Civil Service and Pension Board Meeting

Oct 28, 2026 10:00 AM - 10:30 AM CDT

Conference Room 311

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1. Call to Order
2. Consent Agenda
   2.1. Recommendation for approval of minutes from the meeting held September 23, 2026
3. Discussion Items
   3.1. Recommendation for approval of the Appointment of an Assistant Secretary of the Civil Service and Pension Board - Laura Smith
   3.2. Recommendation for approval of the Reappointment of John Kitch as an Administrative Law Judge - Laura Smith
   3.3. Recommendation for approval of a one-time exception to the Annual Leave Carryover Limit - Emily Williams
   3.4. Recommendation for approval of Compensatory Time Revisions to the Civil Service Rules and Policy Manual - Emily Williams
      3.4.1. Civil Service Rules Redline
      3.4.2. Policy Manual Redline
   3.5. Recommendation for approval of Revisions to the Civil Service Rules and Policy Manual regarding Supplemental Compensation - Brad Heck
      3.5.1. Civil Service Rules Redline
      3.5.2. Policy Manual Revisions
   3.6. Recommendation for approval to refer termination charges against Ewing Miranda to an Administrative Law Judge - Dr. Trish Holliday
4. HR - Corporate Services Workforce Update - Dr. Trish Holliday
5. Miscellaneous
6. Adjournment of Civil Service and Pension Board

Call to Order

Consent Agenda

THE MINUTES OF THE ONE THOUSAND TWENTY FIRST MEETING OF THE ELECTRIC EMPLOYEES' CIVIL SERVICE AND PENSION BOARD HELD SEPTEMBER 23, 2026

The regular meeting of The Electric Employees' Civil Service and Pension Board was held September 23, 2026.

Board Members Present: Vice Chair Clifton Harris, Ian Prunty, Jaz Boon; and, Rob McCabe attended virtually. Officers Present: Teresa Broyles-Aplin, Tabitha Beach, Brad Heck, Laura Smith, and Dr. Trish Holliday.

Vice Chair Clifton Harris called the meeting to order at 9:16 a.m. and stated that the matters on the consent agenda had been provided to the Board in advance. The consent agenda included the recommendation for approval of the Civil Service Minutes from the meeting held August 26, 2026.

> Upon motion by Member Prunty and seconded by Member Boon, the consent agenda was approved, which included the minutes from the meeting held August 26, 2026.

HUMAN RESOURCES WORKFORCE UPDATE

Dr. Holliday noted that the HR – Corporate Services Workforce Update was included in the Board packet for review. Key accomplishments and activities across Training, Staffing & Employee Relations, Safety, Fleet, and Facilities & Security were highlighted to provide the Board with an overview of the department's current efforts.

MISCELLANEOUS

There were no miscellaneous items to come before the Board.

ADJOURNMENT

The meeting adjourned at approximately 9:20 a.m.

Approved,

Vice Chair

Attest:

Secretary
09-23-2026

Discussion Items

RECOMMENDATION FOR THE APPOINTMENT OF AN ASSISTANT SECRETARY OF THE CIVIL SERVICE AND PENSION BOARD

Article 43 of Appendix III to the Metropolitan Charter ("Charter") grants the power to the Electric Employees' Civil Service and Pension Board to appoint a Secretary and Assistant Secretary to the Board.

In 2022, the Board appointed CFO David Frankenberg as Assistant Secretary of the Civil Service and Pension Board. Mr. Frankenberg resigned earlier this year, and the Secretary, Dr. Trish Holliday, has performed the duties of Secretary without an assistant.

Management recommends that the Board appoint Laine Arnold, Chief Communications Officer, as Assistant Secretary to the Electric Employees' Civil Service and Pension Board and that Dr. Trish Holliday continue as Secretary.

RECOMMENDATION FOR APPROVAL OF THE REAPPOINTMENT OF AN ADMINISTRATIVE LAW JUDGE

Pursuant to Section 7.081(A), Rules for Employees of Nashville Electric Service (the "Civil Service Rules"), Management and the Nashville Electric Service Employees Association (NESEA) have agreed to recommend the reappointment of John D. Kitch as an Administrative Law Judge for NES for a term beginning July 1, 2026, and ending June 30, 2031.

Mr. Kitch is of counsel with Cornelius & Collins, LLP in Nashville. Prior to joining Cornelius & Collins, Mr. Kitch was a sole practitioner for over 38 years. He has extensive experience in civil trial and appellate practice in both state and federal courts. A graduate of Purdue University and Vanderbilt Law School, he is a former law clerk for Justice Joe Henry of the Tennessee Supreme Court, a former lecturer at Vanderbilt Law School, and a current faculty member at the Nashville School of Law. He also serves on the Tennessee Board of Professional Responsibility, having been appointed by the Tennessee Supreme Court in January 2015.

He is a past president, a past first vice president, and two-time member of the Board of Directors of the Nashville Bar Association; a Fellow and past president of the Nashville Bar Foundation; and a past president of the Tennessee Council of School Board Attorneys. In July of 1997, the American Bar Association honored him as The Sole Practitioner of the Year at its annual convention in San Francisco in the first year the award was presented.

Management and NESEA recommend the reappointment of John D. Kitch as an Administrative Law Judge for NES for a term through June 2031.

RECOMMENDATION FOR APPROVAL OF ONE-TIME EXCEPTION TO THE ANNUAL LEAVE CARRYOVER LIMIT

Winter Storm Fern created an emergency operating environment that required employees across the organization to work extended hours to support system reliability, emergency response, customer service, field operations, and after-action efforts. During this period, many employees postponed scheduled time off or have been unable to use annual leave due to staffing needs and the critical nature of the work required to respond to the event and implement after action initiatives.

The annual leave maximum carryover limit is intended to encourage employees to use leave while also limiting excessive year-end balances. However, the circumstances surrounding Winter Storm Fern were extraordinary. Employees have prioritized emergency response and continuity of service over planned time away from work.

The exception will be applied one time and will not modify Civil Service Rule 8.016 that defines the annual leave carryover limit on an ongoing basis, which reads as follows:

> **"***Annual leave may be allowed to accumulate from one year to another up to a maximum of thirty (30) days, provided; however, any employee whose annual leave balance (days carried over) at the beginning of a calendar year, added to the anticipated accrual for that year, totals fifteen (15) or more days, shall be required to take a minimum of ten (10) days during that particular calendar year. Further, any part of this ten (10) days not taken will be forfeited."*

Departments will continue to be responsible for coordinating schedules to allow employees to use leave in a manner that balances employee needs with business continuity.

Management recommends approval of this one-time exception to the 2026 to 2027 annual leave carryover limit of 240 hours, due to the extensive work during Winter Storm Fern and all after action related efforts to identify and implement the actions related to the Four Pillars focus initiatives.

RECOMMENDATION FOR APPROVAL OF REVISIONS TO THE CIVIL SERVICE RULES AND POLICY MANUAL

Management recommends approval of the proposed revisions to the Civil Service Rules and Policy Manual related to pay practices.

To maximize probationary employees' on-the-job training opportunities during the probationary period and support their advancement to Civil Service status, Management proposes revising the Civil Service Rules and Policy Manual to restrict the election of compensatory time to Civil Service employees.

Management recommends approval of these revisions to the Civil Service Rules and Policy Manual.

(2) hours of double time, regardless of actual time worked. If the reporting time for emergency work is less than two (2) hours before an employee's regularly scheduled work, the employee will be paid double time for the difference between the reporting time for emergency work and the start of the regularly scheduled work.

Any employee called for emergency work that can be done from a remote location occurring outside of his/her regularly scheduled work hours or work week shall be a paid minimum of thirty (30) minutes of double time, regardless of actual time worked. If the reporting time for emergency work is less than thirty (30) minutes before an employee's regularly scheduled work, the employee will be paid double time for the difference between the reporting time for emergency work and the start of the regularly scheduled work.

4.026 Supervisors below the level of manager/field superintendent are eligible for overtime compensation outside of their regular shift in recognition of going above and beyond their regular duties for emergency call-out work, work on Sundays or holidays, or for service restoration.

4.027 Overtime worked on Sundays and holidays and overtime for which an employee has been called out or held for emergency work, at other than his/her regularly assigned hours, will be paid double time.

4.028 The pay of an employee called out for emergency work shall commence thirty (30) minutes prior to the time he/she reports for work. However, this thirty (30) minutes, pay will not be added to the minimum provided in (4.026) of this subsection.

4.029 The equivalent overtime rate for employees shall be computed by the following formula:

Non-Supervisory Overtime Rate = Hourly Rate x 1.5 or 2

Supervisory Overtime Rate = Annual Salary / 2,080 x 1.5 or 2

4.030 Employees may elect not to work overtime provided adequate resources are available to meet minimum NES requirements. In such cases, declined overtime will be credited as time worked for record keeping purposes.

4.031 Authorization for overtime work must be approved by the Vice President or designee. Overtime work will be kept to a minimum.

4.03 Compensatory Time

4.032 In lieu of overtime pay, a Civil Service ~~n e~~Employee eligible for overtime under NES's policies may elect for compensatory time off. A Civil Service Employee ~~n employee~~ must notify the supervisor

before leaving work that compensatory time is desired, or the ~~employee~~ Civil Service Employee will be paid.

4.033 Up to 120 hours of compensatory time may be accumulated and taken from January 1 through November 30.

4.034 Compensatory time must be scheduled in advance and will be granted at the time desired by ~~employees~~ Civil Service Employees whenever business conditions permit.

4.035 All compensatory time must be used or paid for by December 31 of each year. Compensatory accrual cannot occur from December 1 to December 31 of each year. Cash payments will not be made before December 1 of each year except in cases of termination or promotion of a Civil Service~~n~~ e~~E~~mployee to a position that is ineligible for compensatory time accruals. Payment will be based upon the pay rate immediately prior to termination or promotion. After a payment for compensatory time has been made, any additional overtime earned will be paid. Year-end compensatory time payments will be based on the pay rate at the time of the payment.

5.0 PERSONNEL SELECTION AND PLACEMENT

5.01 Equal Employment Opportunity

5.011 Equal employment opportunity and Affirmative Action will be considered in all policies and procedures regarding recruiting, staffing, compensation, benefits, discipline, training and any other employment related practices. NES will not fail or refuse to hire, promote or discharge any individual because of such individual's race, religion, creed, gender, gender identity, sexual orientation, national origin, color, age, and/or disability. All employment policies, when in conflict with legislation, will be superseded by the relevant statutes, laws, or regulations. Nothing in this rule is intended to require NES to hire or promote an individual who does not possess the necessary bona fide occupational qualification to perform the job requirements.

5.02 Advertising

5.021 Anticipated position vacancies may be advertised and filled as approved by departmental Vice President. In extenuating circumstances, projected vacancies may be filled for up to 90 days before the incumbent leaves NES. All postings shall state that qualified applicants will receive consideration without regard to age, race, color, religion, sex, or national origin.

5.022 Existing and anticipated job openings shall remain posted for a period of not less than ten (10) workdays where there is not a valid

5. Compensatory Time

A. **Policy Statement:** In lieu of overtime pay, NES provides ~~employees~~ Civil Service Employees who are eligible for overtime pay compensatory time off from work under the guidelines in this Policy.

B. **Scope:** This Policy applies to all ~~employees~~ Civil Service Employees ("employees") eligible for NES overtime.

C. **Terms and Definitions**

(1) Compensatory Time ("Comp Time") - Paid time off in lieu of overtime pay.

D. **Policy**

(1) NOTIFICATION, APPROVAL, AND PAYMENT

(a) Employees who have worked approved overtime must notify their supervisor before leaving work of their election for compensatory time.
(b) Use of compensatory time will be granted if business conditions permit.
(c) Employees may accumulate up to 120 hours of compensatory time from January through November 30.
(d) All compensatory time must be used or paid for prior to the last pay period of each year. Use of compensatory time is not available for the last pay period of the year.
(e) Payments for compensatory time will not be made before December 1 of each year, except in cases of termination or promotion to a job classification ineligible for compensatory time.
(f) Payments will be calculated at the employee's base pay in effect at the time the payment is processed.
(g) Compensatory time may be used in conjunction with periods of approved FMLA leave.
(h) At the discretion of the CEO, in extraordinary circumstances such as prolonged emergencies and service restoration, compensatory time may be granted to employees who are not eligible for NES overtime.

RECOMMENDATION FOR APPROVAL OF REVISIONS TO THE CIVIL SERVICE RULES AND POLICY MANUAL REGARDING SUPPLEMENTAL COMPENSATION

Management proposes revisions to the Civil Service Rules and Policy Manual to establish supplemental compensation for Managers and Field Superintendents who are not otherwise eligible for overtime compensation within NES overtime policies, and who assume emergency assignments during a Major System Restoration Event designated by the President & Chief Executive Officer. The revisions recognize the sustained leadership required during rare and exceptional restoration events while providing clear and consistent standards for administering supplemental compensation.

The proposed revisions authorize supplemental compensation at the employee's regular hourly equivalent rate for eligible hours worked in excess of forty-five hours during the applicable workweek. The revisions define qualifying events and emergency assignments; exclude paid leave, holidays not worked, and other non-worked hours from the forty-five-hour threshold; requires accurate and timely timekeeping; and establishes approval and administrative requirements.

Management recommends approval of these revisions to the Civil Service Rules and Policy Manual.

THE ELECTRIC EMPLOYEES' CIVIL SERVICE AND PENSION BOARD

NASHVILLE ELECTRIC SERVICE

RULES

FOR EMPLOYEES OF NASHVILLE ELECTRIC SERVICE

Revised: 4/22/2026

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Lateral Transfer	A request by a Civil Service Employee to move from one Department to another Department into a posted position in the same training classification or fully-related job classification.
Major System Restoration Event	Any event that requires activation of the Incident Command System (ICS) at Level 1 or Level 2, is reasonably expected to extend beyond a single 24-hour operational period, and is designated by the President & CEO as a Major System Restoration Event; or any local, state, or federally declared disaster or emergency requiring NES to undertake service restoration activities or assist other utilities with service restoration activities, and as directed by the President & CEO.
Non-Civil Service Eligible List	A list of Non-Civil Service Applicants who satisfy the minimum qualifications for a posted position and have been identified as Candidates to advance in the selection process.
Performance Appraisals	The method by which an employee's job performance is evaluated and documented.
Probationary Employee	A full- time employee who has not received Civil Service status.
Promotion	A move from a lower pay grade to a higher pay grade
Provisional Appointment	An offer and acceptance to an entry-level professional position when the individual meets all of the requirements for appointment to the position except completion of the last year of the required education.
Reassignment	A position and/or employee moved from one area within a Department to another while retaining the same job title.
Reclassification	A move from one job classification to another.
Resignation	Means the separation from employment at the employee's request.
Section	The organizational unit that is led by a manager.
Seniority	The length of service for Civil Service Employees.
Service Ratings	Service Ratings, as the term is used in the Charter, means Performance Appraisals.

4.03 Compensatory Time

4.031 In lieu of overtime pay, an employee eligible for overtime under NES's policies may elect for compensatory time off. An employee must notify the supervisor before leaving work that compensatory time is desired, or the employee will be paid.

4.032 Up to 120 hours of compensatory time may be accumulated and taken from January 1 through November 30.

4.033 Compensatory time must be scheduled in advance and will be granted at the time desired by employees whenever business conditions permit.

4.034 All compensatory time must be used or paid for by December 31 of each year. Compensatory accrual cannot occur from December 1 to December 31 of each year. Cash payments will not be made before December 1 of each year except in cases of termination or promotion of an employee to a position that is ineligible for compensatory time accruals. Payment will be based upon the pay rate immediately prior to termination or promotion. After a payment for compensatory time has been made, any additional overtime earned will be paid. Year-end compensatory time payments will be based on the pay rate at the time of the payment.

4.04 Supplemental Compensation

4.041 Managers and Field Superintendents who are not otherwise eligible for overtime compensation under these Rules may receive supplemental compensation when assigned duties in connection with a Major System Restoration Event designated by the President and Chief Executive Officer.

4.042 Supplemental compensation shall be paid only for hours worked in excess of forty-five (45) hours during the applicable workweek and shall be calculated using the employee's regular hourly equivalent rate as established by NES policy.

4.043 Paid leave, vacation leave, sick leave, holidays not worked, compensatory time, and other non-worked hours shall not be counted toward eligibility for supplemental compensation.

4.044 Eligibility for supplemental compensation, timekeeping requirements, approval procedures, and other administrative requirements shall be governed by the NES Policy Manual and procedures established by Management.

4.045 Authorization for supplemental compensation must be approved by the President and Chief Executive Officer.

NASHVILLE ELECTRIC SERVICE POLICY MANUAL



Third Edition

Revised: December 10, 2025

NES

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6. Supplemental Compensation

A. Policy Statement: NES recognizes that, in rare and exceptional circumstances, the nature of utility operations may require Managers and Superintendents to assume heightened responsibilities and devote substantial additional time and effort beyond their customary duties where sustained leadership is necessary to protect public safety, maintain system reliability, and support the continuity of essential utility services.

B. Scope: This policy applies to regular full-time NES Managers and Field Superintendents who are not eligible to receive NES overtime ("Qualified Employee").

C. Terms and Definitions

(1) Major System Restoration Event - Any event that requires activation of the Incident Command System (ICS) at Level 1 or Level 2, is reasonably expected to extend beyond a single 24-hour operational period, and is designated by the President & CEO as a Major System Restoration Event; or any local, state, or federally declared disaster or emergency requiring NES to undertake service restoration activities or assist other utilities with service restoration activities, and as directed by the President & CEO.
(2) Regular Hourly Equivalent Rate - A Qualified Employee's annual base salary divided by 2,080 hours.
(3) Supplemental Compensation - Compensation provided to a Qualified Employee.
(4) Emergency Assignment – Work directly related to a Major System Restoration Event, as approved by a Qualified Employee's respective VP.

D. Policy

(1) Qualified Employees may be eligible for Supplemental Compensation when they are assigned an Emergency Assignment and work in excess of forty-five (45) hours during the defined workweek, provided such additional hours are necessitated by the emergency event and are beyond those associated with normal operational responsibilities or routine workload demands.
(2) Qualified Employees exceeding forty-five (45) hours during the defined workweek during an Emergency Assignment may receive Supplemental Compensation at the Qualified Employee's Regular Hourly Equivalent Rate.
(3) Paid leave, observed NES holidays not worked, sick leave, vacation leave, and other non-worked hours shall not count toward the forty-five hour threshold.
(4) If a Qualified Employee works on an observed NES holiday during a Major System Restoration Event, holiday compensation shall be administered in accordance with existing NES holiday pay policies. Supplemental compensation described in this policy will not be paid in addition to holiday compensation.

(5) To qualify for supplemental compensation, Qualified Employees must accurately and timely submit all actual hours worked in the designated timekeeping system.

RECOMMENDATION FOR APPROVAL TO REFER CHARGES AGAINST EWING MIRANDA TO AN ADMINISTRATIVE LAW JUDGE

BACKGROUND

Mr. Ewing Miranda is a Lineman Apprentice in the Donelson Section of the Transmission & Distribution Operations Department who was employed by NES on July 18, 2024.

Mr. Miranda's conduct has necessitated a Criminal Activity Review Committee (CARC) twice within the last eight (8) months. On February 20, 2026, Mr. Miranda was charged with felony evading arrest and resisting a stop, halt, frisk, along with other charges that were later dismissed. He subsequently entered diversion and probation for the felony evasion and resisting charges. While those probationary terms remained in effect, Mr. Miranda was arrested on September 27, 2026, for alleged aggravated burglary, a felony, and stalking, a misdemeanor, arising from conduct reported to have occurred on September 24, 2026. Mr. Miranda has violated Rule 6.05 of the Civil Service Rules, which states:

> Loyalty and Efficiency
>
> It is required that all persons accepting employment perform loyal and efficient work and services; **that they use their best efforts to protect the property of Nashville Electric Service and its interests and cooperate in promoting and advancing its welfare at all times**; that they strive to render the best possible service to the public including work assignments under emergency conditions; and that they comply with all operating and safety rules affecting their work. (Emphasis added)

A due process hearing was held October 12, 2026, to address the charges issued. After the conclusion of the meeting, Mr. Miranda was suspended without pay pending the outcome of the termination charges.

MANAGEMENT RECOMMENDATION

Management recommends that this matter be submitted to an Administrative Law Judge for a termination hearing.

BOARD ACTION

The Board may, in its discretion, hear the case or refer it to an Administrative Law Judge for a hearing. A hearing is expected to take a full day.

10/28/2026

HUMAN RESOURCES / CORPORATE SERVICES WORKFORCE UPDATE
October 2026

Training Section

NES will launch the fourth Emerging Leaders Institute (ELI) cohort on October 21, 2026. The four-month program prepares non-supervisory employees for future leadership opportunities through executive coaching, facilitator-led training, and individualized development planning.

Employee Training & Development has introduced LEAD NES, a six-month program for supervisors and superintendents. The inaugural cohort will focus on high-performing teams, customer service, generational awareness, trust and alignment, and strengths-based leadership. Applications are due October 22, with participant selection to follow.

The 2026 Certified Safety Coordinator program will conclude November 4, with 28 participants completing the certification. NES has offered the TVPPA-developed program for eight years, and more than 148 employees have earned the credential. The program builds the knowledge and practical skills needed to maintain safe utility work environments and practices.

Facilities and Security

The 615 Elite Construction is scheduled to begin the boardroom remodel and is targeting NES's requested January 1 completion date. IT will coordinate audiovisual work with its vendors, and four boardroom chairs are on-site for testing.

Talent Acquisition and Employee Relations

During the quarter, the Talent Acquisition and Employee Relations team screened more than 1,600 applications and facilitated 58 interviews for vacant positions.

NES currently has 915 active employees. Twenty-seven vacant positions—including promotional opportunities and potential new hires—are progressing through the personnel requisition process.

Testing and validation continue for the transition from PeopleSoft to Oracle HCM Time and Labor and Absence Management.

Fleet and Safety

October is a high-volume safety training month at NES. Completed activities include:

- **T&D and C&M crews:** Initial and annual Gloving and Cover-Up training and Hazardous Energy Control training
- **C&M personnel:** TVPPA-led substation training
- **Fleet staff:** Three-year Crane and Knuckle Boom training and Altec auger drill technical training

Compensation and Benefits

Open enrollment runs from October 26 through November 6, allowing employees and retirees to make their 2027 benefit elections.

In the third quarter of 2026, Hinge Health, the musculoskeletal health program, achieved a 2.9% participation rate, with 94 members enrolled. This result exceeded the 2.8% benchmark.

Miscellaneous

Adjournment of Civil Service and Pension Board