



SHAKER HEIGHTS

Civil Service Commission Agenda Shaker Heights City Hall, Conference Room B Monday, March 9, 2020, 3:00 PM

1. Approval of March 2, 2020 meeting minutes.

Documents:

[MINUTES030220.PDF](#)

2. Second reading of proposed change to Civil Service Rule 6.10 - Appointments; recommendation to adopt.

Documents:

[MEMO03092020.DOCX](#)

3. Schedule next meeting date and time.

To request an accommodation for a person with a disability, call the City's ADA Coordinator at 216-491-1440, or Ohio Relay Service at 711 for TTY users.



**Civil Service Commission Minutes
Monday, March 9, 2020 at 3:00 P.M.
Conference Room B**

Members Present: Sandra I. Kiely, Chairperson
Lee Trotter, Commissioner
Jeri E. Chaikin, Secretary

Others Present: William Ondrey Gruber, Director of Law
Jeffrey DeMuth, Chief of Police
Patrick Sweeney, Chief of Fire
James Heath, Assistant Chief of Fire
Sandra Middleton, Human Resources Manager
Patricia McCreary, Human Resources Senior Assistant

The meeting was called to order by Chairperson Sandra Kiely at 3:00 p.m.

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Approval of the March 2, 2020 Meeting Minutes

Chairperson Kiely asked if there was a motion to approve March 2, 2020 meeting minutes, it was moved by Commissioner Trotter and second by Commissioner Kiely and minutes were approved.

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Discussion Fire Lieutenant Promotional Examination results

Sandra Middleton, Human Resources Manager, distributed the Lieutenant Promotional Examination results. Chief Patrick Sweeney stated the written exam, administered early 2020, is 40% of the total score, while the assessment center, given in February, is 60%. The assessment center, in which Fire Chiefs from other parts of the state took part, consisted of a series of scenario tests. They included exercises dealing with difficult personnel, tactical skills on dealing with a fire, and other administrative skills. Candidates participated in five or six exercises in which they were tested on how they would handle different, real life situations. Examples include an employee not embracing the new wellness fitness initiative or an exemplary employee suddenly slowing down the crew. How would they motivate an employee or communicate with employees on personal issues affecting their job; being sensitive yet strict on obligations. Another example was a dealing with a citizen complaint such as a minority resident coming to the station to complain about the care his family received.

Chief Sweeney said the assessment portion of the test carried more weight (60%) as they are real life exercises and it was felt that was more worthy. He explained that there were some significant movement between the written and assessment exam. The candidate that scored highest on the assessment also scored second on the written exam. This moved him up and we feel that what we set out to do identified the right movement that needed to happen on the exam.

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In response to inquiries, Chief Sweeney indicated there is currently one vacancy for the position of Lieutenant and one anticipated in the next year. The department received good feedback from the candidates as well as the assessors. The scenarios put forth were realistic and applicable to situations in Shaker Heights. Using the entire process as a preparation tool assists the candidates in being successful when they are promoted.

It was asked if there was any criticism to which the Chief replied no, although there were some protests about a few of the questions and a few inquiries about new modern firefighter strategies related to one question. The Commission discussed the assessment, which the department felt was a good indicator for professional development within the organization. Overall the assessment scores were pretty good, there was positive feedback regarding the facilities and assessors. The assessors, all fire chiefs, hailed from Upper Arlington, Paul Township, Dublin, Washington Township, Van Warren, Toledo, and Jackson Township, are all chiefs that have left their mark in fire service.

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Review Certification of Eligibility list for Fire Lieutenant

Manager Middleton explained the eligibility list and asked the Commission approve to approve the list, certifying the top three names in ranking order. There is currently one vacancy. The Chief and administration can choose one of the three to fill the vacancy.

It was motioned and moved by Commissioner Kiely to approve the eligibility list and top three candidates, and seconded by Commissioner Trotter. The eligibility list and top three candidates were approved.

Chief Sweeney inquired if number one is promoted, would 2, 3, and 4 than be certified to which Manager Middleton replied yes. She also indicated the list be active for two years.

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Discussion of Fire Battalion Chief Process

Manager Middleton recalled at the previous meeting, the reading list for the Fire Battalion Chief process was approved and it was recommended the same hiring process and company, Ohio Fire Chiefs Association, used for Lieutenant be utilized. In response to several questions, the Chief stated there are eleven candidates eligible to take the exam and he anticipates eight will actually do so. There are adequate candidates within the cube and list that can perform this capability. All candidates would go through the entire process, with a goal of diversity. Each will receive a profile report from the assessor that measures their administrative skills, exercise skills, and recommendations to develop said skills prior to the next exam.

Manager Middleton added the Commissions' decision allowed all candidates to move on to the assessment center instead of having a cut off as in the past. The Chief explained, for example, candidate 11 scored 59.43 on the written exam and would not have moved on in the past. However, he did move on to the assessment center and scored pretty well. The process is beneficial and Shaker is a city that will develop candidates and provide plenty of opportunities.

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Recommendation and Approval of Testing Company for Battalion Chief Examination (Exhibit A and B)

Chief Sweeney recommend that we use the Ohio Fire Chiefs Association, the same company, to develop the test for the written exam, using the identical process. It was moved by Commissioner Kiely that the request to use the Ohio Fire Chiefs Association for both the written exam and promotional assessment be approved, and seconded by Commissioner Trotter. The motion was approved.

CAO Jeri Chaikin asked if the cost was similar to the testing for Lieutenant and if funds were budgeted to which Manager Middleton indicated yes. There have been proven goods results with the Ohio Fire Chiefs Association.

Chief Sweeney mentioned the written exam is tentatively set for April 18, with the assessment scheduled for the first week of June, with an anticipated completion by the end of June. It was asked how many openings are anticipated to which the Chief responded one.

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Recommendation and Approval of Weights for Fire Battalion Chief Exam (Exhibit C)

Manager Middleton shared Exhibit C showing that since at least 2011, the written exam has been 40% and the assessment center 60%. These weights were used for the Lieutenant process and are a good fit for Fire Battalion Chief. It was moved by Commissioner Kiely, and seconded by Commissioner Trotter, that the weights of 40% for the written and 60% for the assessment center be approved. The motion was approved.

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Recommendation and Approval not to limit the number of Candidates that advance to Battalion Chief Assessment Center.

It was motioned and moved by Commissioner Kiely, and seconded by Commissioner Trotter, to approve not to limit the number of Candidates that advance to battalion Chief Assessment Center. The motion was approved.

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First Reading of Proposed new Civil Service Rule 6.10 - Appointments (Exhibit D).

Manager Middleton shared Exhibit D, pointing out Amendments to the Rules. This is the first reading of the amendments and a second reading will take place at the meeting scheduled for next week. Amendments are to be recorded in the Commission minutes at least one week prior to adoption.

She explained the City entered into an agreement with OPBA Sergeants and Lieutenants, the bargaining unit, which includes an article title Retire/Rehire, but the agreement conflicts with our Civil Service rules. The Bargaining Agreement states an employee eligible for service retirement under the Ohio Police and Fire Pension may request rehire after retiring according to specific provisions such as be in good standing, be physically and mentally fit, and take a pay reduction of 12-1/2%.

Manager Middleton explained the City entered into an Agreement with OPBA Sergeants and Lieutenant, Bargaining Unit, and it contains an article titled Retire/Rehire, and by statute the Agreement conflicts with our Civil Service Rules. In the Bargaining Agreement it state that an employee eligible for service

retirement under the Ohio Police and Fire Pension may request rehire after retiring according to the following provisions and it outline several provisions. Civil service, of which police is the administration, is the appointing authority, but not the hiring authority. We are asking the Commission to grant the administration the ability to rehire candidates that meet the qualifications of the Bargaining Unit Agreement. Manager Middleton reviewed the changes under Section 6.10 Appointments stating current verbiage will remain and labeled Part A and Part B will be added to the agreement.

Commission members briefly discussed the City's policy for non-bargaining employees compared with bargaining units and the discretion and processes of each. The non-bargaining is a little more discretionary while the bargaining agreement is at its discretion and the application process differ.

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The next meeting will be March 9 at 3:00 p.m. There being no further business, the meeting was adjourned at 3:35 p.m.

Jeri E. Chaikin, Secretary
Civil Service Commission



Memorandum

To: Members of Civil Service Commission
From: Sandra Middleton, Human Resources Manager
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: March 9, 2020
Re: Proposed new Civil Service Rule 6.10 - Appointments

At the March 2, 2020 Civil Service Commission meeting the City asked the Commission to review on first reading a proposed change to Rule 6.10 - Appointments. Civil Service Rule 11 - Amendments to the Rules, Section 11.1 Procedure reads, "Proposed amendments to the Rules shall be recorded in the minutes of the Commission at least one (1) week prior to adoption. A majority vote shall be required for adoption." The proposed amendment was recorded in the meeting minutes from March 2, 2020. The last proposed and adopted change to the Civil Service Rules occurred in February 2014.

On December 20, 2019, the City executed a labor agreement with the Ohio Patrolman Benevolent Association, Sergeants and Lieutenants Unit for the duration January 1, 2019 - December 31, 2021. The labor agreement includes a new article - Retire/Rehire. In this article an employee who is eligible for a service retirement under the Ohio Police and Fire Pension may request consideration for post-retirement rehire to the position he or she held at the time of retirement. The requestor must meet certain criteria including job performance, physical fitness and accept a 12.5 % decrease in base salary. Both parties in negotiations agreed that this new article was a win/win. As we continue to hire new employees in safety forces, retaining seasoned employees allows the City to benefit from their vast experience and leadership. The rehired employee has more time to mentor younger employees. The employee benefits by being able to extend their employment years and continue their commitment of adding value to the City.

According to the current Civil Service Rules, the appointing authority (The Mayor, other officers) does not have the authority to rehire classified service employees. The new proposed change to Civil Service Rule 6.10 - Appointments will give the appointing authority the authorization to approve rehiring classified service employees after retirement in accordance to conditions listed in the bargaining agreement(s).