

**GREEN CIVIL SERVICE COMMISSION
MEETING MINUTES
DECEMBER 9, 2020**

Mr. Robert Calderone called the meeting to order at 6:00pm and noted Mrs. Kimberly Baer and Mr. Clark “Chip” Westfall were present. Also present were Pam Serina and Melinda Svenson from Human Resources. All attendees practiced social distancing and wore masks in accordance with CDC guidelines.

MINUTES

Commission reviewed the November 18, 2020 meeting minutes. Mr. Calderone made a motion to adopt the minutes and Mr. Westfall seconded the motion.

CORRESPONDENCE

- Commission reviewed the expense report ending November 30, 2020. Melinda stated there were no changes from last month’s report. Mrs. Baer asked if the 2021 budget had been requested yet and if there were any changes. Pam stated the 2021 budget had been completed and there were some changes from 2020 to 2021 due to the positions the city anticipates hiring in 2021.

NEW BUSINESS

- Secretary Exam
 - Melinda informed the Commission this exam has not been scheduled or advertised for as of today’s date. We have recently gotten the ok to conduct exams at Raintree. Mrs. Baer confirmed that this test is a result of the internal promotion of an employee to Council Clerk. Mrs. Baer brought up the fact that she was reviewing the Government HR Group emails that go out and noticed some municipalities are still conducting exams during the pandemic. Mrs. Baer asked for a brief summary of what we found out from the other municipalities. Melinda stated a lot of municipalities are still doing in person exams with COVID protocols in place. Some larger groups are being split up into many smaller groups. Pam stated based on the size of Raintree, she thinks this facility will work for in person tests even if we need to give two tests back to back to accommodate candidates. Mrs. Baer asked if the test was going to be this year or next year. Pam stated it would probably get posted this year but probably not be administered until next year. Mrs. Baer asked when the position was tested before. Pam stated about a year and a half ago. Mrs. Baer asked if the job description had been reviewed recently because now would be the time to look at this. Mrs. Baer recommended sharing the job description with the Commission prior to posting so the Commission can review the job description and see if they have any areas where there may be confusion. Pam stated she would email the job description to the Commission. Mrs. Baer asked if we had done a computer assessment as part of the test last time and Pam stated no, that this had been part of the interview process. Pam stated there was discussion to include this as part of the test this time.
- Review of 2021 Civil Service meeting dates
 - Melinda distributed a list of dates and Commission agreed to the dates scheduled. All meetings in 2021 will be held the second Wednesday of each month at 6:00pm.

OLD BUSINESS

- Service Supervisor Eligibility List

- Mr. Calderone passed around a letter the administration received from Mr. Pipes declining the promotion. Mr. Calderone also stated he took the liberty of drafting a response for Mr. Pipes from the Commission. Mr. Calderone stated the response is based on his understanding that the Commission is in agreement that because Mr. Pipes turned the position down, he makes himself “ineligible” based on Civil Service Rules.
- Mrs. Baer asked Melinda if there was a tickler file where we keep proposed Civil Service Rule changes. Pam stated we could start keeping a file electronically. Mrs. Baer stated in the next rule change, the reasons a candidate can be removed from an eligibility list should be clarified. In addition, the Commission feels performance evaluations should be looked at when the Commission is qualifying candidates for a promotional exam.
- Mr. Calderone stated he received a call from the Mayor and the Mayor reiterated that the City is put in an awkward or unwanted position as the Civil Service Rules set up the capability for employees to manipulate the test and keep it in house even if it is three or four people. The Mayor also stated he feels he should get three names and maintain three names on this list. Mr. Calderone expressed to the Mayor that the Commission’s concern was for the employees left on the list and questions if they could hold the city liable for anything. Mr. Calderone told the Mayor the Commission would like an opinion from the Law Director which the Mayor stated he would facilitate.
- Mr. Calderone stated his position on the matter has changed slightly. Mr. Calderone stated that his position is that it’s easy for employees to manipulate the list and then administration is stuck with whoever is left. Mr. Calderone stated the Commission should keep three names on an eligibility list if they can. Mr. Calderone stated his other concern was fairness to the other employees on the list. Mr. Calderone feels they should not be forced to test if they don’t want to and they should be placed on the eligibility list given to the Mayor for the subsequent test within the top ten spots so they are still eligible for consideration. Mr. Calderone feels it’s not fair to require them to take the next test.
- Pam told the Commission that she and the Service Director spoke to both the other candidates and both candidates wanted at least \$36 per hour. Pam stated she did receive emails from both internal candidates who stated they were withdrawing their applications.
- Mr. Calderone stated he had no problem setting a precedent that if they can’t keep three names on the eligibility list, an external entry exam will be given.
- Mrs. Baer states she does not want to harm current employees who take the original test; however, Mrs. Baer stated she has a concern with candidates not getting the same test and “slotting the original testers in when it is not apples to apples”. Mrs. Baer states it wouldn’t really be an equitable score and ranking.
- Mr. Calderone stated he understood what Mrs. Baer was stating but has a hard time making the original candidates pay for an exam when it was no fault of their own another candidate turned the position down. Mr. Calderone stated an option was to tell the existing candidates they are already qualified to take the next exam. Mrs. Baer stated she would also be willing to waive the exam fee, but Mrs. Baer stated she feels they need to take the open entry level test like the other candidates. Mrs. Baer also reminded the Commission the internal candidates would also get bonus credit for current service pursuant to Civil Service Rule 5.6 **Bonus Point Adjustments**.
- Mr. Westfall states he is struggling with the situation and feels there are things that could have been done differently with the process. Mr. Westfall stated he had some thoughts the candidates may have “stacked the deck” in this case; however, you can’t prove it but assume it may have happened. Mr. Westfall stated giving employees the opportunity to manipulate a list is bothersome. Mr. Westfall states he is leaning towards Mrs. Baer’s opinion that they need to take the next test. Mr. Westfall stated he feels any decision made should be non-precedent setting until something can be changed in the Civil Service Rules.

- Mr. Calderone asked the Commission if there were two separate issues needing addressed: 1) the service supervisor current list and the employee(s) that turned it down, and, 2) concerns about how the Civil Service Rules are written.
- Mr. Westfall stated he felt it should be handled as two separate issues.
- Mr. Calderone states he feels we have enough information for him to agree to opening the test up to outside candidates and allowing the inside candidates to retest; however, Mr. Calderone stated these issues need addressed and the Civil Service Rules should be reviewed and revised accordingly. Mr. Calderone stated the two candidates remaining on the list will be sent letters stating they are qualified to take the next exam. Mr. Calderone stated the rules needed to be looked at because this situation will come up again.
- Mr. Westfall stated in relationship to the pay of the Service Supervisor being so close to the Service Crew Leader that sometimes it's easier to cave during negotiations but maybe this is something that needs taken to arbitration during the next round of negotiations.
- Mrs. Baer stated that when looking at CSC Rule 9.17 **Eligibility List Removal**, could the Commission remove the other two candidates based on "H" which states, "failure to notify the Commission of any change of circumstances relevant to job qualifications, availability or eligibility, such as change of address, medical condition or revocation of required license or certification". Mrs. Baer states what she is particularly looking at is "availability or eligibility".
- Mr. Calderone stated turning down a position should be reason to remove someone from the eligibility list.
- Mrs. Baer confirmed the remaining two employees should be given letters they can retake the test and they can decide if they want to retest or not. (Mr. Calderone supplied drafts of the letters to Melinda who will print out on letterhead and send to the candidates.)
- Pam confirmed the Commission's opinion on what the Law Director's response was that there are not three candidates "willing" to take the position. Mrs. Baer stated she agreed with the Law Director and feels the decision should be based on this. Mrs. Baer recommended noting the Civil Service Rules referenced on the candidate letters to be sent.
- Mrs. Baer highly suggested that the city review and rewrite the current Service Supervisor job description as it was hard for the Commission to interpret when qualifying individuals for the internal exam. Mr. Calderone agreed and suggested this be done prior to testing externally. Mr. Calderone indicated he had discussed this with the Mayor as well. Mrs. Baer pointed out that the current job description does not have a degree tied to the specific field for the position and asked if management wanted to tie a field(s) to the actual position.
- Pam stated she was very cautious with tying a job description to specific areas of education and she gave the example of the Income Tax Administrator position. Pam stated we pulled someone out she wished she could have kept because the qualifications were too narrow.
- Mr. Westfall stated he understood you want to leave some areas more generic to get a bigger pool.
- Mrs. Baer suggested maybe looking at job descriptions from other municipalities for similar positions and possibly pull verbiage from them relating to equivalencies, etc.
- Mr. Calderone stated he did not think there was anything in the Civil Service Rules that stated the Commission needed to use a job description to determine qualifications. Mr. Calderone pointed out that is what we have been doing and something we have always done. Mr. Calderone stated if there is nothing stating the job descriptions need used to qualify candidates, maybe there is a better way. For example, getting parameters from the city as to what management is looking for and the Commission qualifying candidates based on these parameters.
- Mrs. Baer pointed out the rules do state that applicants have to meet minimum qualifications.

- Pam asked the Commission, “what if you have someone and you know they can’t perform that job on the basis of their current behaviors.” Mrs. Baer stated this does not mean the candidate isn’t qualified and this is a whole other avenue.
- Mrs. Baer stated in Akron, you had to have a satisfactory job performance in order to take a Civil Service test.
- Pam stated the City of Green does conduct performance evaluations but sometimes they are inflated.
- Mr. Calderone stated that when the rules are re-written, performance evaluations should be included as something the commission looks at when qualifying candidates.
- Mr. Westfall stated a performance evaluation was a good tool for supervisors. He stated that when he was working, they did evaluations twice a year, and if employees were not performing well, they got an interim evaluation that was attached to subsequent evaluations. He stated it was a great tool when it came to promotions, etc. Mr. Westfall stated he knows it takes time and money to teach supervisors how to evaluate but it is well worth it.
- Mr. Calderone asked what the evaluations helped the city do if they don’t help an employee get promoted.
- Mrs. Baer stated it would give more meat to performance evaluations if there was an end result to how employees were rated. Mrs. Baer also stated good evaluations would help justify higher wages too if warranted.
- Pam informed the Commission that if a job description is just changed to clarify items versus changing job duties, etc., it just needs to go to the union (if applicable) for review and it is not that hard to change. Pam states she can share with the Commission what the job description currently is and if the Commission has any input, they can look at that. Mr. Calderone stated the Service Supervisor is not a union position so the city should be able to change what they want to change.
- Mrs. Baer asked if Pam wanted to tie the field of study for the Service Supervisor role to the actual position or if it mattered. Mrs. Baer stated that is up to management to decide.
- Pam asked if she can open the position up to test after the letters go out to the internal candidates who took the promotional exam. Mrs. Baer confirmed the city could move forward.
- Mr. Calderone stated since the position is going to be an open test, the City is well within their rights to go to the Commission with the job description and state, “as far as supervision, we are looking for...”. Pam stated this was interesting because before now, she thought she always needed these points in the job description. Mr. Calderone state this makes it easier because it isn’t a bargaining unit position.
- Mrs. Baer stated in the past, the Fire Chief or Service Director would come sit with the Commission during the meetings where candidates were being qualified to get their opinion and ask if someone meets the qualifications they are seeking.
- Mrs. Baer stated the Commission usually qualifies someone if the candidate is “on the fence”. Then the exam and interview can screen a candidate out if necessary.
- Mr. Calderone moved to make the following motion:
 - Commissioner Robert Calderone moved to vacate the existing Service Supervisor eligibility list as a result of a candidate becoming ineligible by refusing to accept promotion to this position. Since there are now an insufficient number of qualified and eligible candidates available to provide the Mayor with the minimum number required under Civil Service Rule 9.18, the Commission will conduct an external examination for Service Supervisor under Rule 9.5. Candidate(s) on the vacated eligibility list will be informed of this action and will automatically be deemed qualified to sit for the new examination.
 - Mrs. Baer seconded the motion and the Commission approved.
- Pam confirmed again we can move forward with the open examination. The Commission agreed the city can move forward with the open examination.

NEXT MEETING:

The next scheduled Civil Service Commission meeting is January 13, 2021.

There being no further business, Mr. Westfall motioned for the meeting to adjourn and Mr. Calderone seconded this motion. The meeting adjourned at 7:11pm.

Respectfully submitted,

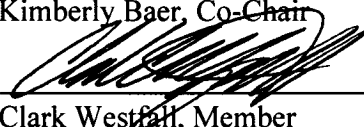
Melinda Svenson



Robert Calderone, Chair

01-13-2021

Date

Kimberly Baer, Co-Chair


Clark Westfall, Member

Date
01-13-2021

Date