

MINUTES OF THE
CIVIL SERVICE COMMISSION MEETING
Council Conference Room
Thursday, September 8, 2016

Attendance: Scott Orille, Chairman
Jim Janis, Vice Chairman
Susan Olijar, Secretary

Valerie Rosmarin, Clerk

Also in attendance: HR Director DeTillio, Chief Streator, Chief Huerner, Chief Utilities Executive Danielson, Council Members Larry Meiners and Jennifer Fenderbosch, and Mayor Zilka.

The meeting commenced at 5:01 p.m.

1. Approval of Minutes

Chairman Orille made a motion to approve the minutes from August 11, 2016. The motion was seconded by Vice Chairman Janis. Motion passed. 3-0.

2. Amendments to Civil Service Rules

- Rule 9(C) and Rule 17(J) – Seniority

The Clerk provided Chief Streator with the proposed changes regarding seniority points. Chief Huerner discussed these changes at a prior meeting and stated his support.

In response to Chairman Orille, Chief Streator stated his support for the following amendments:

Proposed Modifications to Civil Service Rule 9 Section C and Rule 17(I)

Seniority. There shall be added to the **final combined score of the** passing written grade **and assessment center** of those applicants taking promotional examinations a credit for seniority, which shall be determined as follows:

One percentage point (1%) for each year of the first four (4) years of service and six-tenths of one percentage point (.6 %) for each year of the next ten (10) years of service. Seniority credits shall be awarded for partial years of service for each full month of service less than one year on a pro rata basis.

Years of service shall be determined as of the date of the examination or, if the examination consists of more than one part, as of the date of the first part of the examination. (Amended 1/24/00) Employees who have previously resigned their employment with the City of Avon Lake and become re-employed with the City are not entitled to seniority credits toward promotions based on their previous employment.

Motion: Chairman Orille made a motion to adopt the proposed changes to Civil Service Rule 9 (C) and Rule 17(J) subject to the approval by Council. The motion was seconded by Vice Chairman Janis. Motion approved. 3-0.

- Military Bonus Points

The Human Resources Committee of Council recommended the Civil Service Commission consider increasing the bonus points for military service to 15 percent. Civil Service Rule 9(B), 14(C), and 15(C) state that an applicant for original appointment who receives a passing grade shall be entitled to an additional five percentage points if he or she was in the service and on active duty for a minimum of 180 days for the United States of America and was honorably discharged.

Chairman Orille reviewed all bonus points identified in the Civil Service Rules, to wit:

- 5 percentage points for DD214,
- 5 percentage points for two year college degree, and
- 8 percentage points for four year college degree

There is a cap at 10 percentage points.

Discussion as to whether points, i.e. 5, 8 & 10 or percentage points 5%, 8%, and 10% are to be awarded. The Clerk reported that all prior Commissions used the point system of 5, 8, and 10 added to the passing grade as oppose to the percentage points. Clarification of this rule may be needed.

Chief Huerner stated his support to award bonus points to a veteran; however, if the amount of 15 percent is used, good candidates who are not veterans may be passed.

Chief Streator asked why the Human Resources Committee recommended the increase.

Councilman Meiners stated that the intent to increase the bonus points was to attract more veterans and to reward or honor the veteran.

Secretary Olijar stated that the Civil Service Commission is tasked with providing the citizens of Avon Lake with the best qualified candidate. Some departments, such as police, college degrees have been found to be important. In other departments there maybe less of need to compete with a college degree. Perhaps there is way to distinguish within each department.

Vice Chairman Janis agreed that goal is to provide the best employee for the city and suggested the possibility to comprise on the veterans points.

Chairman Orille questioned if the Human Resource Committee reviewed the overall additional credit structure of the Civil Service Rules and what was the basis for 15 percent since the maximum award is 10 percentage points.

Mr. Meiners stated that the Human Resources Committee discussed this recommendation at length. They wanted to place a significant honor to veterans. It is not an automatic path to employment with the City, since the department head is not obligated to hire the veteran.

In his absence, HR Director DeTillio read Councilman Bucci's response on the issue. Mr. Bucci stated that it was his intent to place provisions in the City's hiring policies to increase the number of veterans applying for jobs.

HR Director DeTillio stated that it is his recommendation that the City look into other ways to advertise which will attract veterans. Unfortunately, he has not located a central method for veterans, i.e. such as a veterans employment website.

Chairman Orille suggested the Civil Service Commission waive the \$25 application fee for veterans.

Mr. Meiners stated he would not support the waiver; and if someone is interested in working for the City, they should pay a fee.

The Civil Service Commission and guests in attendance discussed at length the civil service process and its objective to obtain the best candidate for the City.

Chairman Orille stated that a comprehensive review of the additional credit points is needed. That an increase to the veteran points should be more cohesive and should not give a veteran an automatic top of the list status. He suggested the Civil Service Commission analyze a structure at the next meeting.

Secretary Olijar stated that in addition to a redesign of the entire structure, the percentage points or numerical points need clarification since there is confusion in the language of the rules.

3. Promotional & Entry Level Exams – Fire Department

- Assistant Fire Chief

The Clerk informed Chief Huerner of the quotes she obtained from the Ohio Fire Chiefs Association regarding the Assistant Fire Chief Promotional. The written exam is \$1,500 and the assessment center is \$5,900.

Chief Huerner stated that the retirement of Assistant Fire Chief Moore was to occur in April; however, that date may change. His recommendation is to have an eligibility list by the end of this year. Then the individual at the top of the list could become Interim Assistant Fire Chief and be trained by Assistant Fire Chief Moore prior to his departure.

Chairman Orille stated that the Civil Service Rules require a minimum of 30 days to study for the written exam; however, it is preferred to offer candidates more time.

The Clerk will contact OFCA to schedule a written exam in mid November and the assessment center in early December. Thereafter, the Civil Service Commission will send notices to all candidates announcing the promotional.

- Firefighter/Paramedic

Chief Huerner requested that the Civil Service Commission create an eligibility list by the end of the year.

In response to Chairman Orille, the Clerk reported that the amendment to Civil Service Rule 15 Section A(2) and Section F pertaining to the position of firefighter/paramedic was forwarded to the Human Resources Committee of Council and awaits their approval.

Secretary Olijar requested the Clerk make inquiry at paramedic schools to determine when the next graduation pool of candidates will be available.

After discussions, the Clerk stated she will provide the Civil Service Commission with quotes for advertisements and from testing agencies at the next meeting.

Since the Civil Service Commission is preparing to conduct examinations in the Fire Department, which is a high priority, Mr. Meiners stated that the Human Resources Committee will support tabling the issue of military points until 2017.

In response to Mr. Meiners, the Clerk responded that the Civil Service Commission will need to request additional funds be placed in their budget to pay for the promotional testing.

Motion: Chairman Orille made a motion to authorize the Clerk to request additional funds for the Civil Service Commission up to the amount of \$20,000. The motion was seconded by Secretary Olijar. Motion passed. 3-0.

4. Biller Bookkeeper I – Utilities Department

Chief Utilities Executive Danielson addressed the Civil Service Commission regarding the vacancy created when a Biller Bookkeeper I resigned from the Avon Lake Regional Water. As per the Collective Bargaining Agreement, a job posting was completed internally. No one from the bargaining unit applied for the position. As per the

agreement, the City can fill the vacancy from outside the bargaining unit and also allows probationary employees the opportunity to apply. The Biller Bookkeeper II probationary employee, which is unclassified, applied for the position.

Mr. Danielson reported that the scenario of an unclassified employee being appointed into a classified position has occurred in the Utilities Department in the past. A Janitor (unclassified) moved into the Operator (classified) position in 2009, 2012, and 2014. It is requested that the Civil Service Commission appoint the probationary employee to the classified position. This employee has been in the position for 10 months and participated in the interview process conducted by a panel. Avon Lake Regional Water wishes to follow the Civil Service Rules and promote from within even though this employee has never been certified by the Civil Service Commission.

Chairman Orille questioned the circumstances for the past appointments. Mr. Danielson was uncertain as to the details.

The Clerk reported that a job description for the Janitor position was prepared and determined to be classified by the Civil Service Commission in 2012. Prior to that date, she was informed that there were janitors hired without civil service involvement who were placed into the Operator position as per the Collective Bargaining Agreement.

HR Director DeTillio clarified that the Biller Bookkeeper I is a classified union position and the Biller Bookkeeper II is an unclassified non-union position. The Collective Bargaining Agreement only allows the job bidding process of bargaining unit employees. There is a provision for probationary employees; however, that provision is for probationary bargaining unit employees.

Mr. Danielson stated that it is his intention to restructure the department and job descriptions will be updated and new positions created. He questioned if the Biller Bookkeeper II could be promoted to the Biller Bookkeeper I position based on Civil Service Rule 16, Promotions.

HR Director DeTillio stated that it is at the discretion of the Civil Service Commission to give a non-competitive examination since there is only one candidate currently.

Chairman Orille stated that Civil Service Rule 13(I), Non-Competitive Exams would be the rule to consider. Although based on the job description of the Biller Bookkeeper II, the Civil Service Commission cannot suspend the rules in this situation.

In response to Mr. Danielson, Chairman Orille stated that Rule 16 does not apply since this is not a promotion in the classified service. The Civil Service Commission cannot move someone from an unclassified position into a classified without some type of enabling authority from the Collective Bargaining Unit.

Therefore, the Civil Service Commission concluded a test will be necessary to create an eligibility list to fill vacancy of the Biller Bookkeeper I position as per the Civil Service Rules.

5. Recreation Department

- Recreation Programmer

The eligibility list for Recreation Programmer expires on September 13th. The Clerk informed Recreation Director Pinchek and he requested that the Civil Service Commission extend the eligibility list for an additional year.

Motion: Chairman Orille made a motion to extend the eligibility list for Recreation Programmer for an additional year. The motion was seconded by Vice Chairman Janis. Motion passed. 3-0.

- Program Manager

HR Director DeTillio reported that Recreation Director Pinchek recommended the position of Program Manager for Family Programming, Outdoor Education, and Special Events be created in the Recreation Department. The position is a level above the Recreation Programmer and has managerial and supervisory duties. Copies of the job description were distributed to the Civil Service Commission for their review and to determine if this position is classified or unclassified.

Chairman Orille asked if the duties in this job description are similar to the duties of the Recreation Programmer with the exception that there are supervisory and managerial aspects in the position.

HR Director DeTillio stated that the duties are similar but with more management responsibilities and will essentially manage the area of Family Programming, Outdoor Education, and Special Events instead of the Recreation Director. The Recreation Department will be expanding due to the acquisition of the Avon Lake Youth Baseball Federation. This expansion will probably require additional personnel to be hired.

Based on a review of the job description and ORC 124.11 subsection 28, the Civil Service Commission determined that this position is unclassified since the individual appointed to this position will be authorized to act for and in place of the Recreation Director and will hold a fiduciary relationship. However, the job description does not recite that language. Chairman Orille stated that if the structure of the department changes where this position will not be considered the second in command, then the Civil Service Commission will have to re-evaluate the job description.

HR Director DeTillio confirmed that this was the intent of the Recreation Director and that it is scheduled to go before City Council on September 12th. If approved, it will be forwarded to the union to determine if this will be in the bargaining unit.

Motion: Chairman Orille made a motion to designate the position of Program Manager as unclassified based on the presumption that the individual in this position will act in place of the Recreation Director during his absence. The motion was seconded by Vice Chairman Janis. Vote: 3-0.

Meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Valerie Rosmarin, Clerk

