

CIVIL SERVICE COMMISSION REGULAR MEETING

Rescheduled from October 8, 2013 at 2:00 p.m. to October 15, 2013 at 2:30 p.m.
City Hall, 45 Lyon Terrace, Wheeler A and B, Bridgeport, CT 06604

MINUTES

Commissioner Eleanor Guedes called the October 15, 2013 regular meeting of the Civil Service Commission to order at 2:45 p.m. Present were Commissioners Correa, Plummer, and Rodgers. Personnel Director David Dunn, Clerk to the Commission Deborah Brelsford, and City Attorney John Mitola were also in attendance. It is noted for the Record that Commissioner McBride was not present.

1. Meeting Minutes – APPROVED WITH 1 CORRECTION

The Minutes from the regular meeting held on September 10, 2013 were submitted for review. Mr. Dunn requested a correction be made on page 1 of the Minutes, under item 2 Vacancies Report. The second sentence incorrectly identified Ismael Pomales as Captain and the correct title was Assistant Chief. On a motion made by Commissioner Rodgers and seconded by Commissioner Plummer the corrected Minutes from the September 10, 2013 Commission meeting were unanimously approved.

2. Vacancies Report – CERTIFIED

Mr. Dunn identified the following vacancies: Director of Central Grants in the Central Grants department; Accountant in the Finance department; Assistant Special Projects Manager in the Health department; Deputy Director in OPED ; provisional Airport Manager in Public Facilities; 4 Telecommunicators and PSC Supervisor in the Public Safety department.

Commissioner Guedes asked what positions are still vacant and Mr. Dunn replied that Accountant in Finance and the positions in Public Safety. Mr. Dunn explained that a competitive hiring process and structured oral interviews were held for the Central Grants and OPED vacancies. Both candidates came from the same process. The positions were advertised on the Civil Service Website, CT Media newspapers including the CT Post, Monster.com as well as specialized trade publications. Both of these positions are unaffiliated and are appointed by the Mayor. Mr. Andrew Nunn, Chief Administrative Officer (CAO) is the hiring manager on the Mayor's Staff.

Commissioner Correa said that the Charter says a provisional appointment can be made until a test is given. Commissioner Guedes requested that appointments made by the Mayor be listed separately for those noted for the Record on the Vacancy Report. Mr. Dunn stated that there is an ordinance regarding the position of Airport Manager. Ms. Paula Mize is acting Airport Manager and at today's meeting will be made provisional under the Charter and various rules and regulations. Mr. Dunn stated Police and Fire for examples. Commissioner Correa responded that those positions are filled within the ranks of the department.

Commissioner Correa stated that the provisional appointments should be brought to the Commission prior to their appointments and not brought to the Commission for rubber stamping. Mr. Dunn said he thought that Commissioner Correa was incorrect. He explained that Ms. Mize met all of the minimum qualifications advertised in the position and everything was in order.

Commissioner Guedes added that the Personnel Director is the front line of the process. She further stated that the Commission is the guardian of the Charter. Additional, Commissioner Guedes said that the wording in the Charter is the Personnel Director with the approval of the Commission is step 1 in the process. She said she wanted to be clear and was not implying any improprieties. Mr. Dunn stated that he would accommodate that concern. He added that he was operating the same way that his 2 most recent predecessors operated.

Commissioner Correa stated that the Commission is not a rubber stamp. She added that changes need to be made to the Charter, however, it was decided that only changes regarding Education would be the focus. She said the process is really not being followed. She further stated that she will not sit in the chair and accept this again. Commissioner Correa added that appointments have other repercussions and that as a resident of the City of Bridgeport this is unconscionable and the Commission has to adhere to the Charter. Commissioner Guedes thanked Commissioner Correa.

Commissioner Guedes asked Mr. Charles Carroll, Public Facilities department head, to address the Commission. He explained that the Operations Manager was acting also. Some candidates were interviewed and Ms. Mize was selected. Due to deadlines with the Federal Government the Operations Manager needed to devote full-time work to the project. Mr. Carroll stated that a nationwide search is in process and both the Operations Manager and Ms. Mize are welcome to apply. Commissioner Guedes questioned Mr. Carroll about not going first to Mr. Dunn. He replied that he had understood that Mr. Dunn was aware that the Operations Manager was acting Airport Manager.

Commissioner Correa asked Mr. Dunn if the position of Airport Manager was classified as competitive. Mr. Dunn said it is not open competitive like a police officer or firefighter. Attorney John Mitola said that the candidate is selected through a competitive interview process. The employee would serve a probationary period that would be overseen by Mr. Carroll. Commissioner Correa asked Attorney Mitola to explain the difference between acting and provisional. Attorney Mitola explained that with acting a person in a lower class can act up and fill the position and be paid accordingly. This is governed by the Collective Bargaining Agreement. Attorney Mitola further explained that provisional, according to the Charter, is temporary, until there is a competitive process to fill the position permanently within 120 days. A probationary period usually ends after 6 months and there would be a recommendation to make permanent or terminate. There is a 3 part vote between the department head, Personnel Director and Commission if the person's

probationary period is terminated. Attorney Mitola stated that the Airport Manager was a unique position and a competitive interview process already started. Mr. Nunn has requested a national search through Slavin Management Consulting and Randi Frank Consulting. They were also used for the Police Chief process. The deadline to apply is November 1st.

Commissioner Correa questioned who is on the committee. Mr. Dunn replied that a committee has not been set yet, although he would anticipate that Messrs. Nunn, Carroll, and others. The interviews would involve structured questions, asked of each candidate. Ms. Kollman as Examiner would be involved with this. Commissioner Correa asked if the candidate would go before the Board of Commissioners for the Airport. Mr. Dunn said no. Mr. Dunn added that the Civil Service Commission would be informed, as a way of noticing the Civil Service Commission.

Mr. Dunn asked Attorney Mitola to double check this. Attorney Mitola said the person who is hired is approved by the Airport Commission and then the Civil Service Commission and would double check this. Commissioner Correa said that she is working in a maze without knowing who is responsible. The Community suggests that the Commission is just a rubber stamp. Mr. Carroll stated that it is his intent to follow the Civil Service way of doing things. All candidates will be asked the same questions. The Airport Commission does not interview any candidates. The recommendation comes from the Administration. Commissioner Correa stated that the Commissions should be informed of these processes much before. She added that there is a lot of publicity about this and it is a cause for concern and that there is a perception out there that the Commission is trying to skirt its responsibilities. She added that she does not skirt her responsibility.

Mr. Carroll introduced Ms. Pauline Mize and Ms. Nettie Macaluso. Commissioner Guedes said that she was certain that Ms. Mize was highly qualified and highly specialized and trusted those in charge. Ms. Mize thanked Commissioner Guedes. Commissioner Guedes added that there is a process that is followed per the Charter and the integrity of the process in place is guarded by the Commission. Mr. Dunn said that there would be a discussion of the provisional hiring process placed on the Civil Service Commission's November agenda. Commissioner Plummer stated that it seemed to him that all hurdles have been cleared for this position and he said he agreed with Attorney Mitola that this is a unique situation. Commissioner Plummer looked back at past practices in similar cases. He added that what you do now might come back to haunt you later. Commissioner Rodgers said he did not want to add anything. Commissioner Guedes said the Commission stated their concerns for the Record and that the department head, Charlie Carroll, vetted the candidate and brought the candidate before the Commission for provisional appointment.

On a motion made by Commissioner Plummer and seconded by Commissioner Rodgers the Commission approve the provisional appointment of Ms. Mize as Airport Manager. Commissioner Plummer and Commissioner Rodgers voted in the

affirmative. Commissioner Correa opposed and said that her opposition is not a reflection on Ms. Mize, however, it calls the Commission to task and department heads that the Commission has to follow the Charter as it is written and many changes may need to be made to the Charter.

3. Merit Increases

There were no merit increases.

4. Permanent Appointments – NOTED FOR THE RECORD

The following permanent appointments, in the Fire department were noted for the Record:

		<u>Effective Date</u>
Balestrieri, Richard E.	Fire Deputy Marshal	8/27/12
Bonaventura, Leonard	Fire Senior Inspector	8/27/12
Polite, Henry	Fire Senior Inspector	8/27/12
Foss, Scott S.	Fire Captain	9/16/13
Benedict, Kenneth D.	Fire Fighter	8/27/13
Bullock, Damian T.	Fire Fighter	8/27/13
Currao, Derek S.	Fire Fighter	8/27/13
Debiase, Louis J.	Fire Fighter	8/27/13
Falzarano, Mathew J.	Fire Fighter	8/27/13
King, Brandon J.	Fire Fighter	8/27/13
Loyola, Edgard C.	Fire Fighter	8/27/13
McAulay, Scott F.	Fire Fighter	8/27/13
McNellis, Joseph J.	Fire Fighter	8/27/13
Minfield, Richard	Fire Fighter	8/27/13
Olivier, Richard M.	Fire Fighter	8/27/13
Porzelt, Nicholas J.	Fire Fighter	8/27/13
Ramos, Jose A. Jr.	Fire Fighter	8/27/13
Rivera, Lindsey Jr.	Fire Fighter	8/27/13
Robinson, Christopher	Fire Fighter	8/27/13
Santiago, Anthony Jr.	Fire Fighter	8/27/13
Seto, Jesse M.	Fire Fighter	8/27/13
Smith, Dayshon D.	Fire Fighter	8/27/13
Smriga, Andrew J.	Fire Fighter	8/27/13
Streit, Jayson H.	Fire Fighter	8/27/13
Villarnovo, Michael	Fire Fighter	8/27/13

The following permanent Police department appointments, effective September 17, 2013, were noted for the Record:

		<u>Effective Date</u>
Caiazzo, Anthony J.	Police Officer	9/17/13
Esquilin, Juan C.	Police Officer	9/17/13
Gianpoalo, Anthony	Police Officer	9/17/13
Goncalves, Matthew	Police Officer	9/17/13
Hanson, Keith W.	Police Officer	9/17/13

Holder, Eric	Police Officer	9/17/13
Matejek, Donald	Police Officer	9/17/13
Mazzacco, Michael	Police Officer	9/17/13
Mirtsopoulos, Stavros	Police Officer	9/17/13
Moura, Louis M.	Police Officer	9/17/13
Neumahr, Michael A.	Police Officer	9/17/13
Novia, Michael A.	Police Officer	9/17/13
Orlich, Daniel J.	Police Officer	9/17/13
Oriz, Joshua	Police Officer	9/17/13
Pabon, Carlos	Police Officer	9/17/13
Remy, Cody	Police Officer	9/17/13
Schumaker, Ian	Police Officer	9/17/13
Teixeira, Marcus	Police Officer	9/17/13
Topolski, John	Police Officer	9/17/13

The following permanent appointments in the Human Resources/Benefits department were noted for the Record:

		<u>Effective Date</u>
Johnson, Levonbria	Clerk – A	6/26/2013
Meak, Sophal	Clerk – A	8/11/2013

5. **New Classifications - APPROVED**

Mr. Dunn said that the Commission was requested to change some positions and job descriptions. The following new classifications were requested:

- Automotive Parts Specialist
- Painter Apprentice
- Support Services Manager

Automotive Parts Specialist

Mr. Robert Kennedy said that the position of Storekeeper would be changed to Automotive Parts Specialist. Commissioner Guedes asked Mr. Dunn if the employee would start at 1st step and he replied yes. Mr. Kennedy said that the title and job description of Storekeeper is antiquated. The City lost a very qualified person and now everything is computerized. There are hundreds of thousands of dollars of parts in inventory. The position involves data processing. The mechanics will not have to go to the Automotive Parts Specialist in person. The candidate must be computer literate and understand automotive parts not only for cars but also for larger equipment like diesel trucks. Mr. Kennedy said a person needed to be on board as soon as possible as the department is transitioning from summer to winter work now.

This position is non-competitive and there will not be a written exam. Candidates will be reviewed and must meet qualifications. While someone from within the ranks would get the first opportunity it is unlikely that a current employee would fill this position. Mr. Dunn stated that ideally the person will have private sector experience in automotive parts and heavy equipment. The position will remain in NAGE.

On a motion made by Commissioner Correa and seconded by Commissioner Rodgers the Commission unanimously approved the title change and job description for Automotive Parts Specialist.

Painter Apprentice

Mr. Carroll said that one reason why the City does not have more apprentices is that there are a number of journeyman laws from the State. If a person employed by the City were to be laid off, he or she would not have the skill set needed on the outside. Mr. Dunn added that most apprenticeships were 8,000 hour programs. Commissioner Correa asked if there are any other apprenticeships in the City currently and Mr. Carroll replied that there are not, however, he may be back before the Commission for a bricklayer apprentice.

On a motion made by Commissioner Correa and seconded by Commissioner Rodgers the Commission unanimously approved the new classification of Painter Apprentice.

Support Services Manager

Mr. Adam Heller, ITS department head, addressed the Commission about a new job description for Support Services Manager. He explained that the position is non-competitive, in the Supervisors union, and the manager would be responsible for the day-to-day staff that maintains all the computers, cell phones and desk top phones in the City. Mr. Heller stated that he has been doing this work in addition to his own responsibilities as Director and he has been overwhelmed. This position plays a vital role in customer service and it is funded in his budget. A change in the Table of Organization is needed. Support Specialists in the department would report to the Support Services Manager. Commissioner Guedes asked Mr. Dunn if this position had to go before the Common Council and he replied no. Mr. Heller added that somebody resigned from this position 6 years ago and the position had not been filled since then. On a motion made by Commissioner Plummer and seconded by Commissioner Rodgers the Commission unanimously approved the new classification of Support Services Manager and the corresponding job description.

6. Fire Grievance – TABLED TO NOVEMBER 12, 2013

The Commission received a request from Mr. Robert Whitbread, President Local 834, for the following grievance to be heard:

- Griev 2013-19 Light duty during storm Nemo

On a motion made by Commissioner Correa and seconded by Commissioner Plummer the Commission unanimously tabled Griev 2013-19 to November 12, 2013. It is noted that this matter was addressed after the Commission unanimously approved the classification and job description for Automotive Parts Specialist. The Commission then returned to the remaining 2 matters under item 5 on the Agenda.

7. NAGE Requests – Tabled from September 10, 2013 – CONTINGENT APPROVAL

The Commission received a request from Dwayne Harrison, President of NAGE Local R1-200, for the Service Assistant position to be merged to the Custodian position.

Mr. Dunn introduced Mr. Dwayne Harrison, President of NAGE, to the Commission. Mr. Harrison stated that the union is still waiting for an agreement from Mr. Thomas McCarthy to merge the Service Assistant position to the Custodian position, and that Mr. McCarthy was out of the office. Mr. George Garcia said he agreed with Mr. Harrison. Mr. Harrison added that Mr. McCarthy is on board with the Service Assistant position being merged to the Custodian position.

- The Commission received a request from Dwayne Harrison, President of NAGE Local R1-200, for a Custodian IV exam.

Note: Public Facilities and the Board of Education Maintenance departments have also requested a Custodian IV examination.

On a motion made by Commissioner Plummer and seconded by Commissioner Rodgers, subject to receipt of a signed agreement, the Commission unanimously approved the Service Assistant position merger to the Custodian position.

8. Extension of Probation for Gabriella Novak – TABLED TO NOVEMBER 12, 2013

Civil Service received an Agreement from Labor Relations to extend Ms. Novak's probationary period by 6 months to June 3, 2014. City Attorney John Mitola said that TCOs have a 1 year probationary period and that after 6 months they are entitled to legal union representation. He added that the City attendance policy states that four or five days of missing work is grounds for automatic termination and that perhaps there were extenuating circumstances. Attorney Mitola said that the Commission technically has to vote to extend the probationary time for Ms. Gabriella Novak. He suggested that the matter be tabled to November's agenda and to invite Ms. Doree Price to the Commission meeting to vote. On a motion made by Commissioner Correa and seconded by Commissioner Plummer the Commission unanimously tabled the extension of probation for Gabriella Novak to November 12, 2013.

9. Thomas White Appeal – Tabled from September 10, 2013 – TABLED TO NOVEMBER 12, 2013

The Commission received a request for an appeal for termination from employment from Attorney Thomas Bucci regarding his client, Thomas White. Mr. Dunn said that both parties involved in the matter have requested that the matter be tabled. On a motion made by Commissioner Correa and seconded by Commissioner Rodgers the Commission unanimously tabled the Thomas White appeal to November 12, 2013.

10. Christopher Malone – Appeal – TABLED TO NOVEMBER 12, 2013

The Commission received a request for an appeal from Mr. Malone regarding his disqualification from Bridgeport Firefighter #2306 due to habits and conduct. Mr. Dunn stated that Mr. Malone phoned the office shortly before the meeting because he could not get to Bridgeport in time from Farmington. Mr. Dunn added that the next training class would be February 2014 at the earliest. On a motion made by Commissioner Correa and seconded by Commissioner Plummer the Commission unanimously tabled the Christopher Malone appeal to November.

11. Notice from Chief Joe Gaudett – Police Lieutenant

Civil Service received notice from Chief Joe Gaudett that the department is budgeted for 21 Lieutenants. Accordingly, the Table of Organization needs to be reduced by 1, from 22 Lieutenants to 21 Lieutenants. Mr. Dunn introduced Sergeant Chuck Paris, President of the police union to the Commission. He addressed the Commission regarding the eligibility date for candidates to take the LT Exam #2324. The Civil Service office had determined that the eligibility date or Walker date was March 24, 2013, which is 120 days following the vacancy created by the retirement of LT Matthew Cuminotto, who retired on November 24, 2012.

The police union requested that this date be reviewed since it was their opinion that the correct vacancy date was created by the termination of LT Christine Burns, which occurred on November 16, 2010, thus, according to the union, making the correct Walker eligibility date to be March 16, 2011.

Mr. Dunn said that there may be a conflict between Chief Gaudett's office and Finance regarding the number of Lieutenants. Sergeant Paris said that the Chief had the opportunity 3 years ago to reduce the Table of Organization. He added that things have to be done the right way. Attorney Mitola said that he is not entirely convinced that Chief Gaudett wants to abolish the position. He was silent on it. Attorney Mitola suggested that the Commission abolish the position at the next Commission meeting in November with Chief Gaudett in attendance.

Mr. Dunn said that selfishly Civil Service would prefer 22 Lieutenants on the Table of Organization for more promotions, etc. There is an agreement the City has with the union for exams to be given and seniority back dated. He suggested the Commission hear from the Chief and if needed the Chief will talk with Finance. Mr. Dunn stated that we have to be sensitive to the City finances. Commissioner Correa stated that the \$6,000 in question is peanuts compared to the number of employees that are put on administrative leave for 2 years and other issues.

Sergeant Paris said that the department morale is at an all time low. He added that the Charter specifies the way a process is done and the union follows this to a "t" but the City does not. He stated that it was easy for the City to get the 22nd lieutenant position in 2010 because the City will promote someone they want to promote.

Commissioner Correa said Chief Gaudett had 30 days in 2010 to eliminate the lieutenant position and that there was no active list at the time. Rich Azzarito was the last promotion. Commissioner Correa said that the City procrastinated giving a test and Mr. Dunn replied that he took exception to that statement because many exams have regularly been given and City funding is a decision as well as schedules. Commissioner Correa said she takes back the word procrastinating. Attorney Mitola said that there are 2 issues. The union may be correct to the opening going back to the Burns date. The Chief has authority to say he only needs 21 Lieutenants and there is case law stating that adjustments are made if a municipality does not have funding for exams and that takes precedence. Commissioner Guedes asked if it is different when public safety employees are involved. Attorney Mitola responded that there are negotiated agreements between unions and municipalities about manpower. Sergeant Paris said on October 10 every year there is an allocation plan and the union speaks with the Chief. He said last year the meeting did not take place until November and that the year before the meeting was on time.

Commissioner Correa stated that public safety is critical for the City. She said she has a grave concern over \$6,000. She added that money is found when people are hired even if there is a deficit. City Attorney Anastasi said the union has certain powers and entitlements under the Collective Bargaining Agreement. He stated that the Commission has power to eliminate a position, however does not have authority to mandate a position be filled that a department head does not choose to be filled. Attorney Anastasi said he hears people saying to afford the Chief an opportunity to speak with the union. Attorney Anastasi suggested that the Chief may not have gotten appropriate notice of the Commission meeting since it was postponed. Mr. Dunn said he thought he had invited the Chief. Commissioner Guedes asked Attorney Mitola for a legal opinion. He cited Section 213 of the Charter. Commissioner Correa said she felt these matters should come before the Commission on a timely basis and questioned why the Commission is here. City Attorney Anastasi said that remarkable progress has been made in the past several years scheduling exams. He said that maybe the Chief needs more numbers on the lower ranks but since he is not here Attorney Anastasi did not want to speak for him. Commissioner Correa and Sergeant Paris discussed that there were 66 sergeants and 22 lieutenants at that time and that the department is down to 9 captains from 12 captains. Sergeant Paris said that if this was done prior to the test be announced then it would have been OK, however things need to be done the right way because it is frustrating and getting old. Commissioner Guedes said she understood his frustration.

Sergeant Paris also said that the refundable registration fee for taking the Police Lieutenant exam was another issue. Commissioner Guedes and Correa explained that thousands of dollars are wasted when employees have signed up to take promotional exams in the past and do not notify Civil Service that they decided not to take the exam and just do not show up. They said that if somebody cannot afford the nonrefundable fee that an accommodation can be made.

Attorney Mitola said that by the end of the week a decision would be made on the eligibility date.

12. Pending Legal Issues at City Attorney Office – No Report

13. Personnel Director's Report

Fire Exams

Deputy Chief

Mr. Dunn reported that he has met with the consultant that is creating the exam for the Deputy Chief of Operations in the Fire department. This position was held by Bruce Porzelt.

Fire Equipment Mechanic

Mr. Dunn reported that arrangements are being made for an exam for Fire Equipment Mechanic.

Executive Officer

Mr. Dunn reported that this is a non-union position and the appointment is made by the Mayor and the Fire Chief.

Police Exams

Sergeant and Lieutenant

Mr. Dunn reported that the Police Lieutenant written exam will be given on November 16th and the oral exam would be given the following week. An exam for Police Sergeant is also being planned.

Female Detention Officer

Mr. Dunn reported that a physical ability exam was held on October 12 for the position of Female Detention Officer. There are 2 vacancies. Fourteen (14) of the sixteen (16) women invited to the exam were on the police list. Two (2) were interns in the police training department. Ten (10) women showed and 6 of them passed. Interviews are being scheduled.

Public Safety Communications

Mr. Dunn reported that an exam for Supervisor in the Public Safety Communications Center is also being planned.

Employee Representative on the Civil Service Commission

Mr. Dunn said that Willie McBride, Jr. was elected and sworn in as Employee Representative on Civil Service Commission. Commissioner Guedes said that Commissioner McBride wanted to speak today but since he was not present he will speak to this at the November meeting.

On a motion made by Commissioner Plummer and seconded by Commissioner Rodgers the October 15, 2013 Civil Service Commission regular monthly meeting (postponed from October 8, 2013 due to lack of a quorum) was adjourned at 4:30 p.m.