

**CITY OF BRIDGEPORT
CIVIL SERVICE COMMISSION
REGULAR MEETING
CITY HALL, WHEELER ROOMS A AND B
JANUARY 10, 2023**

MINUTES

Commissioner Falberg called the regular meeting of the Civil Service Commission to order at 4:34 p.m. Present were Commissioners Ford, Grech and Hall; Personnel Director Eric Amado; Clerk to the Commission Deborah Brelsford; Atty. John Mitola; Acting Fire Chief Lance Edwards; Kenneth Flatto, Finance Director; Atty. Errol Skyers, Labor Relations Director; Shakeem Fowler, Atty. Thomas Bucci; Domenic Costello, Labor Relations Deputy Director; Maria Pires

1. Meeting Minutes

The Minutes from the regular meeting on December 13, 2022 are submitted for review.

Mr. Amado presented the minutes of the December 13, 2022 regular meeting to the Commissioners.

**** COMMISSIONER HALL RODGERS MOVED TO APPROVE THE REGULAR MEETING MINUTES ON DECEMBER 13, 2022.**

**** COMMISSIONER GRECH SECONDED.**

**** THE MOTION TO APPROVE THE REGULAR MEETING MINUTES ON DECEMBER 13, 2022 AS SUBMITTED PASSED UNANIMOUSLY.**

2. Merit Increases – Certify for Payroll

Mr. Amado presented his report to the Commissioners.

MERIT INCREASES FOR JANUARY 10, 2023 C.S.C MEETING

FIRE	JOB TITLE	EFFECTIVE FEBRUARY 2023
LUIS RODRIGUEZ	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
JUAN RIVERA	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
KRAIG MORAN	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
CURTIS CATHLIN	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
KEVIN VOSS	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
JONATHAN COLON	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
RYAN SULLIVAN	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
KEVIN SCRANTON	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
AARON DZUJNA	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP
NOAM MEIR	FIRE FIGHTER	\$65,996.00 (3) TO \$70,393.00 (4) TOP

3. Permanent Appointments – Certify for Payroll

Mr. Amado presented the report to the Commissioners.

PERMANENT APPOINTMENTS			
Dept	Employee	Position	Effective
Library	Ana Felipe	Library Asst I	11/9/22
Library	Sarah Greenberg	Library Asst III	11/9/22
Library	Joel Hinojosa	Library Asst I	11/9/22
Library	Robert Jefferies	Library Asst II	11/9/22
Library	Andre O'Connor	Library Asst II	11/9/22
Library	Hassan Pooser	Junior Librarian	12/13/22
Police	Diana Bernard	School Crossing Guard	12/15/22
Treasury	LaQuasha Spencer	Accountant	12/6/22

PERMANENT APPOINTMENTS – JANUARY 2023 MEETING				
ID#	LAST NAME	FIRST	JOB TITLE	EFFECTIVE DATE
217220	Nieves	Gilberto	Maintainer IV	11/12/22
220831	Triana	Javier	Maintainer III	12/24/22
218695	Martins	Jason	Maintainer II	11/5/22

4. Vacancy Report

Mr. Amado presented the report to the Commissioners.

VACANCIES	Report -	1/10/23				
<u>Competitive Positions</u>			<u>Former</u>		<u>Replacement</u>	
POLICE						
Captain			Robert Evans		Vacant	
Captain			Mark Straubel		Vacant	
Captain			A.J. Perez		Vacant	

<u>Non-Competitive Positions</u>	<u>Former</u>	<u>Replacement</u>
HEALTH & SOCIAL SERVICES		
Deputy Director of Public Health	Amy Lehaney	Vacant
PUBLIC FACILITIES		
Maintainer II	Julio Negron	Vacant
Maintainer II	Ryan Loschiavo	Vacant
Maintainer I Grade I	Suzette Gonzalez	Vacant
REGISTRAR OF VOTERS		
Secretarial Assistant	Nereyda Robles	Vacant
MIRA		
Clerical Assistant	Kelia Lanham	Vacant
BRIDGEPORT PUBLIC LIBRARY		
Library Assistant I FT	Jonathan Rios	Vacant
FINANCE		
Account Clerk I	Joann Fray	Vacant

5. Appeal – Shakeem Fowler – Tabled from 10/26/22 and 12/13/2022

The Commission has received a request for an appeal from Shakeem Fowler regarding his disqualification from the entry level firefighter exam #2380 regarding habits and conduct. Shakeem Fowler is represented by Attorney Thomas Bucci.

Mr. Amado presented the appeal and asked Mr. Fowler if he wished to have the appeal heard in Executive Session or in Public Session. Atty. Bucci stated that his client wished to have the appeal heard in Executive Session.

**** COMMISSIONER GRECH MOVED TO ENTER INTO EXECUTIVE SESSION REGARDING THE APPEAL FROM MR. SHAKEEM FOWLER REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380 REGARDING HABITS AND CONDUCT.**

**** COMMISSIONER FORD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Mr. Amado, Ms. Brelsford, Atty. Mitola, Acting Fire Chief Edwards, Atty. Bucci and Mr. Fowler entered into Executive Session at 4:40 p.m. They returned to

Public Session at 4:58 p.m. No actions were taken or motions made during Executive Session.

**** COMMISSIONER FALBERG ASKED THE COMMISSIONERS TO VOTE ON THE APPEAL FROM MR. SHAKEEM FOWLER REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380 REGARDING HABITS AND CONDUCT.**

**COMMISSIONER FORD MOVED TO DENY THE APPEAL.
COMMISSIONER GRECH MOVED TO DENY THE APPEAL.
COMMISSIONER HALL MOVED TO DENY THE APPEAL.**

**** THE APPEAL FROM MR. SHAKEEM FOWLER REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380 REGARDING HABITS AND CONDUCT WAS UNANIMOUSLY DENIED.**

**** COMMISSIONER HALL MOVED TO AMEND THE AGENDA BY HEARING AGENDA ITEM #7 REGARDING THOMAS SEKELICK BEFORE HEARING AGENDA ITEM #6 REGARDING MARIA PIRES.**

**** COMMISSIONER FORD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

6. Appeal - Thomas Sekellick – Tabled from December 13, 2022

The Commission has received a request for an appeal from Thomas Sekellick regarding his disqualification from entry level firefighter exam #2380 regarding habits and conduct.

Mr. Amado presented the appeal and asked Mr. Sekellick if he wished to have the appeal heard in Executive Session or in Public Session. Mr. Sekellick stated that he wished to have the appeal heard in Executive Session.

**** COMMISSIONER FORD MOVED TO ENTER INTO EXECUTIVE SESSION REGARDING THE APPEAL FROM MR. THOMAS SEKELICK REGARDING HIS DISQUALIFICATION FROM ENTRY LEVEL FIREFIGHTER EXAM #2380 REGARDING HABITS AND CONDUCT.**

**** COMMISSIONER FORD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Commissioners, Mr. Amado, Ms. Brelsford, Atty. Mitola, Acting Fire Chief Edwards, and Mr. Sekellick entered into Executive Session at 5:02 p.m. They returned to Public Session at 5:21 p.m. No actions were taken or motions made during Executive Session.

**** COMMISSIONER FALBERG ASKED THE COMMISSIONERS TO VOTE ON THE APPEAL FROM MR. THOMAS SEKELICK REGARDING HIS DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380 REGARDING HABITS AND CONDUCT.**

**COMMISSIONER FORD MOVED TO DENY THE APPEAL.
COMMISSIONER GRECH MOVED TO DENY THE APPEAL.
COMMISSIONER HALL MOVED TO DENY THE APPEAL.**

**** THE APPEAL FROM MR. THOMAS SEKELICK REGARDING HIS
DISQUALIFICATION FROM THE ENTRY LEVEL FIREFIGHTER EXAM #2380
REGARDING HABITS AND CONDUCT WAS UNANIMOUSLY DENIED.**

7. Appeal – – Maria Pires – Tabled from December 13, 2022

The Commission received a request for an appeal from Maria Pires regarding her termination from employment with the City of Bridgeport. Maria Pires is represented by Attorney Thomas Bucci.

Mr. Amado presented the appeal and asked Ms. Pires if she wished to have the appeal heard in Executive Session or in Public Session. Ms. Pires said that she would prefer to have the appeal heard in Public Session. Mr. Amado introduced Mr. Costello, the Labor Relations Deputy Director. He gave a brief overview of the documentation included in the Commissioners' packets.

Atty. Bucci said that Ms. Pires had been a City employee for 36 years. After she retired, she was called back in 2018, and given an employment letter dated August 30, 2018, which states that the employment was a part time position subject to the Charter, was not part of the Union and had no benefits. Atty. Bucci distributed copies of the letter to the Commissioners.

Atty. Bucci said that there should be no dispute that she is a member of the classified service of the City of Bridgeport because the 2018 employment letter states that she was a classified employee. He indicated that Ms. Pires' termination letter stated that she was terminated, not laid off or suspended. Section 223 of the City Charter states that before terminating a classified employee, Ms. Pires should have been informed and was entitled to a hearing. The termination letter was delivered to Ms. Pires and she was terminated immediately without any opportunity for appeal. Atty. Bucci then reviewed the details of Section 223 of the Charter.

Atty. Bucci then spoke about the Loudermill case and also Austin vs. the City of Bridgeport. He said that Ms. Pires should be reinstated.

He also stated that he and Ms. Pires had received a packet of information on the day of this hearing. Those documents should have been presented to Ms. Pires on the day that she was served the notice of termination and mention some type of grievance. He noted that Ms. Pires' jobs were different from the employee who filed the grievance. These actions strike at the heart of Civil Service.

Ms. Pires then spoke about how her family came to Bridgeport over 51 years ago. Freedom of speech is held in high regard. However, she stated that she felt that this administration has violated that freedom. She said that she was not the first employee to be silenced and thought she might not be the last. This only encourages her to work to make every voice heard.

Ms. Pires concluded her remarks by saying that her termination was unjust and unconstitutional before thanking the Commissioners for their time.

Mr. Costello said that Ms. Pires was dismissed due to a restructuring of her department. He then spoke about a grievance document that had been filed, which spoke about how another employee was working out of classification. He reviewed the details of the position that this employee had been doing. Mr. Costello then reviewed the details of the budgetary constraints and staffing issues. He noted that she was doing work out of classification for over a year. She had a grievance hearing on November 28th and it became evident during the hearing that she was performing the job of the Assistant Tax Assessor.

Mr. Costello then reviewed the details of the salary differential and added that she wished to be paid the salary for performing the duties of the Assistant Tax Assessor. The question became where the Department would find the \$36,000 for the additional salary requirements.

In most instances, when there are budget constraints, the part time employees are the ones that are laid off or terminated. There were two part time employees in the Tax Assessor's Office, one of which was Ms. Pires. The other employee was hired for Customer Service.

Mr. Costello then went on to review the details of the documents in the packet and noted that this position was never designed to be a permanent position. It had been created to deal with a backlog, which has now been accomplished.

Mr. Ken Flatto came forward and said that he was the Department Director. Mr. Flatto gave an overview of the situation when Ms. Pires was hired part time after her retirement.

Atty. Bucci said that regardless of the position being temporary or permanent, he pointed out that temporary emergency positions only last 3 months. Provisional positions extend to four months in any one calendar year. Ms. Pires worked in this position for almost two years. He said that the budgetary issues should have been discussed with her before her termination. He added that sending a notification via email is not acceptable and is unlawful.

There are also bumping rights involved with collective bargaining. He points out that the other, more recently hired part time staff member was hired specifically for customer relations. He stated that Ms. Pires should have received notification so she could consider her bumping rights due to her seniority.

Commissioner Grech asked Atty. Mitola about the legality of the action of the Charter. Atty. Mitola said that the termination letter mentioned the Charter requirements. He said that he agreed that Ms. Pires should have received notice of a pending lay off and have an opportunity to respond. However, the reasons why this happened were legitimate. He asked Atty. Bucci if this hearing would suffice.

Atty. Bucci stated his client needed to be reinstated and given an opportunity to appeal the termination. Atty. Mitola said that he believed it was a Charter violation and could draft up a

legal opinion if the Commission wished to table the matter. He noted that he had not been aware of the hiring letter that stated that she was subject to the rules and regulations of the Bridgeport Civil Service Commission. Discussion followed about the details of the letter of separation and the budgetary constraints.

Commissioner Grech requested that the Commission have a brief caucus. Following the conclusion of that caucus, Commissioner Falberg stated the Commission was ready to vote.

**** COMMISSIONER FALBERG ASKED THE COMMISSIONERS TO VOTE ON THE APPEAL FROM MARIA PIRES REGARDING HER TERMINATION FROM EMPLOYMENT WITH THE CITY OF BRIDGEPORT.**

COMMISSIONER FORD MOVED TO GRANT THE REINSTATEMENT OF MS. PIRES TO HER POSITION.

COMMISSIONER GRECH MOVED TO GRANT THE REINSTATEMENT OF MS. PIRES TO HER POSITION.

COMMISSIONER HALL MOVED TO GRANT THE REINSTATEMENT OF MS. PIRES TO HER POSITION.

**** THE COMMISSION UNANIMOUSLY APPROVED THE REINSTATEMENT OF MARIE PIRES TO HER POSITION.**

8. Appeal – Stacey A. Sereno

The Commission has received a request for an appeal from Stacey A. Sereno regarding her disqualification from the Public Safety Telecommunicator exam # 2383 following the keyboarding test where the minimum passing point of 35 words per minutes was not attained.

Mr. Amado then presented the appeal and asked Ms. Sereno if she wished to have the appeal heard in Executive Session or in Public Session. He noted that there should not be a need to enter into Executive Session since it does not involve habits and conduct or a medical matter. Ms. Sereno agreed.

Mr. Amado then gave an overview of the testing results, which was handled by a technical testing company. The test results indicated that Ms. Sereno had a testing time of 20 words per minute and the minimum passing point was 35 words per minute.

Ms. Sereno greeted the Commission. She said that she had been a dispatcher since 1986 and said that this was her second attempt at the test. The first time that she took the test, she had COVID and requested an extension, which was denied. The second time she took it, there was no practice test, even though they stated that she had taken the practice test. She went on to give the details.

Ms. Sereno said that she had done dispatch for several departments and noted that she had been hired by Stamford but turned the job down because she lives in Oxford.

Mr. Amado said that a staff member had contacted the company and the company had not found a reason that the software failed. However, the standards are in place for a reason.

Ms. Sereno said that she had been speaking with someone that works at the EOC and one of the other workers said that the same thing had happened to her the previous year. Ms. Sereno said that she had taken the test on her laptop but felt that it should be taken on a desktop.

Mr. Amado said that the only way that he would be comfortable if she was approved by the Commission was if Ms. Sereno came into the office and used one of the City's computers to take the test.

Commissioner Grech said that there were many different people who take the test and the Commission has to be consistent.

Ms. Sereno said that she had not been given the option of taking the test on site rather than at home. The discussion moved to whether a refund should be issued and the potential waiver for the next round of testing. Ms. Sereno said that she really wants the job. Mr. Amado said that the City was conducting oral interviews during the coming week and that they would exhaust the current list, so another test would be scheduled soon.

**** COMMISSIONER FALBERG ASKED THE COMMISSIONERS TO VOTE ON THE APPEAL FROM STACEY A. SERENO REGARDING HER DISQUALIFICATION FROM THE PUBLIC SAFETY TELECOMMUNICATOR EXAM # 2383 FOLLOWING THE KEYBOARDING TEST WHERE THE MINIMUM PASSING POINT OF 35 WORDS PER MINUTES WAS NOT ATTAINED.**

**COMMISSIONER GRECH MOVED TO DENY THE APPEAL.
COMMISSIONER FORD MOVED TO DENY THE APPEAL.
COMMISSIONER HALL MOVED TO DENY THE APPEAL.**

**** THE APPEAL FROM STACEY A. SERENO REGARDING HER DISQUALIFICATION FROM THE PUBLIC SAFETY TELECOMMUNICATOR EXAM # 2383 FOLLOWING THE KEYBOARDING TEST WHERE THE MINIMUM PASSING POINT OF 35 WORDS PER MINUTES WAS NOT ATTAINED WAS UNANIMOUSLY DENIED.**

9. Appeal – Jennifer Leso

The Commission has received a request for an appeal from Jennifer Leso regarding her disqualification from the Public Safety Telecommunicator exam # 2383 following the keyboarding test where the minimum passing point of 35 words per minutes was not attained.

Mr. Amado called for Ms. Leso three times. There was no response. He announced that Ms. Leso was not present at the meeting. He gave the details of the situation and stated that there was an Internet connection failure, but her final score was 34 words per minute.

**** COMMISSIONER FALBERG ASKED THE COMMISSIONERS TO VOTE ON THE APPEAL FROM JENNIFER LESO REGARDING HER DISQUALIFICATION FROM THE PUBLIC SAFETY TELECOMMUNICATOR EXAM # 2383 FOLLOWING THE KEYBOARDING TEST WHERE THE MINIMUM PASSING POINT OF 35 WORDS PER MINUTES WAS NOT ATTAINED.**

**COMMISSIONER FORD MOVED TO DENY THE APPEAL.
COMMISSIONER GRECH MOVED TO DENY THE APPEAL.
COMMISSIONER HALL MOVED TO DENY THE APPEAL.**

**** THE APPEAL FROM JENNIFER LESO REGARDING HER DISQUALIFICATION FROM THE PUBLIC SAFETY TELECOMMUNICATOR EXAM # 2383 FOLLOWING THE KEYBOARDING TEST WHERE THE MINIMUM PASSING POINT OF 35 WORDS PER MINUTES WAS NOT ATTAINED WAS UNANIMOUSLY DENIED.**

10. Legal Report – No report.

11. Personnel Director Report

- Exam Update

Public Safety Telecommunicator – Candidates from Exam #2376 are being processed through the background check phase.
Examination # 2383 the oral interviews will be held in the coming week.

Fire Department – Exam for Fire Assistant Chief is scheduled for next week.
The Fire Captain Exam is tentatively scheduled for February.

Police Department Candidates – Exam # 2375 candidates are being processed through the background check phase and psychologicals.
Exam #2385 candidates have taken the oral exam last week.

There have been a number of questions raised about the psychological tests. Several candidates have indicated that they have taken the test with Mark Kirschner Behavioral Health firm previously and would like a different vendor. In the past the Department has used Behavioral Health. There was an alternative vendor who has since retired. Mr. Amado said that they had checked with CCM and all the towns use Mark Kirschner. He explained that if a candidate has taken an exam with Psychologist Kirschner within a year and failed, Mr. Amado would send the candidate to the alternative tester.

Discussion followed about lateral transfers and candidate's qualifications.

- Next regular monthly CSC meeting is scheduled for Tuesday, February 14, 2023.

ADJOURNMENT

**** COMMISSIONER GRECH MOVED TO ADJOURN.**

**** COMMISSIONER FORD SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Telesco Secretarial Services