brown, member; Dr. Robert Threath, member; and last but not least, Ms. Virginia Hargro [the Grievance Committee's attorney]. We are here today to hear the grievance of—Maureen Kelly is the spokesperson. So what I'll do is just read the case number at this time, which is 06-19-00-3. Today is Thursday, August 17th, the year 2000. The department [whose employees have filed the grievance] is the Library. If I leave anybody off, you all please raise your hands and let me know so I can put it into the record. [Reads the Grievants' names.] At this time everyone is going to testify. [Administers the oath.] Thank you so much. I will read into the record the statement that Ms. Kelly wrote for the group grievance and it reads:...[Reads the brief description of the grievance]. Just to make sure that everybody has the same thing, she has a copy of the signature of all the grievants. There's just a memorandum that someone was added. Ms. Janet Bogle was added. That's dated 6/20/2000. She has a brief description of [the] grievance including statement of facts and issues, and it states:...[Reads the description again.] The proposed remedies are listed on pages 4 through 6 of the attached document. I'm not going to read all of these. I'll let Ms. Beard go into that and also let you state, Ms. Beard, when you do you opening or whatever of what the remedy of [your] employees are. OK. It's quite extensive. All right. What I'm going to do at this time, Ms. Beard, is I will let you proceed, and tell us why these people have filed grievances and, of course, we'll allow the County time to present their case.

[Grievance Committee member] Ms. Brown: I do have a question for you, Ms. Howard. Were you able to get Mr. Brandes, the personnel director? Is he going to come?

Ms. Howard: Yes. Go ahead, Ms. Beard, proceed.

Ms. Beard: Madam Chairman and committee members, the reason the grievants filed this suit is because the Board of Trustees and Mary Hooker undertook to reassign the grievants listed and particularly the white female managers at the Central Library in order to achieve racial balancing. They did so by identifying through a document that we have the race and gender of each manager in the Central Library system. Once they did that—and that was done in early January 2000. Once they did that—and there's further proof in the Board minutes and other documentation that the whole motivation for this reassignment was to essentially make the Central Library look more balanced; have a greater appearance of diversity. In fact, when the Board considered the overall balance, racial balance, of managers in the system, the fact was that there were far more black managers in the system than white managers. And so what the Board undertook to do at that point was they just identified how many white managers were in the Central Library system and reassigned them. What the evidence shows is that there were 13 people reassigned from Central Library. Fully 50 percent of the reassignment came from the Central Library. All of the eight white managers and assistant managers at the Central Library were reassigned, ever single one, and the only motivation was race. Now, the result was a violation of Fulton County policies and procedures. Not only do y'all have a policy and procedure that you won't make race-based decisions in employment matters, but you also have a policy and you have procedures regarding classifications of employees. The county went to enormous lengths and [extents?] to produce what's called the Fox-Lawson Classification System. It is a county-wide system. Every employee is assigned by that classification and assigned to a position with a "DBM," essentially a letter and a number. And what the letter and the number will tell you or the group writing the check is what that person's level of management is and what their supervisory position should entail, what their educational background should be, what their experience level should be so that the county can assign an appropriate salary. So we have senior level managers, all of whom are white in the Central Library system, who were department managers supervising numerous employees doing by every objective criteria a phenomenal job. That's what your patrons say. And they were reassigned. For example, one C-52, which if you know the system very well, that will tell you that that's a department chair with supervisory control who does very specialized tasks, has a Master's in library science, has at least two years in the field. That particular C-52 was reassigned to a branch miles and miles away; in fact, in the northernmost corner of this county. And you know what she's doing? She's shelving books. So this is not only a clear violation of Fulton County policies and procedures, it's quite frankly ignorant. It hurts the grievants. It hurts the county, it hurts the patrons of the library, and it needs to be corrected. What we will ask for today is that you correct this injustice., this disregard of Fulton County policies and procedures and federal law. Thank you.

Ms. Howard: Would you, please, tell us what the remedy was for this?

Ms. Beard: For you to correct the wrong that was done, that would be to put them back into their positions that they were in prior to May 25th, 2000 when they were first informed of the reorganization and the reassignment.

Ms. Howard: Not positions, but to perform job duties prior to May 25th—

Ms. Beard: No, not former job duties, their former positions at the former locations where they were assigned.

Ms. Howard: Have their job titles changed? When we say “position” in Fulton County, we mean [it] has a name. So you mean return them to formerly where they worked, because they have the same title right now, obviously?

Mr. Beard: They have the same title.

Ms. Howard: So you just want to return them to the site, so to speak, where they worked; is that right?

Ms. Beard: Yes. Thank you.

[Grievance Committee attorney] Ms. Hargro: Do they have the same title and class?

Ms. Beard: They have the same title and class although they’re performing outside their class duties.

Ms. Howard: Ms. Green.

Ms. Green: Thank you, Ms. Howard. Out of a courtesy to the moving counsel, I did not interrupt. The first five minutes of her presentation had to deal with matters that are not within the purview of this committee. There are only certain matters that are grievable before this committee. There are about six of them listed, and all of the committee members, I’m sure, are aware of them. Race discrimination is not one of those matters. The reason that this committee has purview only over a certain number of things is because proper purview over those [race-related] matters reside[s] in other bodies, for instance, the Personnel Board, the Fulton County EEO [Equal Employment Opportunity] office, and the courts. The first part of Ms. Beard’s presentation dealt with the matter this is properly before, and is, in fact, before the United States District Court. I would ask the body not to consider any of those matters. With regard to the matter at hand, the grievants chose to grieve the category “Classification and Pay.” Our evidence would be quite straightforward and simple. It will show that a reorganization of a library was undertaken. That was totally the prerogative of the Board of Trustees to reorganize. That pursuant to that mandate to reorganize, the director did reorganize and certain transfers and reassignments were in order. The record will also show that none of the grievants have been demoted, that none of them have been reclassified, and none of them have lost any pay. It will show that they are in the same classification that they were in before the transfers. As Ms. Beard indicated in her opening, the only thing that has changed are their specific job duties, not their authority, and where they sit during the work day. Some of them have been reassigned and moved. Some of them, in fact, even though they’re grieving, have not even moved from their site. So with regard to the remedies, I would say that none of the requested remedies are actionable by this committee. They ask for a lot of things. The only thing that would be actionable, if it were possible, would be that this committee might recommend that they go back to where they were sitting prior to May 25th. However, with the reorganization of the library, many, if not all, of those chairs do not exist. So

there is nothing within the requested remedy that this committee can even possibly do. And all the other matters—making changes within the Board of Trustees and things of that nature—none of those things are even within the purview of this committee or even the court, I might add, as the Board of Trustees is a statutorily-created entity. Thank you, Ms. Howard.

Ms. Howard: OK. What I have asked, rather, the [Grievance] Board have asked, is that the [Fulton County] Personnel Director, who is a representative of the [Fulton County] Board of Commissioners and the county manager, and our personnel expert, is to come and give the County's position as it relates to policies and procedures on reorganization. I thought that may kind of help everyone. So if you could take a pause for just a second. He got the letter [requesting his presence today], and she just called and he's on the way, if you all don't mind. I thought that might help so he can explain the kind of issues that relates to reorganization and what's correct and what's not correct.

[A recess is taken until Mr. Brandes arrives and takes the oath administered by Ms. Howard]

Ms. Howard: Ms. Green and Ms. Beard, I had told them previous before you coming in that I had asked you to come so you could explain as it relates to Fulton County policies and procedures of reorganizations and what's legal and what's not legal, who is under the discretion of whom. If you can just kind of explain the Fulton County reorganization process if you don't mind, sir.

Mr. Brandes: Certainly a point in authority is the department heads have the authority to reorganize their department as long as they operate under the four corners of county personnel policies and county budget policies and procedures. We all have that right. That includes certainly the reassignment of staff within the four corners of all those policies. If you get into actually changing classifications, then certainly it requires the approval of the Personnel Board. And if those classifications inquiries decrease or we have to go into an abolishment or an establishment mode, it also requires the approval of the Board of Commissioners. So it really depends on how you define reorganization, because certainly departments can shift these personnel from her to there as long as they operate within the four corners of County personnel policies and the budget decisions.

Ms. Howard: OK. Any questions of Mr. Brandes, Ms. Green or Ms. Beard?

Ms. Green: That was quite clear.

Ms. Howard: Ms. Beard?

Ms. Beard: I do have a question and I guess my question to you, Mr. Brandes, is would the appointing authority, under this umbrella to reorganize, have in your opinion the authority to reorganize on the basis of race, that is being motivated by race?

Mr. Brandes: No.

Ms. Beard: And the other question I would have is when there is a reassignment to another position such as occurred with the grievants, although the classification has initially remained the same, isn't it true that each of these faults [???] were now doing duties other than those typically

assigned to, for example, a C-52? If a C-52 is now handling duties such as shelving books and working at a circulation desk, wouldn't that C-52 be subject to and constantly under the threat of a desk audit, wherein her classification would be reduced and her salary would be reduced commensurate with that reclassification?

Mr. Brandes: Certainly any time a department reorganizes they have to understand that—particularly with Merit System employees—that they have a proper[ty] interest in the salary and a salary range and the job title, but that also we have classifications that are broad-band. But certainly if part and parcel to you having attained a particular salary range is the fact that you supervised a certain number of people of another salary range. And it is wise that the department takes that into consideration because if you start changing people, for instance, and you used the term C-51, but to get to a 51 or 52 or whatever it is, you have to meet certain criteria in a position band, the method that's what we use which means that you have certain decisions in authority and you have certain authority and supervision over others. And when you move somebody, you've got to be cognizant of that fact because as we came back in at a later date and did a review of a classification, and certainly the picture that we would take would be different than the pictures that we had taken of that particular classification [before a reorganization].

Ms. Beard: So if I could just be clear, what you're saying is that these folks [who] were working outside of their classifications are under constant threat of having salary reductions because they're not working within their classification range?

Mr. Brandes: I can't say that. Certainly, that can be your interpretation. All I can tell you is that we don't encourage any department to make changes, certainly [none] that would then some day put the employees' position[s] in jeopardy. I can't tell you when we might come out and look at it again.

Ms. Beard: But you could?

Mr. Brandes: We could.

Ms. Beard: At any time?

Mr. Brandes: We could come tomorrow; we may not come until five years from now. Certainly, if you still maintain the same classification system that we have today is the premise of the decision-making authority and supervision and it couldn't post promptly.

Ms. Beard: My other question would be, I assumed that there is some kind of requirement that an appointing authority conduct some fairly significant studies prior to, if it's true, an overall reorganization systemwide. Were studies conducted in this case prior to the May 25th reassignments?

Mr. Brandes: I would have to refer to the library and see if they conducted studies. We have not performed any studies in our office.

Ms. Beard: And, to date, have any studies been performed out of your office that you're aware of or [out of] any other office that you're aware of?

Mr. Brandes: Not that I'm aware of, not my office. I can't speak as to the others.

Ms. Beard: Do you recall advising Mary Hooker that the reassignments probably violated Fulton County policies and procedures?

Mr. Brandes: I don't remember advising her such. I remember advising her as well as Mr. McClure that they needed to be careful with that. I've also asked that they provide us with some information that we could use to be able to look at such organization stuff so that we could look at the standard control that these people might have.

Ms. Beard: Well, didn't you specifically advise Ms. Hooker that she should make sure every person who was being reassigned had their classification carefully considered and their duties prior to and after the reassignment so that there wouldn't be this kind of problem that we're all facing now?

Mr. Brandes: I have talked to her, generally, and my staff may have talked to her. And I talked with Ms. Hooker and Mr. McClure and reminded them that everything that they do has to be consistent with County policy.

Ms. Beard: Now, you did not tell Ms. Hooker or Mr. McClure or any of the members of the Board prior to these reassignments that these reassignments were consistent to Fulton County policies and procedures, did you?

Mr. Brandes: I am not aware of the procedures or details. The details that I needed, I didn't look at them.

Ms. Beard: Did you ask for the details that you would need?

Mr. Brandes: Yes.

Ms. Beard: And you didn't receive it?

Mr. Brandes: That's correct.

Ms. Beard: I think that's all.

Ms. Howard: Ms. Green, go ahead.

Ms. Green: Mr. Brandes, you stated that the appointing authorities have the ability to reorganize, is that correct?

Mr. Brandes: That's correct.

Ms. Green: So in this instance with regard to these grievants from the Library, the appointing authority would have been the Library Board of Trustees along with the Director, is that correct?

Mr. Brandes: The appointing authority is the Director of Libraries, and certainly the Board of Trustees appoints the Director, so certainly.

Ms. Green: So the Director would have had the authority to reorganize?

Mr. Brandes: Yes.

Ms. Green: You talked about the broad-band classification system that Fulton County uses. If a person is reassigned and still performs duties within that broad band of classification, there could be a problem?

Mr. Brandes: Yeah.

Ms. Green: So a person could be reassigned and perform different duties that are within the same broad band and that would not amount to a reclassification?

Mr. Brandes: That's correct.

Ms. Green: Are you aware of whether or not any of the grievants in this room have been reclassified or demoted?

Mr. Brandes: I'm not aware of it.

Ms. Green: No information has come to your attention which would suggest that they've been reclassified or demoted, has it?

Mr. Brandes: No.

Ms. Green: Now, you in response to Ms. Beard's question, you stated that the Personnel Department hasn't conducted any studies which would support a reorganization of the Library?

Mr. Brandes: Not to my knowledge. I have asked for certain material to look at and I noticed that conversations in some of my staff meetings [???], but I'm not aware of any form opinion [???] or one way or the other.

Ms. Green: Now, you stated that you didn't say that the reassignments were OK. You also did not say to the Library's director, Ms. Hooker, that the reassignments were not OK, is that correct?

Mr. Brandes: That's correct.

Ms. Green: Now, with regard to the studies you've referred to, there's no requirement that the Personnel Board conduct a study, is there, before the Library can reorganize?

Mr. Brandes: No, it's not.

Ms. Green: That's all I have.

Ms. Brown: I have a question for clarity. What is the working relationship between the Director and the Board of Trustees? What is the statutory law I keep hearing that was brought up by Ms. Hooker in reference to whatever decision she made, that the Board of Trustees can overrule change and do whatever they deem necessary to do even though she may disagree with them from time to time?

Ms. Green: Mr. McClure, he can answer that question for you.

Ms. Brown: If there's anything written in that area, Mr. McClure, I would like to know why is it that it's been said that the Board of Trustees do not have to operate totally under the policies and regulations of Fulton County, that you're out here in the wind by yourself, that whatever you want to do you can do because you don't have to address yourself, anything, under the direction of Fulton County rules and regulations.

Mr. McClure: May I say that while that might have been set forth, the Board of Trustees—

Ms. Brown: —does not.

Mr. McClure: The Board of Trustees does not subscribe to that notion. However, State law does provide that the Board of Trustees is the governing authority with respect to the Library System, [the] Atlanta-Fulton Public Library System. However, some years ago as staff were brought—staff in terms of personnel structure—was brought under Fulton County. This board continues to support that. We think that's in everybody's best interest. However, State law does say that the Board of Trustees is the governing entity. We solely govern the Library. The Director and the particular written language [is that] the Director recommends and the Board approves or disapproves. That's in the State law. Now, this Board, since I've been on it, has taken the position that from a personnel standpoint everything must be done consistent with Fulton County personnel policy.

Ms. Brown: At this point, I have heard—and I'm not trying to speak for my co-workers here—we have heard contrary information to that. And that's why I raised that question and would like to, if possible, make that information available for the employee or lawyer or whatever, that you can supercede whatever decision or recommendations that has been made by the Director—change those decisions that has been, and in some instances, in the best interest of some of the employees here and in some specific issues that we've had at this table. I think this is a conflict. And I personally feel that is a conflict because I cannot see that the personnel rules and your rules that are in conflict are in a working, harmonious relationship; there is a conflict. It is being said that whatever you want as a Director of the Personnel Board to take place in regards to whatever rules and regulations that Mr. Brandes has to operate under, that your rule supercedes and it is not together.

Mr. McClure: With all due respect, now, I hope I'm not confusing. Now, at least from the Board level and the way we operate, there is no confusion. Now one might portray it as—

Ms. Brown: If I can interject. Ms. Brown, let's be clear. Sometimes you know how you throw around and ask things. You would like to see the State law that would support what Mr. McClure said—that the Board, [that] Ms. Hooker answers to the Board of Trustees—is that what you're asking for?

Ms. Brown: Yes.

Ms. Howard: The State law that shows that the Board is the person that, as he said, [is] the governing entity of the Central Library, Atlanta-Fulton library—is that what you're asking for?

Ms. Brown: Right, and whatever that law said—

Ms. Green: Ms. Howard, I would be happy to provide the law to [Grievance Board attorney] Ms. Hargro, [and to] the chairman of the committee. I didn't know if Ms. Brown wanted to have it made available to her immediately for the purposes of this hearing.

Ms. Howard: Ms. Beard, would you feel a need to have a copy of that?

Ms. Beard: I think it's questionable about how the statute is construed. I mean, there is a statute, but the question is whether it should be construed in the way they're construing it is up in the air.

Ms. Green: I'll provide that to Ms. Hargro and apparently the Board of Trustees and the relationship with Ms. Hooker is similar to that [of] the Board of Commissioners and [Fulton County government] department heads.

Ms. Howard: Thank you. All right.

Major Cook: I have a question, madam chair. I'm curious to know if the classification C-52/51—in the job description, is there a requirement that those level managers supervise subordinates, and if that is in the job description and you have people that are shelving books, than that does not obviously meet that requirement; and, therefore, it opens the door for a future—and it's likely that a future—desk audit reclassification or lower DDL could occur. And if that is the case, [and] these people are classified, then how does the Board Director justify that?

Ms. Howard: Board of Trustees?

Major Cook: Whatever. Board-slash-Director—whoever is doing this. How do they justify putting a C-52 that has to supervise the—

Ms. Howard: First, let Mr. Brandes answer your question. You've got two parts [to your question]. First, let Mr. Brandes answer that question, if a C-52 has to supervise. Let him answer that first.

Mr. Brandes: Certainly you're going to find that a C-52 has to supervise and [Mr.] Harris Brown who is our personnel manager in charge of classification [and] compensation [knows] all the nuances of the classification system better. Suffice it to say that to get to that particular level you have to have a level of responsibility of supervision to even tell, you know, what is supposed to

be, whether it is supposed to be, a certain number of Bs or Cs or whatever it is. And I think the \$74,000 question, certainly [the one] you just asked, I can't answer that: as to why if the Library would be, whatever the Library does, and to require the Library to do or anybody else to do something in the confines of the—

Major Cook: Certainly the Board Chair is here. Can you address that, or Ms. Green?

Ms. Green: Well, I'll tell you what I think we could—I could get testimony from the Director and the chairperson. But, certainly, your assessment is correct. I did intend to present testimony to the effect that a person in the C-52 category should supervise one.

Ms. Howard: Must.

Ms. Green: Must supervise someone. But also, within the general job description of a librarian comes the duty of shelving books. But the fact that you shelve a book does not make you less of a band C-52 librarian as long as you also supervise. There are a lot of duties, and we do have job descriptions. There are a lot of things that a C-52 can do. And you're quite correct: to supervise is one of them.

Major Cook: And if they are not supervising, then they do not meet the requirements of that job description?

Ms. Green: Then they may not. It depends. I think there are circumstances which may come into play which may make it impossible or improbable that that could occur at a certain moment. But certainly they must supervise as a part of their job. I mean, if we're talking about a particular point in time, today I may supervise somebody, tomorrow those people may be absent; and so circumstances do come into play which may affect on a day-to-day [basis] whether or not that I'm, in fact, supervising someone. But I do intend to present testimony.

Ms. Howard: What I would—well, when I say I, I'm speaking about my Board, and we've done this before. I think it's kind of giving a one-sided picture to say that all they do all day is shelve books. What I would like to do is have the current job duties of all of these grievants and the past job duties, and then this Board can sit down collectively and review to see if they're doing something out of the realm of their job description[s]. It's kind of hard to sit here and say “shelving books,” when we can't actually see what it is that they've been re-assigned to do. And I don't think we can make a fair assessment without reviewing past and present job duties. So, Ms. Hooker, I'm going to charge you with that, if you don't mind, to make sure that I get copies of past and present job duties. I know the titles are still the same, but I just need to see what their actual job duties are. If you don't have it now, you can send it to me by courier.

Ms. Hooker: They were given the duty of writing their own EPPDs [work plans]. We've not received those yet from their new assignments. They've been in their new assignments approximately six weeks. So I can give you the old ones, and then I can direct that all the others be in my office by next week.

Ms. Howard: I think that's fair. We definitely need them by next week. So what I need you to do today, Ms. Hooker—I'm going to hold you responsible—now within the next two weeks I will have this information.

Ms. Hooker: Yes, ma'am.

Ms. Beard: Madam Chair, may I get some clarification on this directive of you?

Ms. Howard: Yes.

Ms. Beard: My understanding is that yesterday or the day before, Ms. Hooker was via telephone issuing a directive telling the grievants to go ahead and start supervising some people and to do this and do that in order to kind of create a *post hoc* re-classification that might meet the personnel policies and procedures in the Fox-Lawson Classification System. I would ask Ms. Hooker give us the pre-May 25th job duties and classifications and the post-May 25th—that would be May 26th through last week—job duties and classifications, so we can see what this Board did before they go around trying to fix it and put a bandaid here and a bandaid there. I think this committee needs to see that.

Ms. Howard: That's fine. You're ahead of me. I was going to ask that. I need to see when they reported to wherever they went what were they told to do. That's what I need. I need that as well.

Mr. Threatt: I want to raise a questions and also compliment Mr. Brandes in dealing with [explaining] situations where a person might be working out of class. And let's say a person is already in a particular classification and succeed the two [???], what kinds of circumstances might arise where that person might continue to maintain that classification and yet it does not meet all the classifications of what that classification calls for? What kinds of circumstances?

Mr. Brandes: The circumstances should be temporary at best. For instance, if I've got five people and two of them are on vacation or three of them are sick, because the fact is we all earn a particular salary range and title based on a set of duties as broad as they may be. And certainly, we all understand that there are classifications that have duties out here and then there are job descriptions which have specific limited duties but they don't conflict with the larger classification duties that are in a broader class, but it should only be on a temporary basis.

Mr. Threatt: So reorganization might be one of those situations and, of course, you said that in situations where this is the situation, that it ought to be temporary. Is there any kind of time limit in which "temporary" would be defined? Would it be six months, one year, or five years?

Mr. Brandes: Well, I mean, it is certainly a judgment call, and I guess as a point of authority we all have certain discretion. But at some point in time, "temporary" becomes "continuous." We would certainly look at it and see; and everybody understands "temporary," but there is no definition certainly as to how long it would be. And as we reorganize, as I mentioned earlier, we kind of have to keep in mind what an employee has been classified and why they've been classified. Certainly within the personnel rules and regulations, there can be downward reclassification. If we reorganized to the extent that, one, we don't need the same number of

people, you've got a Reduction In Force. So I don't need the same complement—the same numbers—of classifications that I have, and there's proper ways to do it. You can do it. For instance, employees have rights immediately based on certain types of things.

Mr. Threatt: Thank you.

Ms. Howard: Any other questions for Mr. Brandes at all? I know he's busy, and I'll let him get back to work. Does anybody have any other questions?

Mr. Brandes: May I ask one more question?

Ms. Howard: Certainly, go ahead.

Ms. Beard: Mr. Brandes, when you were testifying and speaking with Ms. Green, you mentioned that no one submitted any documentation to you and that you had asked for documentation. But I didn't get the name of the person from whom you asked for documentation.

Mr. Brandes: Ms. Hooker.

Ms. Beard: Ms. Hooker. Mr. McClure?

Mr. Brandes: I have not asked anything of Mr. McClure.

Ms. Beard: And you've never gotten documentation requested from Ms. Hooker?

Mr. Brandes: No, I have not. I have asked for an organization chart so I could see the span of control and the reassignments. So that would be all we would need, truthfully, to be able to do that as to whether or not it made sense to us.

Ms. Beard: To the best of your knowledge the reassignments that occurred had nothing to do with a need for a Reduction In Force?

Mr. Brandes: I have no knowledge as to why they occurred one way or the other. I just know it was reorganization, but I haven't been told that was a Reduction In Force because it does not reduce the number of people.

Ms. Beard: Exactly. Thank you.

Ms. Howard: Is that it? Ms. Green?

Ms. Green: I have one or two. Please permit me one or two follow-up questions. You talked about the likelihood. Well, you talked about there might be a chance that a person performing other duties might amount to a reclassification or might call for a reclassification?

Mr. Brandes: Yes, ma'am.

Ms. Green: Would a reclassification downward be a demotion?

Mr. Brandes: Reclassification downward certainly would be a demotion because you would go from a higher to a lower.

Ms. Green: And would a reclassification downward, a demotion, be a matter that would come before the Grievance Review Committee, if, in fact, it occurred?

Mr. Brandes: For permanent Merit System employees, it would come before the Personnel Board. For all other employees it would come before the Judicial Review Committee except for departments [i.e., department heads].

Ms. Green: And you also indicated that you had not gotten a copy of the proposed reorganization with regard to where people were going?

Mr. Brandes: I got a list of "they're here and going," but I did not get a list of what I'd asked for to be able to look at it and give an opinion as to what was done.'

Ms. Green: But you're not implying to the committee that because you didn't see that list that the reassignments were inappropriate?

Mr. Brandes: I'm not implying that they were inappropriate, no.

Mr. Green: Thank you.

Ms. Howard: Mr. Brandes, thank you so much.

Mr. Brandes: Thank you, folks.

Ms. Howard: Ms. Beard, would you like to go forward?

Ms. Beard: Yes. Ms. [Maureen] Kelly is representing the group, madam chair. So I'm going to ask her a few questions. I'd like to show you this chart that we put together while she answers. Maureen, would you-can she stand up so you all can see this and she can kind of talk about this. What I'd like Maureen to do really is introduce the grievants, the employees, give you some idea of the tenure that the employee have had with the county, and some idea of what their pre-transfer positions were and their post-transfer positions.

Ms. Beard: Is it possible that you could shift it, Madam Chair, to over here where there's no line, and then have your group kind of—

Ms. Kelly: This is a list of some of those who transferred, and some of the effects of their transfers. As it happened, Ms. Bogle is one of those holding the chart which shows that she worked at Fulton County for 27 years, she was a C-52 and department manager, she was a specialist in film. She was in the southeast and she has now been transferred to a branch. She's doing a task of a C-43 of a branch. She's third in command in the branch behind the district manager. She supervises no one, nor does she use her film skills.

Ms. C. Green: When you said she's doing the task of a C-43, does she have a job description that says C-43 or is this your determination?

Ms. Kelly: We currently have no job descriptions. This week our supervisors were called by phone and told to issue us job descriptions. We're describing here the practical-what we actually are doing.

Ms. C. Green: You've got a job description for a C-43? This is your—

Ms. Kelly: Right. In our system based on what we're actually doing. In our meetings in which we were informed of what we would be doing-and we need to talk about that. We were told also various things. Some of them changed on the spot. We talked to each other about what our job description would now consist of. So this is an attempt to describe what we're actually doing.

Ms. Green: Madam Chairperson, let me make one comment and possibly an objection for the record. Now that I can see the chart, the comment section, I think, is totally irrelevant to the purposes for which we're having this Grievance Committee. It makes comments about the race of the person they're supervised by now. They're going from white supervisor to black supervisor. I think that's inappropriate.

Ms. Howard: I think so, too. What we'll do, Ms. Kelly, is we're going to try Column 3 and the last column. Just go over the person's name and the years of service. Okay. We're just going to strike Column 3 and the last column that says "comment".

Ms. Beard: Now, that is totally inappropriate. Now, I understand the comment because that's a comment. But in terms of race and gender, these transfers were motivated by race and gender and informs the decision-

Ms. Howard: Ms. Beard, we've already said we can't get into racial issues. That's something under the privy of the EEO area, so we can't get into racial issues. I can still see a position. That's all I'm seeing here today is a position, which is a person, and if their duties were unduly changed. I'm not looking at race today, Ms. Beard. I can't. See, we have to send that to the EEO.

Ms. Beard: My position is that if you don't want to look at it, that's fine, but they have a right to present that evidence.

Ms. Howard: But this board knows that they cannot consider race when they look at this chart, only the person's years of service—I don't have a problem with that—what they were doing prior to May 25th and what they perceive as what they're doing at present. That's all I'm saying.

Ms. Beard: What I think could resolve this, Madam Chair, I will stipulate to a continuing objection to every single question about race and gender, but I don't want Ms. Kelly to be continually interrupted. I want this to be made to the understanding that this is what informed the decision. So if the committee decides they don't want to consider it, that's up to you. The grievants have the right to present the evidence.

Ms. Howard: But not as it relates to race. She cannot bring race into her presentation. OK. Go ahead, Ms. Kelly.

Ms. Green: Ms. Howard, I would stipulate to Ms. Kelly testifying to these same things out of her mouth, and that would alleviate the problem of having the objectionable stuff in the face of the committee. It's like striking something from the record once it's already out. She can say exactly what's on that chart that is relevant to this committee without having the committee staring at all this irrelevant stuff. I think it's prejudicial just to have it here with all the comments that the committee has indicated are not appropriate.

Ms. Howard: Ms. Hargro.

Ms. Hargro: The record already reflects that race issues are not before the purview of this committee. Those matters go to EEO and Fulton County. And those matters and comments do directly relate to race. And as long as the grievant is allowed to testify to the other issues contained therein, I don't think it's necessary for us to be looking at this during her presentation.

Ms. Howard: Ms. Kelly, do you have that same information in your hand?

Ms. Kelly: I have notes.

Ms. Howard: Ms. Bogle, you all can put it down.

Ms. Beard: How about if we just cover up the comments if that's so problematic? I think it assists the testimony. I think you're just not giving the committee enough credit. Quite frankly, they're all adults, and obviously it assists Ms. Kelly's testimony. There are 17 grievants here that she needs to recall information about.

Ms. Hargro: But she can recall all she wants. That can face any direction other than in the face of the committee.

Ms. Beard: Let's just move on.

Ms. Howard: Take it down. Thank you. Go ahead, Ms. Kelly.

Ms. Beard: Maureen, you can go ahead and look at it like this.

Ms. Kelly: Important things that occurred to us are not only is she working out of class, but she's doing lower duties, she supervises no one, which puts her at risk for a desk audit.

Ms. Kelly: Ms. Bogle.

Ms. Green: OK.

Ms. Beard: Ms. Bogle-let's go back before we had the interruptions. Ms. Kelly is talking about Ms. Bogle who has 28 years of experience and tenure in Fulton County. She's a white female. Her pre-transfer position was a C-52 department manager. She managed the entire film reference department at Central.

Ms. Kelly: She now manages no one. She's third in command at a branch. She does duties of a C-43. She is in tenure in Fulton County. She's senior to the person who manages her. She's overseen by two other people.

Major Cook: I have a question about Ms. Bogle. Prior to the transfer, how many staff did she manage?

Ms. Kelly: There was a staff of five.

Major Cook: A staff of five. And currently manages no one?

Ms. Kelly: The film department is dissolved.

Ms. Green: I'm sorry. I didn't understand that last thing.

Ms. Kelly: The film department was dissolved.

Ms. Beard: So do you manage anyone now, Ms. Bogle?

Ms. Bogle: As of my EPP&D that they—

Ms. Beard: No, no. On May 25th when you were reassigned—

Ms. Bogle: Really, I didn't find out about it until two days before I was going to leave. So I didn't find out until June 5th that I was leaving on June 7th. So as of June 5th I was told I was going to be assigned to South Fulton. And I was told at that time that I was going to be in the reference department.

Major Cook: The question is do you manage anyone now.

Ms. Bogle: Now, at this moment, I manage two librarians.

Ms. Kelly: But, are they C-50s?

Ms. Bogle: They are C-40-whatever that number is.

Ms. Kelly: And as a C-52 you are required to manage-

Ms. Bogle: A C-51, and I don't manage any C-51's-

Ms. C. Green: They're C-42s? I'm just trying to get the right number.

Ms. Bogle: Whatever that number is. It's the first library—

Ms. Green: Did you manage any C-51s before?

Ms. Bogle: When I was in the Film Department? No, at the time I did it, my department was moved from—when I went into my department, I had a lot of people leave and things started breaking down so I had less people on the job; so at the end, I was not.

Ms. Green: And you didn't have any complaint about it then as long as you were at Central?

Ms. Bogle: I chose not to—

Ms. Beard: I'm just going to object to form here. Madam Chair, I understand that they have cross-examination rights, but not in the middle of her direct testimony.

Ms. Howard: Go ahead, Ms. Kelly.

Ms. Kelly: Ms. Bowers who has been with Fulton County for 11 years, she was a C-51, assistant department manager in the Information Line; a very specialized reference department. They serve approximately 10,000 requests a month by phone. And she was moved to a branch. She is one now of three C-51s at a branch. That does not qualify her for C-51. She's third in command there, even though I believe she's senior to the person who supervises her, senior in time.

Ms. Green: You're talking about Ms. Kelly?

Ms. Kelly: I'm talking about Ms. Bowers.

Ms. Beard: Madam Chair, could we ask for no more interruptions?

Ms. Green: I'm trying to hear. It's not my intent to disrupt the testimony.

Ms. Howard: Now, Ms. Kelly—now, I can interrupt you—how many people did Ms. Bowers supervisor prior to the 25th?

Ms. Kelly: In the absence of the department heads, she supervised the entire department.

Ms. Howard: Only in the absence?

Ms. Kelly: She was the assistant manager. She is a C-51, assistant manager.

Ms. Howard: That's prior to May 25th?

Ms. Kelly: Precisely.

Ms. Howard: She's third in command, and how many does she supervise now?

Ms. Kelly: Ms. Bowers.

Ms. Bowers: None whatsoever. I answer to a C-42.

Ms. Kelly: Nor does she do the work for which she is a specialist. She does no telephone reference work. I mentioned that she is senior to the person who manages her, and so a de facto demotion in terms of her responsibility and her authority. Ms. Burge has been with Fulton County for five years. She was a reference specialist in the arts and humanities department, again, a specialized department, the Central Library department of specialists. She was moved out to a branch where she does not use her specialized reference skills. And she's doing—well, one of the duties that she was given was to clean the keyboards. That was in her initial conference. She was told that one of the duties would be cleaning keyboards. So to us again, a de facto demotion. Jean Corn, she worked with the Fulton County for 32 years, again, a C-52 department manager.

Ms. Green: Excuse me—

Ms. Howard: Wait a minute. I'm looking, too, because I know her by sight. Where is Ms. Corn?

Ms. Kelly: She's not a grievant. She's on this chart because she was one of those who was transferred.

Ms. Howard: Well, then—

Ms. Kelly: She asked to be—she faxed us her signature to be on the grievance. I was told it was not received.

Ms. Howard: Well, then she's not on there. I'm sorry.

Ms. Kelly: Nevertheless, she's a factor.

Ms. Howard: Well, we're going to skip her, though. She's not part of this group grievance. Ms. Corn has done her own personal, individual thing, which I think obviously was her choice because she's been before this board.

Ms. Kelly: To us the point was that we were all part of a package.

Ms. Howard: But she's not part of your package. That's all right. Go ahead. Go to the next one.

Ms. Kelly: There's myself, I've worked for Fulton County for seven years, C-52, working as a department manager, heading the first floor at the Central Library. I'm now at the Alpharetta branch 40 miles from home. I do the duties of a C-43. I supervise no one. I'm third in command. I answer to the assistant manager who is a C-51. She is below me. My responsibilities—most of my time is spent on tasks that require an A-11, shelving and clerical tasks. I'm supposed to work on YA. They are searching for duties for me to do. None of them, however, involve supervision.

Mr. Threatt: May I raise a question on that interruption? You said you were third in command. What does that mean?

Ms. Kelly: There's a manager above me and an assistant manager. I outrank the assistant manager. I'm a C-52. She's a C-51. I'm required as a C-552 to manage a C-51.

Mr. Threatt: The point that I'm trying to get at to be in command means what?

Ms. Kelly: I would be the manager.

Mr. Threatt: So if the other two people are not there, then you would be the person in charge?

Ms. Kelly: Exactly.

Mr. Threatt: And if you were the person in charge how many people would be under your supervision?

Ms. Kelly: There would be one C-51 below me and the whole branch, which at this point is 9.5. But currently there is no one below me that I supervise. Ms. Powers has 29 years with Fulton County; again, another department head and another C-52. Her specialty, she was the manager of the Ivan Allen Department, which is the business reference department of the Central Library, again, a very specialized department. She has been assigned to the Buckhead branch, one of two C-52s sent to the Buckhead branch, which according to the board's own standards for staffing requires only one C-52. She's doing the tasks of a C-43. She supervises no one. She would be in the chain of command if those above her were absent, but again, there is a manager above her and a C-51, assistant manager, above her. So she, again, has been pushed down the chain of command. She's no longer a department head. She does not use her specialized skills whatsoever. And, again, she is someone whose assignment was actually changed in her meeting with the department head. At one point she had a reference in the course of the conversation. She was told, well, what do you want to do. They agreed on something that she could do, none of which however involved supervising other C-5s. Mary Starck has 14 years. She's a C-51. She has been relocated to another department within the Central Library. Her department, which was a system-wide department, she was counted on by the entire system for support of circulation which is common to all branches and she was a specialist, and that department was abolished. She was sent to another department to the Learning Center, and she now answers to a C-52. But she no longer runs her own department. And, again, she's doing duties below her class. Ms. White, who has worked for 14 years at Fulton County, she was a C-42 catalog specialist to the Central Branch Library. At the very time there is a cataloging backlog of 20,000 items and that the board is pulling a SWAT team together to address this cataloging backlog. The one person who can catalog foreign language and non-book material was sent to a branch library which she does no cataloging. Ms. Foderingham-Brown—

Ms. Howard: Who? I'm sorry?

Ms. Kelly: —Ms. Foderingham-Brown is now six years with Fulton County. She, again, was from the Information Line department which are the telephone reference specialists answering those 10,000 information requests a month. She was sent to a branch library. She was told she was going to do outreach there. She was going to do outreach to the Spanish-speaking and Vietnamese-speaking community of Hapeville despite the fact that she has never done outreach, does not speak Spanish or Vietnamese. Her skills as a telephone reference specialist would not be

used. She had been the former president of the Staff Association and is active as president. So that's a snapshot of the grievants for transfer and positions of authority..

Ms. Beard: And, Maureen, just for purposes of clarification, would you tell us what the result of each and every one of those transfers was in the practice?

Ms. Kelly: The practical effects are that there are de facto demotions that put us working out of class and they jeopardize our pay and classification.

Ms. Beard: You can sit down.

Ms. Howard: Thank you. I'll tell you what I have learned from all of this and from the numerous grievances I've heard that that word "chain of command" is a big deal at the library. We're in a different world over here where I am. I have really learned something from this. I really have. I've heard it, trust me, so many times. I've learned something. Ms. Kelly, what I'd like you to do for the other grievants is tell me how this reorganization affected them adversely.

Ms. Kelly: It has affected the entire library system. Those who are grieving with us are grieving because their departments were affected. The information line, which would be considered the Marine Corps of libraries anywhere, they are the people who must be able to answer a reference question over the phone very quickly. They are experts, specialists. That department has basically-their leadership was taken away from them. They have a training function that has been taken away from them. Ms. Foderingham Brown was given till the end of August apparently to leave because they recognized that there is a training function that the information line needs to fulfill. It will no longer be able to do that. They are not able to answer as many questions. Their department has been devastated. For us all, the whole Central Library, it's in disarray. Where once there were nine departments, there is still nine departments. But within those nine departments, work that we were doing for the public is being discontinued or in a shambles. It's in a state of chaos. Vital services which is the one that Mary Starck headed have been discontinued. No one monitors those eight to nine thousand holds a month that we were doing with patrons. No one is in charge of seeing that those patron's issues are resolved. We have no match of skill in our reassignments and within the Central Library. People from the Film Department were sent up to take the places of those sent away from the Information Line. People in the Film Department are not reference specialists. Their specialty was film. They're now stuck trying to answer general reference questions from across the country that come to Atlanta. The cataloging backlog continues with Ms. White. We have people working out of class. A person who took my place—well, my department is divided in two. Two people in effect took my place. Both are now working out of class. And Mr. McCown, he's now the acting manager of Information Line, but he's working out of class and has a right to grieve that. And chains of command are in disarray. We've all been told—those of us who were transferred—[that we] were transferred to be part of these new systems called “clusters.” I'm now working within a cluster.

Ms. Howard: This is the new system that was created by Ms. Hooker and the board?

Ms. Kelly: Uh-huh.

Ms. Howard: So all of you were Central Library employees. You all were located in the Central Library down on Peachtree?

Ms. Kelly: Yes, Margaret Mitchell Square. I'm sorry, I just want to finish my last statement. We were all told this was part of reorganization of community-based services despite the fact that no one to this day has seen a reorganization plan. The fact that people who were needed at branches, [...] are people who are doing lower level skills like shelving, circulation, processing new books. According to the board's own standards, no more managers were needed at the branches. And we know that by being out there and being top heavy with management, we are all in jeopardy for desk audits. And within the clusters those of us who allegedly have cluster responsibilities our chain of command, the word you are familiar with, is unclear. If I have cluster responsibility, am I supervised now by the person who is the head of the cluster or am I supervised now by the branch manager to whom I answer every day? No one can answer that question. The clusters themselves don't know. The results of this reorganization and the shifting us out there seems to [serve] no purpose other than one purpose.

Ms. Howard: OK. Let me ask you another question. You can answer for everybody. I am confused. What I'm hearing is that you were put somewhere, but you weren't told what you were supposed to do. That's what I'm hearing. I'm hoping that's not what I'm hearing. It's like Mr. Brandes saying that he wants me to go somewhere else, but he's not telling me what I'm going to do when I get there. So when you were told, Ms. Kelly—you can answer, I hope you can, I'm sure you all have been conversing with the others—what kind of meeting took place? Was it an individual thing to say, OK Maureen, this is where you're going to be, now, I'm going to put you here and this is what you're going to do? How did it happen for you?

Ms. Kelly: The first mention of transfers were at a May [2000] Agency meeting. The agency meeting is where all the managers of the individual branches and all the individual departments come together to get current information and updates. At that meeting there were two sentences [mentioned] about possible transfers of 18 to 20 people. The next news we had was that there was going to be a meeting on the morning of May 25th. We [then] received phone calls about a meeting that afternoon. We were not told what the meeting was about. When we asked what the meeting was about, we were told we couldn't have that information until we got to the meeting. In two cases, the wrong people were called. The rumor was that it was about transfers, so those two people went through a day of anxiety until they got to the meeting. At the meeting, Ms. Hooker gave a speech about what a dynamic time this was for the library. She handed out a list, and we publicly learned from the list what our fates were—and where we were going, those of us who we were going on a long trip—in a group. It was in front of an entire group, those who were going to be transferred. When we got up there we didn't know whether we were [managers who were] going to be receiving people. I, as a manager, could possibly have been receiving people; I could have possibly been losing people. I could also have been someone who was going—which, in fact, turned out to be the case, as is true for all of these people. So I think they were meeting with the people who were managers who were receiving people, managers who were losing people, and people who were going. We didn't know which category we fell into. At the meeting a list was handed out. And from that list for the first time we learned if our names were on the list of people who were going. People were extremely upset. People were crying and very emotional. We all realized for our careers this is it, it's a dead end, how will I ever explain on my resume why I went from being a person supervising 14 people to a person supervising no one in a branch

library requiring no specialized skills. The same is true for all of those department heads. And that was what we found out. That's why people were upset. A week later Ms. Hooker began having individual meetings with us.

Ms. Howard: At that time were you told what your responsibilities and new duties would be?

Ms. Kelly: Each conversation was different. Present at the meeting was the person to whom we would be now answering, our new supervisor. As I mentioned, Ms. Powers in the course of her conversation, Ms. Hooker said, "You will be doing outreach, you'll be the head of reference." And Ms. Powers said, well, you know, she didn't have [any previous] experience [working] in a branch. And Ms. Hooker said, "Well, what would you like to do?" So that's how fluid the assignments were: in the course of that one meeting an assignment changed. Ms. Hooker told me that they needed "strong people" in the branch. She said Alpharetta is the [system's] high-circulation library. I asked her what were my strengths that sent me out there. She said, "Well, circulation." I said, "Well, why then are you sending me from the fourth-busiest circulation branch to the fifth-busiest circulation [branch]?" In effect, in each meeting there were very fluid conversations like that in which it was very clear that this was all ad hoc. And someone [else] was assigned to be the "manager of reference," going from a huge reference collection to a tiny reference collection. It was clear to us that this was not—that there was another agenda happening here, that we were not going for any library-specific purposes.

Ms. Howard: So at what point—I'm still asking this question—did you receive your new job duties?

Ms. Kelly: By doing them. We have yet to receive a list. We report to the branch.. The branch manager is as confused as we are about what we're supposed to do there. At the West End branch where there are now three C-51s that manager says, "Perhaps I should be looking for another job." Because she's with two other people who are her peers now in the branch with her. In effect, she feels perhaps, I'm [now] competing for my job, maybe I'm no longer the manager because it's not clear what do three C-51s do at a small neighborhood branch. What do two C-52s do at the Alpharetta branch where they need people to be out circulating books? What are telephone information specialists doing out in the branches where they're not doing that? Why is Ms. Foderingham-Brown doing outreach when she doesn't do that? There is no rhyme or reason to this. And we've known that from the start. And, in fact, Ms. Hooker acknowledged at the meeting, a question was raised at the meeting in which these [transfers] were announced—someone asked, "Did you attempt to match our skills with where we were going?" And she said she had not looked at those. She had to have people work with her on the list. And we know the two people: Ms. Garnes and Ms. Jackson—and I believe Mr. McClure participated as well in assigning people. And there was no attempt made to look at resumes and to match skills with where we were going.

Ms. C. Green: Just before we go on then, no one in this entire group has the current job description for their new duties?

Ms. Kelly: Our job descriptions were supposed to be in by August 14th. This week, phone calls were made involving C52s from Ms. Hooker's office and, I guess, from other [agency] group managers saying that the people who are now supervising us—in my case, for instance, my

manager received a call at 4:00 on Tuesday saying that she must get to them by 5:00 my job description and telling me where I was in the chain of command in the branch. That was this past Tuesday. Until this past Tuesday, it was simply “go with the flow,” get up there and do whatever work needs to be done, which in the case of the Alpharetta library is a lot of shelving and a lot of circulation; no management. But that’s what needs to be done. And so, day to day, we just worked out our job descriptions on our own, our own personal sense of ethics in the library. Now there’s an attempt to go back and give us job descriptions and to give us responsibility. A phone call was made yesterday as a follow-up to the Tuesday event in which my manager and the other managers throughout the system were told that those who were C52s must be supervising someone by Friday. So, on Friday, I assume I would be supervising someone, but I have not seen my job description. All I have to go on is the conversation that I had with Ms. Hooker in which she gave a vague description of why I was being sent to Alpharetta and the same would be replicated for all those who were transferred.

Ms. Howard: Ms. Hooker?

Ms. Hooker: Yes?

Ms. Howard: Please, let me hear from you.

Ms. Green: Can I ask a few questions?

Ms. Howard: Go ahead.

Ms. Green: Ms. Kelly, you don’t like the way the library is reorganized, do you?

Ms. Kelly: I don’t like the fact that there was no plan to it and that it could not operate in a way that would benefit the library.

Ms. Green: And you think it should be your decision and the decision of the other grievants what’s in the best interest of the library?

Ms. Kelly: Actually, I don’t think it’s my decision. I think it is the proof—there was an earlier plan for reorganization in November. Three department managers essentially were called—

Ms. Green: Can’t you slow down just a little bit, please? I don’t hear that fast.

Ms. Kelly: There was some earlier attempt to reorganize the library. At that time three C52s were brought into Ms. Hooker’s office and were given new assignments. All of us, whatever we felt about them, accepted them. That, to us, is the prerogative of the Library Director, to reassign us. I think that shows you that we don’t have any problem with reorganization. However, those reassignments mysteriously changed. Those three people all now have new assignments. We know what the issue was that changed them, but those assignments changed. In November Ms. Bogle was slated to go and head the Ivan Allen [Business] Department. Ms. Powers was slated to work only on grants research. I was slated to integrate the Film Department into my [department’s] work. Ms. Corn was slated to become a systemwide program specialist. Mysteriously, those four assignments all changed. Now, all four of those people are out of the building.

Ms. Green: All of those assignments were ones that you desired?

Ms. Kelly: No, they were not.

Ms. Green: They were not. You didn't want those either?

Ms. Kelly: No. We did not want them, but we cooperated with them. That was what we felt that the status quo was. We did not leave those re-assignments.

Ms. Green: But you don't like the current assignment?

Ms. Kelly: I don't like the agenda that's driving the current assignment.

Ms. Green: Do you like the current assignment?

Ms. Kelly: My personal current assignment?

Ms. Green: Yes

Ms. Kelly: I don't like the fact that I have been demoted.

Ms. Green: You don't like—could you just answer my question?

Ms. Kelly: I did.

Ms. Green: And you stated earlier that there's a new cluster system?

Ms. Kelly: Un-huh.

Ms. Green: And you're not familiar with the cluster system?

Ms. Kelly: I don't think any of us are familiar with it.

Ms. Green: Did Ms. Hooker not talk to you all about the cluster system?

Ms. Kelly: Ms. Hooker talked about the cluster system in theory. In fact, the Board has talked about the cluster system before. However, no one has clarified what the chain of command is for those of us who have both cluster duties and branch duties.

Ms. Green; And you've been in your new assignment approximately six weeks, is that correct?

Ms. Kelly: Since June 15th.

Ms. Green: Now you stated earlier that the assignments were fluid, is that correct?

Ms. Kelly: Uh-huh.

Ms. Green: And so your assignments have been fluid for approximately six weeks?

Ms. Kelly: Uh-huh.

Ms. Green: Now, during this period of fluidity have you not been instructed to develop your job descriptions?

Ms. Kelly: The branch manager has said we can talk about it. We have talked about it. So fluid are these assignments that we've in fact, changed what Ms. Hooker's said she was sending me out there to do. Now I'm not going to be doing Y[oung] A[dult] [work]. I'm going to be doing training. That's how fluid the job descriptions were.

Ms. Green: All right. Now, you said earlier that you were required to have these job descriptions with your duties on them by August 14; is that correct?

Ms. Kelly: That's system-wide, not us specifically.

Ms. Green: And at that point you will have specific job duties; is that correct?

Ms. Kelly: That was Monday.

Ms. Green: This past Monday. Did you get yours done?

Ms. Kelly: No, I'm not responsible for writing my own. The branch manager called. She was working on other assignments. We have had conversations about it. She called me in a panic when she received this assignment that this specific job description—and it was only for those C-52's who were transferred—was due in to Ms. Hooker's office by 5:00; within an hour.

Ms. Green: So everybody who was transferred has been expected to work on, participate in developing, new specific duties; is that not true, Ms. Kelly?

Ms. Kelly: It would depend on who the branch manager was. Each of them could speak in their own case. In my case the branch manager and I had conversations about it. But it has yet to be written. She's written a "precis" of what she can use, but I would say it depends on the situation.

Ms. Green: And so this uncertain period has only been six weeks and should have ended on Monday, the 14th, had everyone done what they were supposed to do?

Ms. Kelly: I think that most of them had high expectations that when they would go to their new assignments that it would be clear what they were doing, who they were supervising, and why they were there.

Ms. Green: I'm sorry?

Ms. Kelly: I said I think most people's expectation was not that they would wait six weeks, that they would know why they were going and what they were doing when they spoke to Ms. Hooker, and secondly, when they got to the branch; none of which happened.

Ms. Green: But everybody understood that you were moving as a result of a reorganization?

Ms. Kelly: We were allegedly moving because of reorganization.

Ms. Green: And you didn't realistically expect that in a reorganization you would go to a new spot and know exactly what you were going to be doing that day, did you?

Ms. Kelly: I did because we had heard many times the library is to be run like a business. It seemed odd to us that there was no organizational chart, to which we could refer and say "Why is this happening?" And when we get there and find out that no one knows why we're there, the branch managers don't know why we're there, we have no job descriptions, and we have no duties to correspond to those we've been doing, then, yeah, confusion mounts.

Ms. Green: Now, you stated that your new duties to some of you feel like a demotion?

Ms. Kelly: Yes, they do.

Ms. Green: And that's because you're doing things that you weren't doing before?

Ms. Kelly: I worked on a circulation desk in my old assignment. That's not the issue. The issue is I do not supervise anyone. And as a C-52, I'm required to supervise other C-5's.

Ms. Green: Is that the only issue, that you don't supervise anyone?

Ms. Kelly: No, the issues are that I'm taken from being a specialist to working in a branch which does not require my special skills.

Ms. Green: So the fact that you are not supervising anyone is not the issue?

Ms. Kelly: It's one of several issues.

Ms. Green: Ms. Kelly, you're upset because you're not doing what you were doing before, aren't you?

Ms. Kelly: I'm upset because I've been demoted, I'm upset because I'm working out of class.

Ms. Green: What constitutes—I'm sorry for interrupting—what constitutes in your mind a demotion?

Ms. Kelly: When you go from supervising 14 people to supervising no one, when your job, your pay, and class is jeopardized by the possibility of a desk audit, when you know that you were sent there for no good reason, when one week you're involved with plans to renovate the ground floor, when you're participating supposedly in exciting plans for the Central Library and then mysteriously the next week you are not, when you were sent away; when your performance evaluations have been very good and for no reason you were sent away.

Ms. Green: Of all that you just said, the only relevant to demotion would be whether or not you would be supervising someone in your new assignment, is that true?

Ms. Kelly: If that's your understanding of it. My sense of a demotion is just what I expressed.

Ms. Green: Your understanding of a demotion is that you've changed your duties and that your relationship with your co-workers have changed.

Ms. Kelly: I haven't mentioned my relationship with my co-workers. Doing a good job is doing a job that required my skills, doing well a job I have applied for and received and have done it to the best of my ability. I was involved in projects relating to the renovation of the Central Library. I was told I would be a vital part of that. And then for no reason suddenly I'm not. I'm being transferred with other C-52s. I'm upset because I feel it's another agenda driving them. I believe that's wrong.

Ms. Green: To boil that down to its essence, you think it's a demotion because you think there was another agenda.

Ms. Kelly: I think it's a demotion and I think the demotion was for another agenda.

Ms. Green: Now, are you performing any duties that are not in your job description?

Ms. Kelly: I can shelve. I can do circulation. I have no problem with that.

Ms. Green: So you're not doing anything that's outside of your job description?

Ms. Kelly: Right. It's what I am not doing.

Ms. Green: Which is?

Ms. Kelly: Supervising other C-5s.

Ms. Green: So basically—

Ms. Beard: Madam Chair, we have answered this question about fifteen times.

Ms. Green: No, we've not. We've not gotten a direct response or direct answer from Ms. Kelly –

Ms. Howard: Ms. Kelly would you try to at least tell Ms. Green what your answer is.

Ms. Kelly: I thought I had. I'm sorry.

Ms. Hargro: I think she said that the supervising issue was one of her problems in terms of the demotion.

Ms. Green: But your job duties have not changed, are within your—

Ms. Kelly: The things that I do are within. The things I don't do are not.

Ms. Green: And what things do you not do?

Ms. Kelly: I supervise no one, and certainly I don't supervise C-5s.

Ms. Green: But the fact that you don't supervise anyone can very well change when your EPP&D or your evaluation criteria—

Ms. Kelly: How will it change?

Ms. Green: —are complete.

Ms. Kelly: There is one C-51 in the branch. If I supervise her—she's the assistant manager, so if I supervise her, I've pushed her down. A whole wave of other grievances will come through here of assistant managers who have been pushed out of their position by these C-52's. This is why this makes no sense.

Ms. Howard: Go ahead.

Ms. Brown: Am I to understand in just listening that there was no organizational plan laid out before these people moved from where they were to where they are now? If there is nothing laid out in writing, nothing told to them prior to that—

Ms. Green: Ms. Brown, that is absolutely not true.

Ms. Brown: I'm asking. This is what I'm hearing. Maybe Ms. Hooker—Ms. Hooker, can you address that question for me?

Ms. Hooker: Beginning in March the Assistant Director for Public Services was instructed to begin planning for the cluster concept. And since that time the department managers or the branch managers have been meeting to develop community based services. In the past the branches were not accustomed to working with each other. They work best as independent entities. So for the whole library system is it a new concept. In the cluster in which Ms. Kelly's library falls, the cluster manager is at the Roswell Branch Library. Each community must develop unique services. When I spoke to Ms. Kelly, her original assignment, based on my conversation with the Assistant Director for Public Services was outreach with young adults, liaison with schools, related programming and reference work for teens with the Internet, and then she would be required to teach that to the libraries in the North Cluster.

Ms. Brown: OK, one question: Was that before or after?

Ms. Hooker: Before what?

Ms. Brown: Was that before the move, the developing of the new organization—

Ms. Hooker: Before the move.

Ms. Howard: She means in March.

Ms. Hooker: These are my notes from meeting with Ms. Kelly.

Ms. Brown: So you're saying that none of these things have really been developed, these people were moved out into an area to develop it?

Ms. Hooker: Yes ma'am, because we had not had any services at all that were based on grassroots. We had been doing services as libraries had done them in 1985. This is the structure of libraries now: community-based libraries. So that just like community-based policing and other types of things that you respond to the need of your community, and each cluster was required to develop through discussions, through objective data that's available through Chambers of Commerce—census data, whatever—through their community contacts, what services they needed. And then they were to design what they needed. We were aware of which libraries needed the most number of staff to carry out assignments.

Ms. Green: So, Ms. Hooker, in March there was a concept that was developed and sort of created the cluster system?

Ms. Hooker: Yes ma'am, and it goes back to about 1997.

Ms. Howard: Who was responsible for telling the people that were going to be transferred what would be expected of them or what their jobs would be, their new assignments?

Ms. Hooker: I met with them in addition to their immediate supervisors, the losing supervisors, the gaining supervisors, and the Assistant Director of Public Services.

Ms. Howard: And they were told?

Ms. Hooker? Yes.

Ms Howard: What were they told?

Ms. Hooker: Well, in Ms. Kelly's situation we told her what her assignment would be, which would be outreach with young adults and develop the program, which is what a C-52 would do: they develop programs. And that's the initial need; there was somebody out there for the children; somebody out there for services to Hispanics, and somebody out there for services to seniors.

Major Cook: And these plans have not been implemented yet?

Ms. Hooker: No, they've not.

Major Cook: There is a master cluster plan out there for community-oriented librarianship?

Ms. Hooker. Right. Right.

Major Cook: But it just hasn't been implemented yet?

Ms. Hooker: That's correct.

Major Cook: Is there an organization chart that depicts who's going where?

Ms; Hooker: The problem is even the branch managers are reluctant to give up their autonomy and work together as a team. So we're having to work with the branch managers to let them work in the community and give us more support to the community.

Ms. Brown: I'm hearing two different things.

Ms. Hooker: [Referring to a document handed to the chairperson] That's drawn in a traditional manner because we didn't have time.

Ms. Howard: Major, you had two parts to your question.

Major Cook: I have a problem with—chain of command in a paramilitary organization is critical. And I have a problem with a C-51 falling or a C-52 falling up under the branch manager who is a 51. How is that going to work if there's more senior higher paid employees actually under the branch manager?

Ms. Hooker: There's nothing illegal about it in the pay situation and not something that we're trying to demean anyone because they'll have systemwide responsibility, cluster-wide responsibilities. In reality these 52's that have cluster assignments have broader assignments than the branch manager.

Major Cook: They just haven't done any of these assignments yet?

Ms. Hooker: That's correct. Their supervisor will be selected by the Assistant Director for Public Services and she's not been here for about six weeks.

Ms. C. Green: So today she does not have a supervisor?

Ms. Hooker: Technically it is the branch manager at Alpharetta, but that should not be the final—

Ms. Cook: So they're on hold until the Assistant Director comes—

Ms. Hooker: Comes back at the end of the month. It was an unexpected leave.

Ms. Brown: But they're not only on hold, they're developing a program?

Ms. Hooker: They should be based on—

Ms. Brown: But would you move people before a program was developed?

Ms. Hooker: There was no other way to do it because if you're going to develop it at the community level and let the community tell you what you need, you go out and meet with different civic groups. If you meet with different—let's say in Roswell where you meet with services to the Hispanics—and that's a very large community there—there is no one at this time that goes out and actually knows what those communities need and want. In the past we decided arbitrarily at the Central Library that we have some visionary ability and we decided that that doesn't work. We ended up with libraries offering the same service throughout the community,

but it did not match community wants and needs. And so we have done just what Coke is doing. We're doing just what BellSouth is doing. We are actually going out to the community and having them tell us what we need. And we're allowing a great deal of autonomy within Fulton County rules and regulations but autonomy at the local level.

Ms. Brown: Let us ask you another question. Had you discussed this plan with the Board of Trustees?

Ms. Hooker: Yes

Ms. Brown: Had you explained to the Board the complication, that is, what you were running into in terms of trying to move bodies of people into an area without a program being developed or without adequate supervisors, who is in charge of what?

Ms. Hooker: I told them that it would be a very rough path.

Ms. Brown: And what did they say to you going in there?

Ms. Hooker: It's not a Board of Trustees plan for reorganization. It is you as department head. It's your plan for reorganization.

Mr. Threatt: Madam, to raise the question I imagine it would be a plan that even though it might have been initiated through by the Director of the library, it has to be approved by the Board which is the way things flow. But the driving force, I think gives some time for reorganization. And was a matter of instituting a new concept.

Ms. Hooker: That's correct.

Mr. Threatt: Organization and benefits of services and, of course, in that reorganization it did require some kind of reassignments and that sort of thing. And as indicated in terms of implementing this new concept, it does create some dissatisfactions until—how long do you see it taking before this sort of works itself through? In any kind of reorganization where you institute a new concept, it does take time to work itself.

Ms. Hooker: I anticipate six months. It should go much faster than that because we now have an Assistant Director—excuse me, a Deputy Director—who will be charged with carrying this out. And that will be a primary area of responsibility. And that kind of implementation would be quite key.

Ms. Howard: [In response to a gesture from a gentleman at the end of the table] Who are you, sir? I'm sorry; I missed you.

Mr. Lovett: Willie Lovett. I'm with the County Attorney's office.

Ms. Green: I just discussed with him that he cannot speak.

Mr. Lovett: I'm not trying to speak. Mr. McClure asked to be recognized on the question before.

Ms. Howard: Mr. McClure knows what to do. All he's got to do is raise his hand. I'll recognize him. You don't have to ask for him. It's all right, Mr. McClure. I won't bite. Just do like everybody else. Just say "If I may go ahead, please."

Ms. Green: Madam Chairman, would you allow Mr. McClure to speak?

Ms. Howard: Absolutely. Go ahead.

Mr. McClure: Thank you, Madam Chair. I can kind of help with this perspective of some of the Board members. One of the reasons you—and certainly is plausible to me that you would—hear that there's a need for a particular plan, but there doesn't seem to be one and why wouldn't the Board require that? And I want to try to provide some texture to that. That's not uncommon and that as well as the need to fill critical vacancies in the field and get some of these programs started to provide quality service is why we ask the Director to move forward with a restructuring plan to fill some of these voids. We have received the Ashley Bryan Collection. Some of you may be familiar with Ashley Bryan. It would be a tremendous asset to the library and to the Atlanta community. At this point we have no one to pull all of the partners together and get a plan in place. We're going to have to assign someone to take the responsibility to get that program coordinated and documented, and then we can find the appropriate individual who may desire with the right skills and all that, and we trust the Director to that kind of examination in the selection process. That's not uncommon. Also it might be helpful to know that one of the tremendous problems that the Atlanta-Fulton Public Library has suffered with is unfilled vacancies, positions that have been funded by the county for years and they've not been filled. We recognized this as a void in early '97. In late 1996 Fulton County funded 107 new positions to the library based on the recommendation that we needed more staff. As of mid-year of '97 those positions still had not been filled. So in terms of providing service to the community, which the Board of Trustees went to every library under the jurisdiction of Fulton County Library System and heard from the community; so we felt we had a clear sense along with the professional expertise as to what kinds of programs we needed to have, what the communities were needing, and how to put a program together. We didn't necessarily have the staff. We have a problem that we're going to have to work out with the Fulton County personnel office. And hopefully the Board of Trustees or the Board of Commissioners will resolve it. Some of these instances are not by design or any hidden agenda. We do not have—based on the Fox-Lawson Study, what it did to the library—we do not have a number or a significant number of professional positions to fill all of these requirements. It's not unreasonable to find a branch that may not have enough C-51's. You could find that in this library right now. Last year we suffered a six percent across-the-board cut. The last two years the County has maintained a zero-based budget. Whatever you had online at that point, you could not hire any additional personnel. We just hear that that's going to be the same thing this year, so juggling and moving staff around to fill critical vacancies and provide enough service—quality service—is tough. And so we didn't get necessarily along when the Director said we've go to have somebody to really pull this together. The Young Adult program is another good one. She just assigned someone this year. It's going to take a tremendous amount of coordination with that department, the administrative department and the branches. And once that's finalized, then the Director will bring it to us and approve us. I hope that does give you some texture.

Ms. Brown: It doesn't give me any texture, to be honest with you. What it says to me is that you more or less disrupt the services that you did have going in the library, moving people from the

services that they were doing. And I'm not saying that they could not have been done better, whatever they were doing, but moving them from one area to another area, asking them to develop a day-to-day programmatic community service program without supervision, some with supervision; jeopardizing their status as far as the personnel regulations deal with in terms of pay grade, pay band, etc. I understand what you're trying to say, but I am trying to get a handle on what's been done. That's all we are trying to do here. And it's apparent that if you want to fill a vacancy—perhaps some more positions are available. I see a couple on the wall anyway. But I want to know why would one move individuals to an area, reduce the status of their C-band that's been established—

Ms. Howard: Ms. Brown.

Ms. Brown: —and not have them performing the duties as they have been doing—

Ms. Howard: Ms. Brown, slow down.

Ms. Brown: I'm sorry.

Ms. Howard: You're saying something incorrect. He did not reduce their jobs. You have to be careful what you say because you're not saying it correctly.

Ms. Brown: But they moved—

Ms. Howard: I know you get excited. Please.

Ms. Brown: OK.

Ms. Howard: Calm down.

Ms. Brown: I'm going to calm down in a minute. All right. You move persons from an area out to another area with no clear understanding as to what their roles were to be, how they were to perform, who was going to be over who. And if they weren't careful, they may push a senior person out of pocket or vice versa. Now to me, that doesn't show any sensible reorganizational plan for getting that structure off the ground. There obviously was no reorganizational plan with your people, or we wouldn't be sitting here.

Ms. Howard: OK, Ms. Brown.

Mr. McClure: Madam Chair, may I?

Ms. Howard: That's all right.

Ms. Brown: Thank you, Chairman. I'm through.

Ms. Howard: I think this board has heard just about enough because we're going to be here all day going over the same things over and over again. What I'm going to do I'm going to reel it back in if you don't mind. Ms. Beard, do you have closing or, Ms. Kelly, do you have any comments that you would like to make to show why you so strongly feel what you feel?

Ms. Kelly: I did want to add one thought I had while you were speaking, Ms. Brown. To show the absurdity of this, the person who took my place—my department [was] split—Ms. Hooker gave him, he's a C-51. Ms. Hooker gave him the papers to request a reclassification to a C-52 status. So why couldn't I have stayed where I was? Why couldn't the jobs under reorganization have been carried out by these same people [sitting] behind me? Why is my replacement coming at a lower level to become where I was? Now, where you were paying one C-52, now you're going to be paying two. And that was the only thought I had while she was speaking.

Ms. Howard: Ms. Beard, would you like to do a closing? Ms. Green, I'm also going to allow you the same, if you will make it brief, if Ms. Hooker didn't have anything that she would like to add.

Ms. Green: We did have an organized presentation. I know we sort of have been all over the board here. But it will be brief. I just wanted the board to have a full sense of how this whole thing occurred. We're going to start with Mr. McClure and then Ms. Hooker. Mr. McClure, did the Board of Trustees make the decision that the library needed to be reorganized?

Mr. McClure: Yes, ma'am.

Ms. Green: And would you tell the committee when and how that decision was made?

Mr. McClure: That discussion was started in late 1996 and proceeded into early 1997. And as we continued to experience vacancies, unfilled positions, other transfers that were being made that could not track to keep up with people, and certainly, the growing demand that we were hearing from the public, we asked then that reorganization be developed. The professional staff at that time did not. The Board revisited that issue. And then it became a matter of Board policy that we would have a reorganization. The Board—and we had another interim person in capacity—they did not undertake the reorganization. And at the point Ms. Hooker was selected, one of her primary responsibilities after getting acclimated to the system was to initiate the reorganization.

Ms. Green: Now, when Ms. Hooker was charged with reorganizing did the Board tell her exactly what to do?

Mr. McClure: No.

Ms. Green: Was she given guiding principles for that?

Mr. McClure: The Board did provide guiding principles asking her to be extremely cognizant that all policies, all matters, or all issues regarding any kind of movement should be consistent with policies.

Ms. Green: Did the Board at any time direct Ms. Hooker to transfer or reassign certain individuals or certain positions?

Mr. McClure: Absolutely not.

Ms. Green: So the board did not instruct Ms. Hooker to reassign or transfer these nine grievants?

Mr. McClure: No, ma'am.

Ms. Green: Now, did Ms. Hooker, in fact, come with a plan for reorganizing?

Mr. McClure: Yes, she did.

Ms. Green: And was that plan presented to the Board in the form of a recommendation?

Mr. McClure: Yes, it was.

Ms. Green: What was the process for that plan coming forward to the full Board?

Mr. McClure: As with any directive or policy that's approved by the Board, the professional staff must develop—it comes to committee where it is reviewed by the committee of purview. It will then be either recommended for submittal to the board or not. This plan came through. The personnel committee reviewed it, recommended that it be presented to the full Board. And the full Board received it and then adopted it.

Ms. Green: So the full board adopted or approved Ms. Hooker's plan for reorganization?

Mr. McClure: That's correct.

Ms. Green: That's all I have of Mr. McClure.

Ms. Beard: I have just a couple of questions. Mr. McClure, you said that the reorganization, as you term it, was the brain child of Ms. Hooker, is that correct?

Mr. McClure: I'm not—

Ms. Beard: What you stated was that except for some guiding principles, the Board of Trustees didn't micro-manage this decision. You gave the authority to design a reorganization to Ms. Hooker?

Mr. McClure: That's absolutely right.

Ms. Beard: And so it's your opinion that the buck stops with her, is that right, in terms of how this plan, if there was a plan, is designed?

Mr. McClure: I'm not sure what you're trying to get at.

Ms. Beard: I'm trying to get at responsibility. Who was ultimately responsible for the reorganization and the situation these grievants find themselves in?

Mr. McClure: The Board would review any recommendation presented by the professional staff. And we worked diligently to trust and rely on the professional staff to give us the appropriate approaches to service delivery and then we approve it.

Ms. Beard: I appreciate that. So where does the buck stop? Who is ultimately responsible for the

decision that was made to send these folks to the branches and reassign all these folks?

Mr. McClure: The Director presented a recommendation, and the Board of Trustees approved it.

Ms. Beard: Well, actually the two guiding principles that you gave to Ms. Hooker to abide by in this alleged reorganization were two; one was improve service and one was equity, is that correct?

Mr. McClure: Equity is abiding principle in everything we do at the library, not just staffing; service delivery, facilities, instructions—every aspect.

Ms. Beard: Let me just make my question a little clearer. I think I'm not being clear. Ms. Hooker came to you and actually sent you a memo on April 13th of 2000. And she recommended to you that the reorganization not go forward; isn't that correct?

Mr. McClure: I believe the memo indicated that she had some concerns that there may be possible questions regarding, and—I don't have the memo right in front of me.

Ms. Howard: Ms. Beard, do you have a copy of it?

Ms. Beard: I do have a copy of it.

Ms. Howard: Could you please let him see a copy of it?

Ms. Beard: Now, what I actually have is a copy of Mr. McClure's memo—Yes, I do. I have both. This is a copy of the memo from Ms. Hooker to Mr. McClure and the respondent memo from him.

Ms. Howard: Ms. Beard has entered memorandums dated August 13. One is to Mr. McClure from Ms. Hooker. There's also one dated April 17, 2000, and it's from Mr. McClure to Ms. Hooker. Could you pass that down so he can review those, please?

Ms. Green: I'm familiar with them.

Mr. McClure: Now, would you restate your question?

Ms. Beard: OK. Let's go back to the April 13th memo from Ms. Hooker to you. You received that memorandum, correct?

Ms. McClure: This looks like the very same memo.

Ms. Beard: And in that memorandum Ms. Hooker advises you that, she recommends that the Board of Trustees not go forward with the reorganization, is that correct? Let me just quote it: "I recommend that the Personnel Committee of the Board of Trustees refrain from advancing the reorganization until each transfer and each reassignment is reviewed and evaluated. Significant legal ramifications could be present." And then she identifies what they might be, correct?

Mr. McClure: And let me be clear. That's the point that I wanted to absolutely sure of in

responding to you. It was no doubt that I remembered the memo, but the texture of the memo and what she was specifically saying is what I wanted to make sure of. And she did express a concern. But there was nothing to suggest that she could at that point determine that there were any legal problems or that it was not consistent with Fulton County policies.

Ms. Beard: And so on April 13th when you received this, and it says don't go forward until each transfer and reassignment is reviewed and evaluated, you responded a few days later on April 17th. Do you have that memorandum in front of you?

Mr. McClure: Yes, I do.

Ms. Beard: And on that date you told her to ahead, is that correct?

Mr. McClure. No, I would not interpret my memo to suggest that we were directing her to go ahead.

Ms. Beard: Well, it's in evidence so the committee members can read it. Look at the last paragraph, if you would, please, of your memo. Isn't it true, what you say—?

Ms. Howard: [as a new tape is placed into the tape recorder] Stand by.

Ms. Beard: So in the last paragraph, you tell Ms. Hooker that it's important for her to recognize two strong dictates, if you will, of the reorganization. And those two are improving service and equity; is that correct?

Mr. McClure: That's correct.

Ms. Beard: OK. Now, between April 13th when Ms. Hooker tells you that Fulton County and you all need to do some work towards evaluating these reassignments before you do them and April 17th when you tell her to go forward nothing was done to evaluate these positions to be best of your knowledge, was there?

Mr. McClure: May I go back? Because my memo, and I think starting with the last paragraph on the first page, really gives the breath of what we were saying: That if the Director has some concerns, those should be cleared up with Personnel and brought back to the committee for review, and then we would follow our normal process.

Ms. Beard: And that never happened? No concerns were brought to you by Ms. Hooker after this memorandum?

Mr. McClure: The recommendation when it was returned?

Ms. Beard: No, my question is not that. My question is whether after you said if there are any concerns bring them to us and we'll consider them did Ms. Hooker—

Mr. McClure: Not bring to us, those issues regarding personnel policy and legal questions? What we're saying is that the Director would then need to have those matters addressed with the

appropriate officials. We can't determine Fulton County personnel policy. We intend to abide by them. We would expect her to get with the Personnel Director or his designee, whomever he suggested, addressing any concern that she has. If there are questions about legal ramifications, then she would need to proceed to the County Attorney, and once she's satisfied those concerns, then the recommendation should—her recommendation should come back to us.

Ms. Beard: Do you know whether she took any of those steps that you just outlined?

Mr. McClure: I would defer to her.

Ms. Beard: You don't know?

Mr. McClure: Well, we don't watch the Director every minute. We trust the Director.

Ms. Beard: Would you go over the second paragraph on the first page? I just want to make sure that you recall this statement, that when you sent Ms. Hooker this memorandum you told her that to date she had not submitted a comprehensive reorganization plan that articulated her vision and addressed the increasing systemwide services. So on April 17th, the Board of Trustees still had not received any kind of written plan from Ms. Hooker about this reorganization.

Mr. McClure: I think it would be. And you certainly—

Ms. Beard: Can you just answer yes or no and then explain your answer?

Mr. McClure: No, I cannot answer just yes or no.

Ms. Howard: Ms. Beard, let him answer.

Mr. McClure: I think what would not be very visible to anyone here is that the reorganization as a total project is not just the branch services. We needed to reorganize. That involves Technical Services. It involved the financial area because we had positions missing there, so we did not have that clear plan in total. And so this may have been—certainly not have the breath of all the discussions going on; you would not sense that from here. But the total reorganization was not restricted to just staff or branches. Branches was the first part of it.

Ms. Beard: So today as of April 17th, had Ms. Hooker submitted a comprehensive reorganization plan to the Board of Trustees?

Mr. McClure: Not for the entire library, that's correct.

Ms. Beard: In fact, the only document that had been prepared in anticipation of this reorganization was the "Branch and Unit Management by Race and Gender" document, is that correct?

Mr. McClure: The document that you refer to, the second one?

Ms. Howard: Excuse me; I'm going to object. This is something that was done more than 20 days prior to the persons filing the grievance. This document is dated January 2000. The

memorandum that you're referencing to are April of 2000. I'm not going to accept that. I'm sorry. We're going to move on.

Ms. Green: Furthermore, to clear the record this has nothing to do with this reorganization.

Ms. Howard: I'm listening to everybody. Everybody in this room knows, Ms. Kelly, and everybody knows that whatever Ms. Hooker recommends has to be approved by the Board. That's not even anything that we have to any further with. It's understood. And Ms. Hooker might implement it, but it was a joint approval. So we don't even need to go any further on this one. Ms. Hooker might implement it but the Board had to approve it. She can't do anything unless the Board approves it. So we can move on. That's clearly understood. Ms. Kelly, you know you know that's what happens at the Library. The Director makes a recommendation and the Board has to approve it. So we don't need to go any further with that. I think that's understood. It's understood she can implement it, but she has to have the approval of the total Board of Trustees. We can move on at this particular point, Ms. Beard, if you don't mind. I think everybody on this board—I know I understand because Ms. Brown in reference to later is that we understand whatever Ms. Hooker does has to be approved by the Board of Trustees, so we can just move on from that one.

Ms. Beard: We can move on. I would like to ask the committee chair—and this is my last question for the committee chair—I think it would be useful to everybody if there is any written documentation that there was any written plan or design behind this reorganization, we would like to see a copy of those plans. And I think the committee should see it.

Ms. Howard: I have asked. Ms. Hooker, and Ms. Green.

Ms.. Beard: That's all I have.

]Ms. Green: In Ms. Hooker's organized testimony we're going to submit some documentation.

Ms. Howard: All right. Go ahead.

Ms. Green: Ms. Hooker, when you became Director of the Library, were you charged with reorganization amongst your other duties?

Ms. Hooker: Yes, ma'am.

Ms. Green: What steps did you take in getting to the reorganization?

Ms. Hooker: I had to familiarize myself with the library system. I visited the branches and I studied and compared library duties and staffing at Central and in the branches and looked at what was standard practice in modern libraries.

Ms. Green: Now, in the course of doing this study or after your study was done was there any objective data generated?

Ms. Hooker: I generated a matrix that was developed by the senior manager that's in the library system that showed productivity per staff person throughout the library system.

Ms. Green: I'm going to show you this document which is titled "Neighborhood and Community Libraries Use/Staffing" and ask you if that is a matrix which was generated at the conclusion or during the course of your study.

Ms. Hooker: Yes. On the second page it says "Area, Regional, and Central Library Use and Staffing."

Ms. Howard: I would need for Ms. Beard to have a copy as well as myself.

Ms. Green: Now, I'm going to ask Ms. Hooker to explain some of the data to you. What did the data that was generated during the study show?

Ms. Hooker: Using statistics submitted by libraries themselves we calculated materials used, reference, how many inquiries or research questions, how many patrons came into the library, and made that a rough figure of objectivity of how much usage. There's a lot of variables to this, but it was the only objective way we could do it. We then calculated based on the number of open hours, what the use-per-hour was. Next to that was what was their staffing table. And dividing that into use-per-hour we get the use-per-staff over a year. We looked then at those libraries which had the highest use-per-staff. And we came to the conclusion that in Washington Park, West End, Alpharetta, Buckhead, East Point, Ponce de Leon, Northeast, Roswell, Sandy Springs, South Fulton, Southwest that there were needs for additional staff. This also pointed out the need that we didn't have a tremendous amount of staff. We had also identified at the same time the need for community-based library services, that our model of operating was a 1985 model of operating.

Ms. Howard: Ms. Hooker, I'm sorry to interrupt you, but you're going to have to bring it up a little closer to when things started to happen in April. You had done all this prior to April, right?

Ms. Hooker: Yes.

Ms. Howard: OK. Now, after you had done all of this prior to April—

Ms. Hooker: Well, this was done on 5/22.

Ms. Howard: OK. Go ahead. I was just making sure I wasn't denying them something that I was letting you do. Go ahead.

Ms. Hooker: But these are numbers that were generated in advance. But this particular one that I'm reading from is [dated] 5/22.

Ms. Howard: That's fine. Go ahead.

Ms. Green: Did the data show any inequities in staffing?

Ms. Hooker: Yes, it did.

Ms. Green: And did it point to the need for reorganization?

Ms. Hooker: Yes.

Ms. Green: And was the objective data consistent with your personal observation as you visited all the branches?

Ms. Hooker: Yes.

Ms. Green: Based upon the objective data and your personal observation, did you decide on a method of reorganizing?

Ms. Hooker: Yes.

Ms. Green: And you've already described the cluster system to the committee. I'm going to show you this exhibit. I would like to note that earlier exhibit as Departmental Exhibit 1.

Ms. Howard: I have already done that. Thank you.

Ms. Green: And I'm going to show you this document which shows the branch group clusters.

Ms. Hooker: Yes.

Ms. Green: Does this document accurately reflect a partial reorganization of the library?

Ms. Hooker: Yes.

Ms. Green: I would like this marked as Departmental Exhibit 2.

Ms. Howard: OK.

Ms. Green: And does that group cluster document—branch group cluster document—follow along with the need that was demonstrated by the objective data?

Ms. Hooker? Yes, they're related.

Ms. Green: Now, did reorganization pursuant to the cluster system mandate transfers and reassignments?

Ms. Hooker: Yes.

Ms. Green: Prior to making your recommendations for reorganizing to the Board did you, in fact, confer with the Personnel Department?

Ms. Hooker: Yes.

Ms. Green: What instructions did you receive from the Personnel Department?

Ms. Hooker: To comply with Fulton County personnel rules and regulations.

Ms. Green: Now, in deciding what transfers to make what matters were considered?

Ms. Hooker: I'm sorry?

Ms. Green: In deciding what transfers or reassignments to make, what matters were considered?

Ms. Hooker: The need of the branches and the community services identified that were needed.

Ms. Green: Did you present your plan for reorganization to the Board, and if so, what action was taken?

Ms. Hooker: I presented it, and it was adopted.

Ms. Green: Are your transfers and assignments pursuant to the reorganization in conformity with the general instructions from the Personnel Department?

Ms. Hooker: In general, yes.

Ms. Green: Were any of the grievants or other transferees reclassified?

Ms. Hooker: No.

Ms. Green: Were any of them demoted?

Ms. Hooker: No.

Ms. Green: Were any of them given pay cuts?

Ms. Hooker: No.

Ms. Green: Is any one of the grievants working out of class as a result of the transfers or reassignments?

Ms. Hooker: Not to my knowledge.

Ms. Green: Do any of them have duties now that are not within their general job descriptions?

Ms. Hooker: No.

Major Cook: I have questions, if I might interrupt just for a second. Did I hear you ask Ms. Hooker if the transfers were reviewed by Personnel, were they given to Personnel?

Ms. Hooker: They reviewed the overall plan in concept, and then they gave me the guiding principles that I needed to work on.

Major cook: Thank you.

Ms. Brown: That's contrary to Mr. Brandes. I said it was contrary to Mr. Brandes' testimony.

Ms. Hooker: They didn't see a written plan. It was a conceptual plan.

Ms. Green: I believe what Mr. Brandes testified to, while I'm certain, is that he was given the list of names of what positions and where they were, and where they were going.

Major Cook: That was part of the conceptual plan you're speaking of?

Ms. Hooker: That's correct. Yes, sir.

Ms. Green: Are all of the grievants performing duties, and do they have responsibilities consistent with their classifications under the decision band method or DBM in their new assignments?

Ms. Hooker? They should have them.

Ms. Green: Are you still currently developing the specific functions and duties for each of the grievants?

Ms. Hooker: Yes.

Ms. Green: Are they participating in the development of those plans?

Ms. Hooker: That is my policy.

Ms. Green: And have they, in fact, participated?

Ms. Hooker: I'm aware of one that has.

Ms. Green: And there was some allusion earlier, some alluding to your asking the grievants and or their supervisors to speed these plans along?

Ms. Hooker: Yes.

Ms. Green: OK. Are they already past due?

Ms. Hooker: Now, they're past due.

Ms. Green: Why did you ask them to be sped along?

Ms. Hooker: Because I needed them.

Ms. Green: And they, in fact, need them too, is that correct?

Ms. Hooker: That's correct.

Ms. Green: Will all of the grievants, will all of them continue to work within the confines of their general job descriptions and their DBM classifications?

Ms. Hooker: Yes.

Ms. Green: Have all of the grievants—I think that the testimony was that they had all—been transferred out of Central?

Ms. Hooker: That's the testimony I heard.

Ms. Green: Have they, in fact, all been transferred?

Ms. Hooker: No.

Ms. Green: Who amongst the grievants have not even suffered a transfer?

Ms. Hooker: Out of Central?

Ms. Green: Or been transferred, period.

Ms. Hooker: Cal Gough.

Ms. Green: Has not been transferred?

Ms. Hooker: That's correct. He has exactly the same job that he had in the past. I need to read from the list. Doug McCown, he's in the same job that he's had in the past.

Ms. Green: So of the grievants, Mr. Gough has the exact same job he had before?

Ms. Hooker: Yes.

Ms. Green: Let's start at the top for convenience sake. Ms. Kelly—

Ms. Hooker: Ms. Kelly has been transferred. Mr. Wilson has been transferred to another branch of the same—it's just a switch, an even switch for another person we brought in. Ms. Suttell is the head of a branch. Ms. Burge is in the branches. Mr. McCown has not been transferred, has not been taken out of his original department. Mr. Gough's department was not reorganized at all.

Ms. Green: Was he reassigned?

Ms. Hooker: No, he was not.

Ms. Green: He has the same job?

Ms. Hooker: He does. Ms. Powers was reassigned outside of the department. Ms. Starck is in a new department with systemwide responsibilities. Ms. Foderingham-Brown is still at Central until the end of this month.

Ms. Green: As of today and certainly as of the date of filing of the grievance Ms. Foderingham-Brown has not been transferred?

Ms. Hooker: That's correct.

Ms. Green: And today she's not been transferred?

Ms. Hooker: That's correct.

Ms. Green: And has not been reassigned?

Ms. Hooker: No.

Ms. Beard: May I just clarify one thing. Ms. Foderingham Brown has not been physically placed at the Hapeville branch yet, but she was informed of her reassignment?

Ms. Hooker: That's correct.

Ms. Beard: All right. So she's just waiting to actually move at the end of—when did you say?

Ms. Hooker: August.

Ms. Beard: Now, you gave the committee two documents. They're marked as Plaintiff's Exhibit 1.

Ms. Howard: Wait a minute. Were you finished, Ms. Green?

Ms. Green: Yes, I was.

Ms. Howard: OK. Go ahead. I'm sorry.

Ms. Beard: That's all right. You gave the committee two documents, Department Exhibits 1 and 2?

Ms. Hooker: Yes.

Ms. Beard: You said those were the documents you based the transfers on?

Ms. Hooker: Yes.

Ms. Beard: I noticed that the first document Exhibit 1 was created 5/22 of 2000; is that correct?

Ms. Hooker: That was the day it was last printed. We were getting ready for the Board meeting.

Ms. Beard: The pathway on this document says "5/22/2000 Staffing Pattern." Is that correct?

Ms. Hooker: It could have been. I have no idea when it was—I don't know, based on this, if that was. I think it was based—developed—before then, but this could have been a typo that we corrected; and it was re-edited at that time.

Ms. Beard: I notice this document shows the usage of the branches in the Central Library, is that

orrect? It says “use-per-hour”?

Ms. Hooker: Yes.

Ms. Beard: It doesn't show anywhere on here vacancies in any of the branches or the Central Library, does it?

Ms. Hooker: No.

Ms. Beard: You testified in response to your attorney's question that the deciding factor in these transfers was the need in the branches, correct?

Ms. Hooker: Correct.

Ms. Beard: But you didn't talk to the managers in the branches before this transfer occurred to assess what the needs were, did you?

Ms. Hooker: I talked to their managers.

Ms. Beard: What pronoun are we using here, who are they?

Ms. Hooker: The branch managers have managers. And I had also visited the majority of these branches.

Ms. Beard: I want to know everybody who you spoke to prior to this reorganization, who you think gave you input into the propriety of these transfers. These branch managers you just testified about, what are their names?

Ms. Hooker: I have to go through the whole list of branch managers. I don't remember them all—

Ms. Beard: Could she supplement—

Ms. Hooker: But I have a list—

Ms. Howard: No, she doesn't need to list everybody she spoke with.

Ms. Hooker: —of the branch managers and the branches and the dates that I visited them. I would have to find that for you.

Ms. Beard: But you didn't include any of that information in these two documents, did you?

Ms. Hooker: No.

Ms. Green: I'm not clear on your question, so I'm certainly not clear on the answer.

Ms. Beard: Well, she didn't reduce to writing these conversations she said she had with branch managers who informed her decision about the branch needs.

Ms. Green: She has notes, but they're not right here. That was my understanding of what she said.

Ms. Howard: I don't think that writing down every branch manager she spoke to would have been necessary to include in her report to the Board. I just don't think that that would have been necessary. What she did to compile her information was to speak with the branch managers, but to say just to give the Board not knowing that they would even want that list. Say, if Major Cooper is going to make a change, I don't think he will write down all of the names of his people and subordinates and give it to Sheriff Barrett and say, "Well, I talked to Captain This, I talked to Lieutenant This." I don't think that's really necessary. She has said, and I believe her, that she spoke with these people. She used the information she got from them, and I'm sure she had to make some types of notes to be able to compile the information that she did. But to say, Ms. Beard, that she should have a list of everybody she spoke with, I don't know if that's being reasonable.

Ms. Beard: That wasn't even the focus of my question. The focus of my question really was: I wanted to be clear on her testimony about what documents she relied on in making this decision. She testified about that in response to my direct question. I just wanted to know if in addition to these two documents she also relied on the "Branch and Unit Management by Race and Gender."

Ms. Hooker: No.

Ms. Beard: Now, when you called this meeting with the grievants on May 25th and you announced their reassignments, you did not give them, any of these grievants, a written job description, did you?

Ms. Hooker: No. They have a job description.

Ms. Beard: And they asked for job descriptions, didn't they?

Ms. Hooker: I don't recall that.

Ms. Beard: Do you recall that they cried?

Ms. Hooker: Yes.

Ms. Beard: Do you recall that they were upset?

Ms. Hooker: Yes.

Ms. Beard: Do you recall that you flippantly said "Don't have a heart attack"?

Ms. Green: I object.

Ms. Hooker: I did not say that.

Ms. Howard: Now, Ms. Beard, you weren't there. That's hearsay. That's not very kind. Ms.

Kelly didn't even say that. It's not relevant. We're not going to go there.

Ms. Beard: As of today these grievants do not have written job descriptions, do they?

Ms. Hooker: They have written job descriptions.

Ms. Beard: For their new assignments?

Ms. Hooker: They are working within the confines of the Fulton County position descriptions. They were supposed to have them in as of August 14th. Their managers have not provided them and that's a management issue. That is not my issue.

Ms. Beard: Let me ask you one final question. I'm trying to find you a copy, Ms. Hooker. I know you have one. Would you look at that and see if that's the list that you gave the grievants at the May 25th meeting when you informed them about their reassignments?

Ms. Howard: For the grievants. Go ahead, Ms. Beard.

Ms. Hooker: I'd have to look at my notes. It appears to be so, but I could not be certain.

Ms. Beard: Who put this list together?

Ms. Hooker: I did.

Ms. Beard: And who helped you put this list together?

Ms. Hooker: I did.

Ms. Beard: Are you the only person who put this list together?

Ms. Hooker: Yes.

Ms. Beard: And you had no input from anyone else?

Ms. Hooker: That's correct.

Ms. Beard: That's it.

Ms. Green: I have just a couple of follow-up questions.

Ms. Howard: Make it quick.

Ms. Green: It will be quick. I'm sure the committee understands this, but I need to get this on the record. Explain the difference between a job description and what has been referred to as a EPP&D.

Ms. Hooker: A job description is a Fulton County description of what is required of someone

with a particular DBM, a designated employment rate. An EPP&D [describes] what you're going to do for the upcoming year, and that's what is missing. They have not provided it to me despite the fact that they were instructed to do so, and that's a management problem internally. They were instructed to have them in by August 14th. And those have not been forthcoming.

Ms. Green: Is it fair to say that the EPP&D would describe the specific functions and duties?

Ms. Hooker: That's correct.

Ms. Green: And that the job descriptions describe the general functions and duties?

Ms. Hooker: That's correct.

Ms. Green: Is there any one of these grievants working outside of their general job descriptions?

Ms. Hooker: No.

Ms. Green: That's all I have.

Ms. Howard: Ms. Beard, would you like to do a brief closing? Did you have some other questions?

Ms. Beard: No, thank you. That's fine. I'll give a brief closing.

Ms. Green: Ms. Hooker, at the conclusion of the reorganization did the exact positions that these people had before still exist?

Ms. Hooker: No, if what you're saying is, "Do those departments still exist?" No.

Ms. Green: Thank you.

Ms. Howard: Let me ask you something, Ms. Hooker, me being the administrative person that I am. So in all fairness to you, your branch managers haven't done what you've asked them to do?

Ms. Hooker: That's correct.

Ms. Howard: They haven't given these people job descriptions?

Ms. Hooker: That's correct.

Ms. Howard: So as Director, if I were you, I would deal with that when I got back because they're causing more harm than they're doing good. It's supporting what these people are saying, which is obviously what you're saying is not true. So you need to deal with your managers, Ms. Hooker, because you're the Director. If you tell them to do something, they're supposed to do it. So you've got problems, so to speak, seems like. All right, go ahead, Ms. Beard.

Ms. Beard: I'll just try to tie up a couple of—kind of a recapitulation of what we've heard, and

you all heard it. I'm not going to repeat it. You've got it down on a written transcript if you want to read it. But I think that Ms. Brown's comments were probably the most insightful here today, and that is that it's obvious that this reorganization plan was just a ruse. No one knows why. We're not talking about why, apparently, here today, but the fact of the matter is there was no plan. There was no written plan. There was no discussion with these individual grievants about what they would be doing. There was no foresight to this. The documents that they have entered into evidence, whenever it was created, says "5/22/00," three days before they announced these massive reassignments. Now, it may not seem like a horrible thing to some people. But, you know, these folks have spent their entire lives building careers in this library system. They have given years and some of them have given decades to this library system. To go from being a department manager managing twelve and fourteen people and giving your life blood to this library to be called to a group meeting and told, "You know what? You're going to a branch and we don't really know what you're going to be doing, but we have this kind of 'concept,' and you'll be out there, and someday it will take care of itself. And we know your career is dead-ended by this. And we know you're in peril, constant peril, of a desk audit that will reduce [your] classification, but don't let it bother you because we have this fake concept that we'll actually document sometime in the future." That does not comport with Fulton County policies and procedure. These folks are working outside of their classifications, and they're doing it for no good reason. They're doing it for no legal reason. And they're doing it at the caprice of either the Director and/or the Board. I don't want to be melodramatic, but I really do want to urge you all to do the right thing here. You have a chance to be heroes, just not to these grievants, but to the patrons of the library system, to the people who live in this county and use the library system. You heard the testimony. One of the grievants is assigned to do Vietnamese and Spanish outreach, and she speaks neither. It's ludicrous. You have to see through this ruse. You have to right this wrong. We have asked you to abide by Fulton County policies and procedure, send these people back to their positions, and direct the Board and this director not to transfer these people or engage in any other antics that does nothing more than destroy careers in the library system. You've not heard any evidence here today that supports these massive transfers. And I'd ask you to please abide by policies and procedures of Fulton County, put these folks back where they belong, and right this wrong. Thank you.

Ms. Green: I think what is clear by the testimony of everybody is that these grievants for many years had a job that they loved. And that the Library was reorganized, and that that reorganization was totally and absolutely within the purview of the Director and the Board of Trustees. It's also clear that the assignments that these grievants got after the reorganization were assignments that they did not love. And that's unfortunate, but that is not a violation of Fulton County personnel policies or procedures. I don't love doing grievance hearings, but it's in my job description, so I'm here. I know these people don't love shelving books, they haven't shelved books probably for a long time, but it's been years since I did a grievance hearing, but it's in my job description. Now, you heard a lot of talk about them going into new jobs, new positions, new assignments with no job description. But on more clear testimony you understand they have job descriptions. What's lacking is this EPP&D, which describes specifically what they will do day to day. You also heard very clear testimony that they've all been invited, now demanded, to get that done quickly. They were always invited to participate as we all do as county employees in saying what we're going to do from day to day. To come in here and say "I'm working outside of my class because I'm not doing what I did before, and I have not, I have not yet said or participated in developing my day-to-day specific requirements" is disingenuous. There have been no demotions. Nobody

has lost any money. Everybody is working within their own DBM. The only thing that's missing is their own participation in developing their day-to-day job functions. So it's clear to me that there are no classification issues and it's undisputed that there are no pay issues. With regard to the remedies, Ms. Beard asked you to send these people back to [the] Central Library. What they are essentially asking you to do is to again reorganize—or unorganize—unorganize the library. Ms. Hooker told you that a lot of those departments have been abolished, those positions, those particular chairs no longer exist. They're asking you to do something that is impossible. And absent going back to [the] Central Library, which is really what they want, they want to go back to working where they worked. Absent going back to sit in the same chairs they were sitting on May 24th, they're not asking anything that this committee can do. There are no money issues. There are no classification issues. The only issue is "Can I go back and do what I was doing before?" To reorganize again what the Board of Trustees and the Director have reorganized I submit is not within the purview of this committee, nor is this the prerogative of the grievants or employees to say what type of organizational structure is in the best interest of the Library. So I would ask that all of these grievances be dismissed. Thank you.

Ms. Howard: For the record I need some clarification. If you'll just bear with me, Ms. Beard, and I'm just disappointed this has happened in that they included themselves in this. Did I hear that there are some people in this room that were not moved or changed that have included themselves in this Group Grievance? Did I not hear that? Would you please give me those names. I'm very disappointed in those of you that have done that. That is not why the unions and all of us worked for seven years to create a Group Grievance. It was for only people that the situation actually affected. I think you've been unfair to Fulton County and to this board to include yourselves if you were not affected by this.

Ms. Beard: Madam, they were affected. They were not necessarily transferred. But because of the transfers, their jobs have been affected. Their jobs have been made more difficult and in some cases nearly impossible. That's why they're grievants.

Ms. Howard: I disagree. I'll get the names.

Ms. Beard: You can disagree, but they have the right to grieve.

Ms. Howard: What happens, Ms. Beard, it's defined. A Group Grievance is individuals that have actually been affected. And not many—when I say affected, it was my understanding when Ms. Biddings accepted all these names is that all of these people had been moved and taken out of the loop of what they were doing, relocated. That was my understanding when she accepted these names. That was the impression that I was given. Now you know it was, Ms. Kelly. You never said to Ms. Biddings that now some of these people weren't moved, they just want to be part of the group. I know you didn't tell her that. Did she tell you that, Ms. Biddings? Did anybody say that to you when they were giving you those names?

Ms. Biddings: No.

Ms. Howard: I'll just deal with this later with the County Manager. That's OK. What I'm going to do—this board will deliberate. And what we do is we only make a recommendation, just like she [Ms. Hooker] does to the [Library] Board [of Trustees]. The County Manager and the

Commissioners have the last say. We make a recommendation, and the County Manager can say yes or no on it, and he signs off on it. The policy dictates that we have to have something to you [via] certified mail within 45 days. I promise you if we can have it to you before then, we will. I would like to thank you all for your time, and have a great day.

(The hearing concluded at 1:30 P.M.)

[Signed] Kendra R. Bridges [transcriber]