

CIVIL SERVICE COMMISSION REGULAR MEETING

Tuesday, September 10, 2013, 2:00 p.m.

City Hall, 45 Lyon Terrace, Wheeler A and B, Bridgeport, CT 06604

MINUTES

Commissioner Eleanor Guedes called the September 10, 2013 regular meeting of the Civil Service Commission to order at 2:07 p.m. Present were Commissioners Correa, Plummer, Rodgers, Personnel Director David Dunn, Clerk to the Commission Deborah Brelsford, City Attorney John Mitola. It is noted for the Record that Commissioner McBride was not present.

1. Meeting Minutes - APPROVED

The Minutes from the regular meeting held on July 9, 2013 and the special meeting held on August 9, 2013 were submitted for review. Mr. Dunn stated that he read the minutes and found them to be in order. On a motion made by Commissioner Rodgers and seconded by Commissioner Correa the Minutes from July 9, 2013 and August 9, 2013 were unanimously approved.

2. Vacancies Report - CERTIFIED

Mr. Dunn reviewed the vacancies. He stated that Captain Ismael Pomales will provisionally replace Bruce Porzelt who retired from the Fire department. Commissioner Guedes asked how many vacancies are tested positions. Mr. Dunn said that Custodian I and all of the Fire vacancies are tested and the rest on the list are non-competitive appointments. Mr. Dunn said that he hopes to give a Custodian exam by the end of this year. On a motion made by Commissioner Correa and seconded by Commissioner Rodgers, the Commission unanimously certified for the payroll the following vacancies:

BOE Public Facilities: Seasonal Maintenance Helpers (8); Seasonal Painters (4); Seasonal/Maintainer I, Grade I (6); Custodian I (8) provisional, Maintainer I, Grade I (3); Maintainer I, Grade II.

Fire: Provisional Deputy Chief to be filled by Ismael Pomales; Fire Lieutenant (6); Pumper Engineer (5); Firefighters (11).

Public Facilities: Special Projects Coordinator; Supervisor of Fleet Operations; Garage Clerk.

Registrar of Voters: Clerk; Seasonal Electronic Equipment Programmer (2).

Fire Chief Brian Rooney thanked the Commissioners and said that Deputy Chief Pomales has been with Bridgeport Fire for 35 years, came up through the ranks, was the Director of the Communications Division for 5 years and will also take the

exam for Deputy Chief. Commissioner Correa added that she knows DC Pomales and his family and they are pillars in the community.

3. Merit Increases – CERTIFIED

Mr. Dunn explained that the following employees were due merit increases effective September 1, 2013:

PUBLIC FACILITIES/PARKS

Rodney Poulos	Janitress	\$28,096 (1) to \$30,463 (2)
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ROADWAY

Michael Rose	Maintainer I (Grade I)	\$28,096 (1) to \$30,463 (2)
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Mr. Dunn explained that the following employee is due a merit increase effective October 1, 2013:

BOE FACILITIES	Tina Ulrich	Janitress	\$28,096 (1) to \$30,463 (2)
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Mr. Dunn added that the merit increase for Mr. Sebastian was retroactive to March 1, 2013:

GARAGE

Gary Sebastian	Fleet Mechanic	\$57,885 (2) to \$59,104 (3)
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Mr. Dunn further added that the merit increases for the employees at the Airport below were retroactive to July 1, 2013:

AIRPORT

Richard Bonney	Public Works Foreman I	\$48,002 (1) to \$49,745 (2)
Jean Paul Chacur	Airport Certification Specialist	\$40,103 (2) to \$42,457 (3)
Thomas Norko	Airport Certification Specialist	\$40,103 (2) to \$42,457 (3)

Commissioner Guedes asked Mr. Dunn if the title “Janitress” implied gender back in the day. Mr. Dunn said it did. Commissioner Guedes asked if the class gets paid less and does light work and Mr. Dunn replied that it does. Mr. George Garcia said that at the Board of Education the position of Janitress is strictly cleaning, mostly interior and does not use machinery. He added that the Custodian does exterior and interior cleaning, uses machinery, and locks up buildings. There are also female Custodians. Mr. Dunn said that this is an area deserving of a full review. Classifications and nature of work involved should be reviewed. It may be time to eliminate the position of Janitress and incorporate it into Custodian. On a motion made by Commissioner Plummer and seconded by Commissioner Rodgers the Commission unanimously certified the merit increases for the payroll.

4. Permanent Appointments – NOTED FOR THE RECORD

Mr. Dunn reviewed the following appointments to be made permanent:

FIRE

Bridge, Frank W.	Fire Captain	3/22/13
LaFlamme, Ronald G.	Fire Captain	3/22/13
Oliva, Peter J.	Fire Captain	3/22/13
Shevlin, Kevin J.	Fire Captain	3/22/13
Caldaroni, Michael A.	Fire Assistant Chief	8/23/13

<u>LAST</u>	<u>FIRST</u>	<u>TITLE</u>	<u>DEPARTMENT</u>	<u>EFFECTIVE DATE</u>
Rivera	Francisco	PSC Supervisor	PSC	06/17/2013
Miller	Julie	Tax Assessment Clerk	Tax Assessor	07/02/2013
Arcano	Susan	Tax Assessment Clerk	Tax Assessor	07/07/2013
Ferraro	Jody	PSC TCO	PSC	07/02/2013
Polite	Javon	PSC TCO	PSC	07/02/2013
Rafael	Roldan	PSC TCO	PSC	07/02/2013
Pagnozzi	Mark	PSC TCO	PSC	07/16/2013

Commissioner Guedes said the permanent appointments were noted for the Record.

5. NAGE Requests – TABLED TO OCTOBER 8, 2013

Mr. Dunn explained that he received a call prior to the start of the meeting from Mr. Dwayne Harrison, President of NAGE Local R1-200 and that he requested the following matters be tabled to the next Commission meeting.

- The Commission has received a request from Dwayne Harrison, President of NAGE Local R1-200, for the Service Assistant position to be merged to the Custodian position. There is a union and City agreement.
- The Commission has received a request from Dwayne Harrison, President of NAGE Local R1-200, for a Custodian IV exam.

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

Commissioner Guedes asked Mr. Dunn if the position of Janitress might be included as part of the consolidation and he explained that the position of Janitress is in the AFSCME 1522 union and the Custodian position is in the NAGE union. Mr. Dunn

added that AFSCME might be amicable to discussion but not amicable to lose members to another union.

On a motion made by Commissioner Correa and seconded by Commissioner Plummer the matters were tabled to October 8, 2013.

6. Pedro Martinez Appeal

The Commission received a request for an appeal from Mr. Martinez (applicant for Seasonal Maintainer Grade I) regarding failing a portion of his medical exam. Mr. Dunn asked Mr. Martinez if he wanted a public or private hearing. He said that a public hearing was fine. Mr. Martinez added that he took full responsibility for leaving the facility during the urine test. He explained that he never missed a day last year on the job as seasonal employee and that he was always on time and was liked. He added that he enjoyed the job and it was a good job. Mr. Martinez said that at the time of his physical unfortunately he wasn't ready and was in the process of going on vacation and he came before the Commission so he could be considered again next season.

Commissioner Guedes told Mr. Martinez that he could apply for a position as a seasonal employee again if he is recommended by the department Director or Manager.

7. Rodney Adams Appeal - DENIED

The Commission received a request for an appeal from Mr. Adams regarding failing his psychological evaluation for Firefighter #2306. Mr. Dunn asked if Mr. Adams was present, however, he was not. On a motion made by Commissioner Plummer and seconded by Commissioner Correa the appeal of Mr. Rodney Adams was unanimously denied by the Commission.

8. Kenneth Lombardi Appeal – DENIED

The Commission received a request for an appeal from Mr. Lombardi regarding failing his psychological evaluation for Firefighter #2306. Mr. Dunn asked Mr. Lombardi if he requested a public or private hearing. Mr. Lombardi requested a public hearing. Mr. Lombardi asked if he could be put back on the Fire #2306 employment list because he read on the psychological evaluation that it was good for 1 year. Mr. Dunn explained that this meant the doctor's opinion was good for 1 year. Mr. Dunn explained that if Mr. Lombardi wanted to take another examination he could go through the process. Mr. Dunn added that under the rules and regulations of the Commission if a candidate is disqualified then he/she is off the employment list. Mr. Lombardi thanked the Commission for the opportunity to be heard. Commissioner Guedes polled the Commissioners and Commissioner Correa, Plummer, and Rodgers each respectively denied the appeal.

9. Thomas White Appeal – TABLED TO OCTOBER 8, 2013

The Commission received a request for an appeal for termination from employment from Attorney Thomas Bucci regarding his client, Thomas White. Commissioner

Guedes asked Attorney Bucci if his client wanted a public or private hearing and a private hearing was requested. At 2:28 p.m. the Commission entered executive session. At 3:17 p.m. the Commission returned to public session. On a motion made by Commissioner Plummer and seconded by Commissioner Rodgers the Commission unanimously tabled the Thomas White matter to October 8, 2013, the next regular meeting of the Civil Service Commission.

10. Pending Legal Issues at City Attorney Office – Attorney Mitola

Attorney Mitola said that there is an issue for Tanisha Chambers who had applied to take a police officer exam and was disqualified from the process for a failed psychological exam. Commissioners Guedes and Rodgers are familiar. The other Commissioner was Valerie Sorrentino. This happened before Commissioner Correa was a member of the Commission and Commissioner Plummer was not present at the Commission meeting when the appeal was heard. The Commission had denied the appeal. Ms. Chambers said she was denied based on race and gender. Attorney Mitola said there is no basis for this. The psychologist, Dr. Kirschner, (who has his own lawyer) wrote on the report that she is a single mother and has a child out of wedlock. Ms. Chambers said that it was because of this that the psychologist did not recommend her for the police officer position.

The judge said there could be a question of fact if the Commission relied on that statement. The plaintiff's lawyer cited statistics, which Attorney Mitola believes may not be admissible in court; that African American women have a higher percentage of children out of wedlock. Therefore, the Commissioners could have used this as part of their decision making process. In the State Court there was a denial of summary judgment. Attorney Mitola is ready to go with this in November. Commissioner Guedes stated that the Commission routinely denies failed psychological appeals.

11. Personnel Director's Report

Mr. Dunn said that the Fire exams for Deputy Chief, Fire Equipment Mechanic, and Executive Officer are in the works. Mr. Dunn added that Executive Officer is non-union and who is eligible to take the exam is still under discussion.

Mr. Dunn told the Commissioners that the written Police Lieutenant exam is scheduled for Saturday, October 19, 2013 at the Geraldine Johnson School, pending permit for use of the school. The oral exam will probably be the following week or 1 week later, pending scheduling issues.

Mr. Dunn discussed the refundable security deposit of \$150 for candidates registering for the exam. If an employee who registered to take the exam does not show up for it then he/she will lose the deposit. The certified bank check or money order will be made out to "cash". Commissioner Guedes stated that the Charter says no fees will be charged for tests. She explained that she suggested a fine be imposed. Mr. Dunn said that the logistics would be a nightmare. The wording "refundable security deposit" would be used instead of "fee".

Mr. Dunn said that the office was working on the Employee Election for Representative on Civil Service Commission and that Willie McBride would be running for re-election. He added that Mr. Peter Carroll was the Committee Chairman and that the nomination meeting would take place Thursday, September 12, 2013.

Commissioner Guedes asked Mr. Whitbread if he had anything to discuss. Mr. Whitbread said there would be a Fire grievance at the October meeting that did not fit on the September agenda.

On a motion made by Commissioner Plummer and seconded by Commissioner Correa, the September 10, 2013 regular meeting of the Civil Service Commission adjourned at 3:35 p.m.