



SHAKER HEIGHTS

Civil Service Commission Agenda Via Zoom Due to COVID-19 Public Health Pandemic Thursday, July 1, 2021 at 3:00 p.m.

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1. Approval of April 20, 2021 meeting minutes.

Documents:

[CSC MINUTES 042021.PDF](#)

2. Discussion of Fire Entry-Level examination results.

Documents:

[CIVIL SERVICE COMMISSION ELIGIBILITY LIST AND PASS GRADE MEMO 7-1-21.PDF](#)

3. Approval of passing grade for Fire Entry-Level examination results.
4. Approval of Fire eligibility list.
5. Certification of list of the top 20 names.
6. Recommendation to remove the following candidates from the Police Lateral eligibility list:

-Gene Sardon

-Jonathon Kennerly

Documents:

[CIVIL SERVICE COMMISSION RECOMM. REMOVAL MEMO 7-1-21.PDF](#)

7. Schedule next meeting date and time.

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**Civil Service Commission Minutes
Tuesday, April 20, 2021 at 2:00 P.M.
Via Teleconference – Zoom**

Members Present: Sandra I. Kiely, Chairperson
Ronald Fountain, Commissioner
Lee Trotter, Commissioner
Sandra Middleton, Secretary

Others Present: Jeri E. Chaikin, CAO
William Ondrey Gruber, Director of Law
Jeffrey DeMuth, Police Chief
Patrick Sweeney, Fire Chief
James Heath, Assistant Fire Chief
Tim Grafton, Police Sergeant

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

Sandra Middleton stated, the next item we will share is the proposed eligibility list. Assuming 70% is the passing rate with the demographics of race and gender of the applicants appearing on the list. I want to note that there were eight scenarios of scenes that the candidates had to respond. The maximum amount of points per scene was four. The maximum one could receive on the task before it was weighted was 32. You'll notice that the test scores are very close. In several instances, the extra credit points, because people receive a 1% if they had Associate's degree, 2% for a Bachelor's degree and a half a percentage for every six months of active military. The extra points made difference to a few applicants. What was more important is the tie breaker. If there was a tie score it goes to the applicant who submitted all parts of their application first. I put an emphasis this time on all parts because quite a few applicants submitted initially incomplete applications. They were prompted on what they were missing and they had to submit it. The date and time used to determine the tiebreaker was when all forms and payment was received. The last item received was the time & date stamp, for example, a person's application was received on a Monday but they didn't make the \$25 application fee until Wednesday. So their application was submitted on Wednesday versus Monday because that's when it was completed.

Chairperson Kiely asked if that negatively impacted any profiled group? I understand there has to be a cutoff. But did it impact for example Hispanic women? Is there any pattern?

Sandra Middleton replied, I don't think so. Quite a few were missing forms and in the packet was a checkoff list. If they used the checkoff list they would know if they were missing a document or two. I don't know that had an adverse impact on one particular group because it seemed to be all over the board. People missing things is a simple matter of following the directions and using the tools that were provided.

Commissioner Fountain asked, was there anything in the packet that advised them if they had difficulty providing the \$25 they could apply to have it waived?

CITY OF SHAKER HEIGHTS

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Sandra Middleton responded, we had that in all our advertisements as well as in the Plain Dealer advertisement. Two or three people did waive the fee. And what we, I asked them to put it in an email and let them know that information could be verified through polygraph. We had one person who was laid off and was waiting on their unemployment. We had a total of three. We'll look at the top 20, to certify those top candidates. If you look at the race and gender, there is a very good mix in the top 20.

Sandra Middleton shared some interesting stats does not included, of the top 20, 13 have their OPATA certification, meaning they have completed the police academy and may or may not be currently working in law enforcement. Thirteen come from three come from the city of Cleveland, one Case Western Reserve University, one Cuyahoga County Department of Justice, one Painesville Police Department, one from Cuyahoga County Sheriff Department, one from CMHA, one from Cleveland Heights. Two just graduated from the academy. One is currently a nurse who previously was a police officer leaving Cleveland Police now wanting to return to law enforcement. Lastly, one is currently a paramedic. Seven other candidates are currently in the police academy.

Commissioner Trotter asked, I notice a lot of W's, that means women, correct?

Sandra Middleton replied, The column with the W's is race. The column after that is gender, male or female.

Commissioner Fountain said, I noticed we had one or two biracial candidates, how would they be classified?

Sandra Middleton replied, as "Other". "B" is black. This is off our EEO survey, "W" is White, "H" is Hispanic and "O" is Other which means biracial or multiple racial. The "M" is male, "F" female. Gender is the last column.

Commissioner Fountain asked, is there room for an alternate to male female in the gender category?

Sandra Middleton replied, We probably need to change our form, this came off our EEO survey, do not ask that, but that's a very good point, we need to update that form to non-binary.

Chairperson Kiely commented, there are three actions we need to take - approval of the passing grade for police lateral entry exam results, the recommendation is 70% which is the passing rate. The motion is approving the passing grade at 70%. The passing grade at 70% is approved.

Chairperson Kiely stated the second item is approval of the police eligibility list, which is what is before us now, minus the race and gender information. Is there a motion to approve this police eligibility list as presented? This eligibility list as presented is approved. The final action is the certification of the top 20 names. The certification of the top 20 names has been approved. I was going to ask where we stand on the fire entry-level process, the timing. I know we'd made the correction of minutes. Pat is there an update?

Chief Sweeney stated, we've scheduled the exam for June 5th. We were a little bit up in the air as to whether we were going to try to do this virtually or a more traditional test, an in-person sitting at a table type of test. I went out to the middle school and they've got the gym and cafeteria set with desks

with plexiglass separations. We decided to go ahead and have an in-person test. We created all the marketing material with the Communications and Marketing team. Posters have been distributed to 45 different locations in NE Ohio with postcards. All of the paramedic programs, the fire training programs, all the hospitals and emergency rooms. We've cast a pretty big net letting everybody know about this test. There's been some social media posted, we know it's getting a lot of shares. Our recruitment efforts are pretty strong right now. June 5th will be the test. We appreciate the flexibility that you gave us to have a virtual or an in-person test. The application process is going to be entirely online, even paying the application fee, then there'll be an email confirmation that's sent to Sandy Middleton.

Chief Sweeney commented that about a year and a half ago, Civil Service and the City allowed us to extend two conditional offers of employment for two firefighters, for anticipatory hires, that are going to happen now. We hired two firefighters, starting yesterday. That was about a year and a half ago that we did that, before the list expired. Then we're going to promote a Battalion Chief and a Lieutenant this coming Friday as well.

Chairperson Kiely stated, Back to the Police, now that we have approved these three requests today, what is the timing, when do you think you'll be able to move on it? Down seven positions, I know this is a priority.

Chief DeMuth stated, Once this list is approved we plan on getting those first 20 background investigations. First thing is send all 20 to a polygraph which gives us a good barometer where we should focus most of our activity, because there are some absolute disqualifiers out there. We have some tentative interview dates scheduled. We're hoping sometime in mid-June we can make some offers.

Commissioner Fountain asserted, I couldn't be more pleased with both the number of applicants, the quality of applicants and the diversity of applicants this time, maybe the best that I remember having seen since I've been on this commission. Numbers aren't as high, I'm interested in the quality. This was an indication of a great job, you guys have done a great job.

Chief DeMuth said, I agree with you a hundred percent. The credit belongs to Tim and his recruiting team who went out there and beat the bushes for such a long time, and also to Sandy and Jeri who allowed us to do what we needed to do. And one of the big things were the bonuses.

Commissioner Fountain stated, I wish it wasn't necessary, but it's a reality. If you read Sunday's Plain Dealer, the article about the inability of people to get help, this is a very unusual time.

Chief DeMuth replied, It's just a great example of a good team that pulled together and got it done. With Jeri, Sandy and Tim and his group, I'm pleased, they certainly helped me out a ton. Now we just got to get them through those background investigations.

Sandra Middleton stated, the minutes of the last meeting it said that our next meeting, which is not a special meeting, which is what we held today, but our next planned meeting we'll be reviewing the civil service rules. Is that still on your agenda?

Sandra Middleton expressed, It's on the agenda. These are slowed down a little, this is a good problem to have, we were definitely not anticipating 119 applications for police, that took a little time to process. I don't know what's going to be the next meeting because we will have to have a meeting in

June probably to certify similar process for fire. I would think maybe not the next one, but in the near future. Possible changes to civil service rules, we committed to going over reviewing them first.

Chairperson Kiely stated, we've been very deliberate over the last eight years to look at the rules on a regular basis, to make sure that they were relevant. I think it's our responsibility. So I think that's good.

Chief DeMuth said, Mr. Trotter asked when that would be, and I would tell you from our perspective, the Police Department, there's a lot of work for us to do before we present it to you folks. I'm committed to that project. So can't give you an exact date, but it is one of those things I want complete. Some of those civil service roles are so antiquated and applicable to years gone by, we need to bring ourselves up to speed to be competitive in the market for government jobs. I apologize, I can't give you an answer right now but I promise to get it done.

Commissioner Trotter said, with that in mind, I would benefit from some kind of tutorial, what we've done versus what's going on. And then what would we recommend to change the environment to fit the current time.

Sandra Middleton commented, Yes, Bill Gruber and I were going to work on presenting where we are now. Then rely, with some input from us as well as both chiefs, on what the roadblocks are then getting to what it needs to be. We're going to start off with what we have now, get educated on what we have before making changes, then understanding why that might not be applicable to modern day.

Commissioner Trotter said, we might need to be tutored and forced to look at what we need to look at rather than what we want to look at.

Sandra Middleton stated, I want to clarify this was a special meeting because I did not have it scheduled before the public meeting calendar came out.

Chairperson Kiely stated, if there's nothing else then, and we'll await a date in the near future. Hopefully the exam goes well, hopefully the background checks on these candidates go well.

CAO Chaikin said, I think some of you are aware the chiefs and I are working on a pilot mental health response program to assist police in the "mental health calls". I don't think we've included you. There has been presentations to council and committees and a group of residents working with several council members. I am going to send you the background recommendation and the scope of work we are now shopping among the three major hospitals. Let us know any comments you may have. June was the original target, but coordinating, talking through proposals with three hospital systems is taking time. I will share that with you and would appreciate any feedback.

There being no further business, the meeting was adjourned at 2:44 p.m.

Sandra J. Middleton, Secretary
Civil Service Commission



Memorandum

To: Members of Civil Service Commission
From: Sandra Middleton, Director of Human Resources
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: July 1, 2021
Re: Approval of passing grade and eligibility list for Fire entry-level examination

At the January 22, 2021 meeting, the Commission approved the testing company for a Fire entry-level process. On May 3, we began accepting applications for the Fire entry-level process. The deadline to submit applications was May 17. During the two-week acceptance period, we received 98 applications.

The requirements for submitting an application were:

Must have **EMT-P Certification** or be **enrolled in Paramedic Training** at the time of application. (Out-of-state applicants must have National Registry EMT-P and become certified in State of Ohio by time of appointment.) Must be certified Paramedic by the time of appointment

Must be 19 years old at time of application, minimum of 21 years old at time of appointment

Possess a high school diploma or GED

Have a valid Ohio driver's license

The examination was held on Saturday, June 5 at Shaker Heights Middle School. Eighty-one applicants appeared for the examination. The examination score results range from 95% to 49%.

We are asking the Civil Service Commission to set the passing grade at 70%. A 70% passing grade will place 81% of the test takers on the eligibility list.

We are asking the Civil Service Commission to approve the Fire entry-level eligibility list that includes all test takers scoring 70% or above on the examination and certify the top 20 names.



Memorandum

To: Members of Civil Service Commission
From: Sandra Middleton, Director of Human Resources
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: July 1, 2021
Re: Recommendation to remove candidates from the Police Lateral eligibility list

Section 6.3 of the Civil Service Rules state, “If at any time after the creation of an eligible list the Commission has reason to believe that any person whose name appears on such list is disqualified for appointment because of incapacity developed subsequent to his or her examination, because of false statements made in the application or for other just and reasonable cause, said person shall be notified and given an opportunity to be heard. If said person shall fail to appear for such hearing, or it is established at such hearing that said eligible is disqualified or incapacitated for appointment, his name shall be removed from the eligibility list.”

The City is requesting to remove two candidates from the Police Lateral eligibility list for reasons that are thought to be just and reasonable.

One candidate has failed to meet required deadlines to complete the Pradco Law Enforcement Index (May 1 deadline) and neglected to make a polygraph examination appointment as instructed in his April 22 results letter. As of June 2, the candidate has failed to respond to attempts to reach him by telephone and email.

The second candidate that the City is requesting to remove from the Police Lateral eligibility list is unresponsive to request for documents and was a no-show, no-call for his polygraph examination. The candidate has ended communication with the City.

Both candidates were notified via certified mail of their right to appear before the Civil Service Commission. If a request to appear is received before July 1, the candidate(s) will be scheduled to appear at the next Civil Service Commission meeting.

If the candidate(s) fail to request to appear before the Commission by July 1, we will ask the Commission to remove the candidate(s) from the Police Lateral eligibility list. The removal of the names from the eligibility list will allow the City to add additional names to the certified top 20.