BOARD OF CITY SERVICE COMMISSIONERS
CITY OF MILWAUKEE

IN THE MATTER OF
DEMONTA JORDAN
V.
CITY OF MILWAUKEE

FINDINGS AND DECISION

This is the written determination of the Board of City Service Commissioners on the administrative appeal hearing in this case. A timely appeal was received from Demonta Jordan (hereinafter "Appellant") challenging his discharge from the position of Equipment Operator 1, Department of Public Works, Sanitation Services Division (hereinafter “DPW” or "Department") on August 18, 2025.

An administrative appeal hearing was held in hybrid format (both in-person and by video conference) pursuant to Sec. 63.43, Wis. Stats. and City Service Commission Rule XIV, Section 7, on Tuesday, November 4, 2025 at 9:00 a.m. The witnesses were sworn and all testimony was taken by a Court Reporter.

Appearances:

City Service Commission:	Francis Bock, President Marilyn Miller, Vice President Janet Cleary, Commissioner Steve Smith, Commissioner Heidi Wick Spoerl, Commissioner Jackie Q. Carter, Executive Secretary Kristin Urban, Staffing Services Manager Elizabeth Moore, Administrative Support Specialist
Commission Represented By:	Patrick McClain, Assistant City Attorney
Appellant Represented By:	Himself
Department Represented By:	Lindsay O’Connor, Human Resources Officer, MHD
Witnesses:	Dan Thomas, Administrative Services Director, DPW Alan Kerr, Sanitation Area Manager, DPW Natalie Smith, Sanitation District Manager, DPW Lavell Jones, Laborer for Route 43 (Partner)

Joseph Smith, Equipment Operator, DPW
Prince Edwards, Equipment Operator, DPW
Bernard Terry, Equipment Operator, DPW
Demonta Jordan, Appellant

ISSUE

The issue is whether or not there was just cause for the action taken by the Department in accordance with sec. 63.43, Stats.

Based upon the evidence in the record, the Commission finds as follows:

FINDINGS OF FACT

1. Appellant was first employed by the City as an Operations Driver/Worker with DPW on June 26, 2023.
2. On Thursday July 24, 2025, Supervisor Ryan Herrera told Appellant to complete assignments according to the numbering for Appellant's route.
3. Supervisor Herrera explained that routes are numbered for a reason and this was a directive for Appellant to complete the assignment in numbered order.
4. On Monday July 28, 2025, Supervisor Herrera reiterated to Appellant that he must complete his assignments according to the route numbers.
5. Later that day**,** DPW received an aldermanic email informing the Department that Appellant had not completed his route according to the route numbers.
6. Internal tracking data confirmed this report.
7. District Manager Natalie Smith asked Appellant to come into the office to discuss the matter.
8. During that meeting, Appellant stated that it was "inconvenient" to complete his route by the assigned numbers.
9. Appellant further stated that he had not interpreted Supervisor Herrera's order as a directive.

10. Appellant was given another directive to complete his routes according to the route numbers.
11. On Monday, August 4, 2025, Appellant again did not complete his route by the numbers.
12. On Monday August 18, 2025, a pre-discharge hearing was held for Appellant's violation of City Service Commission Rule XIV, Section 12, Paragraph Q, based on Appellant's failure to comply with DPW Standard Work Rule 1.21 (Rules of Conduct, Insubordination as well as Misconduct).
13. The Department offered Appellant a Last Chance Agreement and a 15-day suspension in lieu of discharge.
14. Appellant refused the offer and was discharged.
15. Appellant filed a timely appeal.
16. At the appeal hearing for this matter, multiple DPW employees confirmed that—while the DPW work rules require garbage routes to be completed by the numbers—it is common for drivers to complete routes in a manner the drivers deem more efficient than the numbered route.
17. Appellant testified that his route covers a significant number of homes that produce wet garbage, which results in a significant amount of liquid drainage from the garbage truck along the route.
18. According to Appellant, the manner he chose to complete his route minimizes the amount of liquid drainage that is left along the route.
19. Appellant believed that minimizing liquid drainage from the garbage truck was a sufficient justification to deviate from the route's numbers.

CONCLUSIONS OF LAW

1. Appellant was an employee holding a classified position in DPW, the appointing authority within the meaning of Sec. 63.43, Wis. Stats., and the City Service Commission Rules.

2. The Department demonstrated by a preponderance of the evidence that Appellant violated City Service Commission Rule XIV, Section 12, Paragraph Q by failing to comply with DPW Standard Work Rule 1.21 (Rules of Conduct, Insubordination, and Misconduct).
3. Based on the preponderance of the evidence, the Department did have just cause to discipline Appellant.
4. Based on the preponderance of the evidence, the decision to discharge Appellant was not appropriate.
5. Based on the preponderance of the evidence, a 15-day suspension is appropriate.

ORDER

By unanimous vote of the Board, the discharge of Appellant on August 18, 2025 is rescinded. Appellant shall instead serve a 15-day suspension.

Dated and signed at Milwaukee, Wisconsin, this _____ 2026.

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FRANCIS BOCK, PRESIDENT