

CIVIL SERVICE COMMISSION REGULAR MEETING

Tuesday, November 13, 2012, 2:00 p.m.

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

MINUTES

Commissioner Guedes called the November 13, 2012 regular meeting of the Civil Service Commission to order at 2:17 p.m. Present were Commissioners Rodgers, McBride and Correa. Also attending were Personnel Director David Dunn, Clerk to the Commission Deborah Brelsford, City Attorney John Mitola, and Fire Chief Brian Rooney. Commissioner Plummer was not in attendance.

1. Meeting Minutes - APPROVED

Mr. Dunn reported that he reviewed the Minutes from the October 9, 2012 Commission meeting and found them to be in order. On a motion made by Commissioner Rodgers and seconded by Commissioner Correa, the Commission unanimously approved the October 9, 2012 minutes.

2. Vacancies - APPROVED

Mr. Dunn asked the Commission to amend the Agenda to include Parks and Recreation vacancies that were received by the Civil Service office prior to the Commission meeting. On a motion made by Commissioner McBride and seconded by Commissioner Rodgers, the Agenda was amended to include vacancies in the Parks and Recreation department.

Mr. Dunn explained that interviews had been given to candidates for the Executive Assistant position in the Finance department. He further explained that the position was posted per the LIUNA contract and there was good interest with about 8 or 9 employees bidding. He also noted that the Police Chief was interviewing 1 male and 1 female candidate for the vacancies of Detention Officer and that the position was open, non-competitive, and therefore open to people outside of City employees. On a motion made by Commissioner Rodgers and seconded by Commissioner McBride the Commission unanimously approved the vacancies as follows:

<u>Department</u>	<u>Title</u>
Finance	Executive Assistant
Police	Detention Officer (2)
Parks and Recreation	Site Coordinator (7)
Parks and Recreation	Site Monitor (12)
Parks and Recreation	Coach (13)
Parks and Recreation	Lifeguards (6)
Parks and Recreation	Recreation Leaders (10)

3. Merit Increases – CERTIFIED

Mr. Dunn asked the Commission to amend the Agenda to include merit increases that were not received in time for the Agenda. On a motion made by Commissioner Correa and seconded by Commissioner Rodgers, the Agenda was amended to include merit increases. On a motion made by Commissioner Rodgers and seconded by Commissioner McBride, the Commission unanimously certified the merit increases as follows:

MERIT INCREASES EFFECTIVE JULY 1, 2012

HEALTH DEPARTMENT

Bertha Conte Public Health Nurse I \$58,514 (4) to \$59,659 (Top)

MERIT INCREASES EFFECTIVE AUGUST 1, 2012

HEALTH DEPARTMENT

Tomas Estrella Maintainer IV \$42,319 (4) to \$44,243 (5)

FIRE

			<u>Effective</u>
Alfaro, Alexis	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Bryant, Mark	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Bulerin Jr., James	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Burlison, Patrick	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Cannon, Ronald	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
DeFranzo, Michael L.	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Dunleavy, Thomas	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Greene, Anthony	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Greene, David	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Hall, Jacob	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Jones, Jimmie	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Jones, Lamont	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Lenart, David	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Russo, Daniel	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Resko, Eric	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Spinelli Jr., Peter	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Torres, Arnaldo	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Valderrama, Edwardo	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Barnes, Maurice F.	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12
Echford, Mario M.	Fire Fighter	\$55,252 (3) to 58,935 (4)	12/10/12

4. Lieutenant Lonnie Blackwell – Request – NO ACTION TAKEN

A written request has been received from Lt. Lonnie Blackwell, to speak with the Commission, on behalf of the Guardians, regarding police promotional examinations. Mr. Dunn introduced Lt. Blackwell to the Commission. Lt. Blackwell is President of the Guardians, which is a paternal organization representing the interest of minority police officers in the City of Bridgeport. Accompanying Lt. Blackwell was Police Officer Sheldon Mayne, who is Vice President of the Guardians.

Lt. Blackwell explained that the Guardians would like to see the time in grade requirement to take police promotional exams as 1 year, to continue. Over the last 30 years this 1 year time in grade has helped create diversity throughout the ranks. Lt. Blackwell said he felt strongly that the policy should not be modified.

Mr. Dunn explained that he had been contacted by the Police Executive Board to attend a meeting in Chief Gaudett's office to discuss promotional time in grade issues. The union wanted to know if Civil Service would be supportive of increasing time in grade to 3 years for Sergeant exam eligibility. He further explained that in the Fire department it has been the practice for a number of years to require 3 years in the job before being eligible to take the next promotional exam. With EEO there has been some history of litigation. Mr. Dunn noted that the practice in the Police department is different from the practice in the Fire department.

There was a meeting with union leadership because there was some interest among the rank and file members to change the time in grade requirement in the Police department. Mr. Dunn added that this change would have to be bargained with the Labor Relations department. An approved contract would be needed and a vote of the members and, in addition, the City Council would also have to vote.

Mr. Dunn stated that Civil Service can take a position to support or not support a change in time in grade for Police promotional exams. He explained that he had not expressed any position, as there are positives and negatives to both sides of the argument.

Commissioner Correa asked what the current policy is and Mr. Dunn replied that it is 1 year time in grade. Commissioner Correa asked if there is a test given and if candidates have to pass the test. Mr. Dunn replied yes. Mr. Dunn explained that the issue came about when one successful female Police Officer passed the test and did well. Commissioner Correa expressed that she was good with 1 year time in grade as long as a test must be passed.

Lt. Blackwell stated that Officer Mayne would be adversely affected and explained that Class #35 is in the Academy now and that Class #34 would have about 6 or 7 months experience as a Police Officer. A list would be ratified in another 6 months to a year. He told the Commissioners that Class #34 has made tremendous felony arrests. He said that there were 2 attorneys from Class #34 and that some members of Class #34 have Masters Degrees with life experience, and education. Lt. Blackwell said that this should be an opportunity for all and that the cream rises to the top. The Guardian position is that everybody should have the opportunity to take the promotional exam.

Lt. Blackwell added that he was in charge of the recruitment process. Some took the job and achieved the rank of Sergeant in 3 years. He said that it is unfair to bring in an individual under one contract and the rules can't be changed now. Lt. Blackwell stated that there may not be a promotional test for Sergeant given again for 8 years.

Commissioner Guedes stated that Lt. Blackwell brought up excellent points. Commissioner Guedes asked Mr. Dunn why the introduction of change. Mr. Dunn replied that it is not an introduction to change. The Police Chief had sent a letter to Civil Service to start the process. There is at least 1 opening for a Sergeant, maybe more. There is lots of talk about a Sergeant exam. Mr. Dunn said that different parties have been discussing if a Police Officer with 3 years on the job is qualified to be a Sergeant. He reminded the Commission that this was the entire issue in the Fire department, with what Lieutenants could take the Captain exam.

Commissioner Correa said that diversity and blending of talents is important. Mr. Dunn said that a letter could be sent to Labor Relations from the Commission stating that it is the consensus of the Commission to not support a change in the Police promotional exam requirement of 1 year time in grade to 3 years time in grade.

Attorney Mitola said that no motion was needed. Commissioner Guedes thanked Lt. Blackwell for eloquently expressing his concerns to the Commission.

5. Oshaine Richardson Appeal – DENIED

Mr. Dunn stated that the appeals of Messrs. Richardson and Pettway had been tabled at the October Commission meeting. Commissioner Guedes asked Attorney Williams if he wanted to add anything. He said he read the letter from Dr. Kirschner and he stated that Dr. Kirschner has no support. He said the information Dr. Kirschner gave is limited. He felt that Dr. Kirschner did not offer any explanation. He also said that Dr. Kirschner does not have any understanding of the requirements for these jobs. Attorney Williams added that relevant consideration has not been shown and stated that the Commission is abdicating its power to an unelected private individual. He respectfully requested that the Commission go back to Dr. Kirschner. Attorney Williams added that his clients did go through a Background Investigation and challenged Mr. Dunn on this.

Mr. Dunn explained that a Background Investigation was initiated and Lt. Garcia sent Officers to the workplaces of Messrs. Richardson and Pettway, however, when the failed psychological evaluation was received the background investigation was not completed.

Commissioner Guedes stated that the Commission has had training sessions on how the psychological evaluation is conducted and that the Commission is informed from that regard. She added that at the last meeting the Commission had the 2 to 3 page results from the evaluation. Attorney Mitola said that Dr. Kirschner is an expert in the area of psychological evaluations. He added that the Commission asked the appropriate questions of the Doctor. He further stated that the tests have been normed to show no adverse impact. Attorney Mitola said that over the years exams go through a process of research and are racially neutral. He added that there used to be an old California Personality Inventory and there were some issues but this changed over the years.

Attorney Mitola said Dr. Kirschner has the job description for the Firefighter position and does know the requirements of the position. He added, with all due respect to Mr. Pettway, that perhaps this type of job is not for him from a psychological standpoint and explained that this does not mean that Mr. Pettway is a bad person. Further, Attorney Mitola explained that in the Fire service there is a great need to get along with others, live with others, and function as a team. Attorney Mitola said that Dr. Kirschner has answered the Commission's questions and that the Commission has done their due diligence. Attorney Mitola added that nothing is to be gained by Dr. Kirschner coming to a certain conclusion. The City spends a lot of money on the process with all the testing. A statistical analysis is not needed. The tests are normed to be racially neutral through years and years of research.

Commissioner Correa said that she feels comfortable with what Dr. Kirschner presented to the Commission. She said he is the doctor; that she is not a psychologist and that she has respect for his profession. Mr. Dunn stated that Dr. Kirschner has responded to the Commission's concerns and those Attorney Williams asked about and also that City Attorney John Mitola has reviewed it. Mr. Dunn asked the Commission to deny the appeals.

Commissioners Rodgers, McBride and Correa each respectively voted to deny the appeal of Mr. Oshaine Richardson regarding his disqualification from Fire #2306 for failing the pre-employment psychological examination.

6. Demetrius Pettway Appeal - DENIED

(Please reference number 5.) Commissioners Correa, McBride, and Rodgers each respectively voted to deny the appeal of Mr. Demetrius Pettway regarding his disqualification from Fire #2306 for failing the pre-employment psychological examination. Commissioner Guedes stated that the Commission gave deference to the psychological testing company and will uphold the decision.

7. Thiago Reaes Appeal – DENIED

Commissioner Guedes stated that Mr. Reaes' appeal would be held in executive session, as it had been in October. On a motion made by Commissioner McBride and seconded by Commissioner Rodgers, the Commission entered executive session at 3:00 p.m. The Commission returned to public session at 3:15 p.m. Commissioner Guedes stated that there was a recent request from the City Attorney's office to table the Reaes appeal for 1 month. Commissioner Guedes then polled the Commission to see if the appeal would be tabled for another month. Commissioner Rodgers, McBride, and Correa each respectively voted to deny tabling the appeal for another month and would go forward with the hearing (today).

On a motion made by Commissioner Rodgers and seconded by Commissioner McBride, the Commission entered executive session at 3:16 p.m. The Commission returned to public session at 3:46 p.m. Commissioners Rodgers, McBride and Correa each respectively voted to deny the appeal of Mr. Thiago Reaes regarding his disqualification from Fire #2306 for failing the pre-employment psychological exam.

8. Personnel Director's Report

Public Safety Telcommunicator

Mr. Dunn reported that candidates for the position of Telecommunicator underwent psychological evaluations.

Public Safety Telecommunicator Supervisor

Mr. Dunn explained that the Police Chief, Fire Chief, and EOC Director reviewed exams and scoring was underway with Lisa Kollman. He said there is a retention issue with personnel due to high turnover, pressure and stress. Ms. Doree Price, Director, joined the meeting and Commissioner Guedes asked if she would discuss retention issues. Ms. Price explained that a Supervisor left for a different job, another was on the list for the Fire department in Stamford and took the job because he really wanted to be a Firefighter. She said that the EOC opened with 12 Telecommunicator positions short. She said some did not make it through the probationary period, some retired after 25 years. She added that they have never had 10, 12, or 15 candidates go through OIA background investigations and psychological evaluations. They usually end up with 5 people after testing.

Commissioner Guedes said that with the overtime worked there seems to be a high burnout rate. Commissioner Guedes suggested part-timers if the union approved of this. Ms. Price said that she and the Chief had discussed hiring part-timers but it would not work with people off the street, only retired people that had worked in public safety. Ms. Price added that a larger population needs to be reached to take the exam. She also said that there is a very high call volume in the Center. It takes about 5 to 6 months to train full-time employees. Employees are required to work weekends and holidays.

Commissioner McBride questioned Ms. Price about sending Dispatchers home after a tragedy. Ms. Price replied that they are given time off and are paid for it. With the example of a hostage situation, the TCO spent 3 hours on the phone with the woman. It was a 3 hour ordeal. A life was in danger. A gun was involved. The TCO was taken off the board and she was allowed to go home. Commissioner McBride asked about a recent suicide incident. Ms. Price replied that she was sent home. She added that sending an employee home depends on the seriousness of the call. She further explained that sometimes it is therapeutic for the employee to stay and in other cases Ms. Price has had to convince somebody to take the next day off.

Police Sergeant

Civil Service is in the process of obtaining proposals for this exam. Mr. Dunn said that Fire Lieutenant and Fire Engineer exams may also be given. Mr. Robert Whitbread added that a Fire Equipment Mechanic exam should be given as Civil Service is late in giving one.

Police Lieutenant

Civil Service is in the process of obtaining proposals for this exam.

Firebird Complaint

A complaint was made and OIA was looking into it, however nothing is happening with it because nobody came forward to fill out the complaint.

Fire Class

There were some academic issues with some of the class, however, they have been resolved. Mr. Dunn hopes to visit the Fire Academy with Chief Rooney.

Commissioner Correa said that the Commission had a very good visit at the Police Academy. Mr. Dunn said that they could also go to the Fire Academy. However, it is farther away, in Windsor Locks.

On a motion made by Commissioner Rodgers and seconded by Commissioner McBride, the November 13, 2012 meeting of the Civil Service Commission was adjourned at 4:10 p.m.