

Board of Mayor and Aldermen
City of Dyersburg
April 3, 2008

The Board of Mayor and Aldermen met in special session on Thursday, April 4, 2008 in the municipal courtroom at 10 a.m.

Mayor John Holden presided with all Aldermen present.

Employee Termination Appeal – Mr. Joe Stevens

Per the “Appeals Procedure” outlined in the City of Dyersburg Employee Handbook, the Board of Mayor and Aldermen convened to hear Mr. Joe Stevens’ appeal of his February 12, 2008 termination.

At the appeal hearing two witnesses were questioned and testified: Mr. Joe Stevens and Sanitation Director John Damesworth. Attorney Barbara Deere represented Mr. Stevens. The City was represented by Ms. Christine Coronado and Mr. Jim Wilder, associates of City Attorney John Lannom. A court stenographer recorded the hearing.

Mr. Damesworth stated that Mr. Stevens had placed a hardship on the City, other employees, and the public due to his excessive absenteeism. Mr. Stevens had been disciplined in 2005 and 2007 because of his absenteeism. Mr. Stevens had been absentee 21 days, 33 days and 30 days in the years 2005, 2006, 2007 respectively.

Ms. Coronado presented the Board with five exhibits as follows:

- Exhibit 1 – December 28, 2007 memo from John Damesworth to Mayor John Holden outlining Mr. Stevens’s excessive absenteeism;
- Exhibit 2 – Dyersburg Employee Handbook policy on attendance;
- Exhibit 3 – Employee Warning Report dated November 5, 2007 suspending Mr. Stevens for 1 day;
- Exhibit 4 – Employee Warning Report dated January 30, 2008 suspending Mr. Stevens for 3 days;
- Exhibit 5 – Termination Report for Mr. Stevens dated February 12, 2008.

Ms. Deere questioned Mr. Damesworth’s understanding of the policy and procedures outlined in the Employee Handbook. She asked if Mr. Stevens had ever been informed about the Family Medical Leave Act.

Ms. Deere questioned Mr. Stevens regarding his work history and educational attainment. Mr. Stevens stated that he had never requested Family Medical Leave. He stated that his absenteeism was due to stomach problems and family medical concerns.

Aldermen Kirk and Moody made a motion to uphold the termination. The motion carried on a five to four roll call vote. Voting for the motion were Kirk, Chaney, Moody, Norman, and Mayor Holden. Voting against the motion were Williams, Dudley, Walker, and McCright.

The meeting adjourned at 10:59 a.m.

John Holden, Mayor

Gleyn T. Twilla, City Recorder