



**Civil Service Commission Minutes  
Monday, September 23, 2019 at 3:00 P.M.  
Conference Room B**

**Members Present:** Sandra I. Kiely, Chairperson  
Ronald G. Fountain, Commissioner  
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

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

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**Approval of the February 27, 2019 Meeting Minutes**

Chairperson Kiely asked if there was a motion to approve February 27, 2019 meeting minutes, moved by Commissioner Fountain, seconded by Commissioner Trotter and minutes were approved.

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**Discussion of Fire Lieutenant Process update**

Chief Sweeney extended an apology for not being at the last meeting back in February and commended Assistant Fire Chief James Heath for doing a great job. Chief Sweeney spoke about a need for a Lieutenant Promotional test. The Fire Department is looking to replace an employee in the 1<sup>st</sup> quarter of 2020 somewhere around the end of February and purposed a promotional timeline based on the 3<sup>rd</sup> and 4<sup>th</sup> quarter of this year. Chief Sweeney mentioned that the timeline shows having a written exam in the 4<sup>th</sup> quarter of this year and assessment center in the 1<sup>st</sup> quarter of next year.

Chief Sweeney mentioned that the Fire Department secured pricing for the written exam and assessment test at the last meeting. The promotional reading list was distributed to the committee for review and approval. The list was presented on August 2<sup>nd</sup> and emailed to the department with a tentative timeline on when the written exam would be given. Books were purchased for both stations. Many individuals have already started to prepare for the test and are using the books that were purchased and most candidates bought the books themselves. Chief Sweeney mentioned he secured pricing for the assessment center that would be conducted in the 1<sup>st</sup> quarter of 2020. The written exam would occur sometime between Thanksgiving and Christmas that would allow individuals to continue to study now and take the

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written exam in early December. Ideally we could certify the eligibility list right in time for the anticipated opening in February. This timeline would allow us to maximize this eligibility list for two years. We anticipate another opening in the 1<sup>st</sup> quarter of 2021 and possibly a Battalion Chief testing in 2020.

The written exam that we are proposing would be conducted by the Ohio Fire Chief's Association. We have used them routinely in the past and they provide a list of fire service promotional books that we use to select the books for our reading list. The selection of books are current with the modern Fire Department strategy, tactic, management functions and leadership skills that we are looking for. This company's test process has served us very well in the past and we would like to continue with them. Commissioner Trotter asked does that mean we are getting good candidates that are taking these exams and those promoted candidates are succeeding very well in their position. Chief Sweeney replied, yes. Commissioner Trotter asked does that include any minorities taking the test. Ms. Middleton replied yes. Commissioner Fountain asked in your judgment was there sufficient time for everyone including any minority candidates to read whatever is on the reading list and prepare to take the test? Chief Sweeney replied, yes.

Commissioner Kiely stated that we want to send as many individuals to the assessment center as possible because that is 60% of the score and there is a lot to learn from that process as well. Your ability to be successful in this job is not measured strictly on how you can perform on a written exam. Chief Sweeney replied we recognize that and put more weight to score of the assessment test which is 60% of the total score.

Commissioner Kiely asked how many times have we used the Ohio Firefighter Chief Association testing material and has it changed over time. Chief Sweeney replied new books have been added to the list, new version. Commissioner Trotter asked are these objective questions. Chief Sweeney replied some are. Ms. Middleton stated we hire a company to write the questions for use base on the book that are selected. There is a protest period if someone feels that a question was unfair or not worded correctly. Candidates can write a protest with a suggested resolution to the protest. All protest are sent to company and they make recommendation to deny or allow the protest. Ms. Middleton also mentioned that candidates come to HR Department to review the test and submit protests. All protests are submitted to the Civil Service Commission for review and final approval or denial.

Chief Sweeney mentioned it's not all about how you put a fire out. Commissioner Kiely asked how many candidates have taken this exam before. Chief Sweeney replied about half of them at least. Ms. Middleton stated that one of the requirements is that you would have to have been a Shaker Heights firefighter for three years from the date of the test.

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**Recommendation and approval of testing company for Fire Lieutenant Examination  
(EXHIBIT A – Written Exam Quotes AND EXHIBIT B – Assessment Center Quotes)**

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Commissioner Kiely asked for approval of the testing company for the exam. Is there a motion to approve the Ohio Firefighter Chiefs' Association Written Exam? Chief Sweeney mentioned that we should talk a little bit about the Assessment Center. Ms. Middleton explain **Exhibit A and B** that we are recommending the same company. The Ohio Fire Chiefs' Association is doing something we have not

seen before where they quoted for 2 days for 24 candidates to go through the assessment center. You will see a little later on in the agenda our recommendation to limit the number of candidates that go to the assessment center. In the past that was 14 and primarily driven by time and budget. The Ohio Fire Chiefs' is now saying they can assess 24 candidates in 2 days. Commissioner Kiely asked that we have evidence that they are very good at doing that. Ms. Middleton replied yes! We used the Ohio Fire Chiefs' last time, the only change is they now can assess 24 candidates in 2 days. Commissioner Kiely stated the goal is to have as many people be able to go through the Assessment Center as possible. Here you are adding potentially 10 more people than you before. Ms. Middleton replied yes!

During the assessment center Chief Sweeney added they might be asked to do an oral presentation exercise on some scenario. Prior to the assessment center we will meet with the assessment group and provide the things we are looking for in the presentation. When they are presenting all of these scenarios the assessors will be measuring their administrative skills, communication skills, how decisive they are with their responses, flexibility, human relations skills, management control, leadership, planning and organizing, problem analyzes skills their ability to operate under stress and their technically and operation competence. The assessment group will provide us and the applicant feedback on how they measured to the skills they were looking for. So getting everyone through that and giving them feedback is going to be an important part of this process not just reading all the books.

Commissioner Kiely asked if there is a motion for approval of the testing company the Ohio Fire Chiefs' Association for both Written and Assessment, so moved by Commissioner Fountain and seconded by Commissioner Trotter. All in favor and approved. Someone said they noticed the chart indicated that four Hispanic's passed but I only see three listed. Ms. Middleton replied that this is an unofficial record but she will correct chart. Chief Administrative Officer Jeri Chaikin asked have we received anyone before. Ms. Middleton replied only one. Commissioner Kiely asked has anyone withdrawn before. Ms. Middleton replied we passed over that person. Someone asked are they told that. Ms. Middleton replied that their background investigator would have told them. Chief DeMuth replied after the investigation do we tell them when they were passed over. No.

**Recommendation and approval of weights for Fire Lieutenant Examination (EXHIBIT C - Proposed Test Weights)**

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Commissioner Kiely next item is recommendation for approval of weights for Fire Lieutenant Examination. Do we have a motion to approve that 40% for Written and 60% for Assessment, so moved by Commissioner Fountain and seconded by Commissioner Trotter. All in favor and approved.

**Recommendation and approval to limit the number of candidates that advance to Lieutenant Assessment Center**

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Commissioner Kiely next item is recommendation and approval limit the number of candidates that advance to Lieutenant Assessment Center and want as many as possible. Ms. Middleton recommended that we limit it at 24. We are recommending a limit of 24 and in the past it was 14. Law Director William Ondrey Gruber asked in the past do we approve the list of the passing score. HR Manager, Sandra Middleton replied we do that after the results come from the top 24.

Commissioner Kiely asked motion to move, so moved by Commissioner Fountain and second by Commissioner Trotter

**Discussion of Police entry-level examination results (EXHIBIT D – Police entry-Level Results)**

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Police Chief DeMuth said the Police Department asked for another police test due to retirements in the Police Department and at the time there were three openings when we asked for it, now there are seven openings unlike Fire we have a very difficult time getting applicants through the door. There are a numbers of reasons for that and we all know that in regards to people not wanting to be a police officer anymore. The application due date was extended for a couple of weeks. We wanted 50 applicants but failed short of that. Ms. Middleton stated we received 44 applications and 42 showed up. Chief DeMuth stated that he was very happy and agreed with Chief Sweeney that he was happy Fire Promotional process and has served us very well in regards to the applicants that we are getting through the door once they go through the entire process of the background. The process consisted of a three person panelist interview, 7 questions each panelist are instructed how to grade on the answer, it's not a questions, and answer format. We have had a couple of returning people from our last test and overall I was pretty happy with how this test works as opposed to the traditional written exam and those who have scored poorly on the written, on this type of exam scored very well and it is required to used your oratory skills.

Ms. Middleton explained **Exhibit D** we have our adverse impact data that we received 44 applications in the time period and 42 showed up and 2 no shows. The applicant pool rendered 32 out of the 42 candidates passed if the Commission decide today to set the passing point at 70%, which we have used in years past. These are all based on the assumption that today it will be approved at 70%. We will have to readjust if you approve something differently today. Ms. Chaikin replied that this is a pretty good breakdown here. William Gruber, Law Director asked is that 37% minorities passing the test. Is that fairly high. Ms. Middleton replied yes! Chief DeMuth replied look at the breakdown Exhibit E and compare White male and African American male who chose to take the test their passing rate is comparable 70% to 67%. Commissioner Kiely mentioned that an African American male was a 100%. Chief DeMuth replied an African American female were 100% and a 100% Hispanic male and is one of the reason why we like the test more favorable.

Mr. Gruber asked Chief DeMuth that your goal 50, but you only received 42 but that is still high compared to other Departments. Chief DeMuth replied yes! Ms. Middleton mentioned in the past we typical have hit that the first day. Mr. Gruber stated that other Departments had much greater impact I though in the last few years. Chief DeMuth replied that is absolute correct observation. Ms. Middleton stated we limited the amount of the candidates and hired nine people off our list the last time, although we have a smaller applicant pool we are doing a lot of quality hiring. Commissioner Fountain asked if you know off hand in general not by these classifications, what percentage of these candidates came from other Departments.

Ms. Middleton shared the breakdown of **Exhibit E** providing comparison of year over year for the officer's examination with adverse impact on minorities. It's not as well as last cycle but it's still really good compared to written examinations. In fact now we have been doing what we call non-traditional testing for so long the written examination has fallen off the list and we used structure interviews now for three cycles prior to that we have used video base and it has been some years since we used traditional written multiple choice question examination.

Ms. Middleton explained **Exhibit F** showing how everyone fared on the examination with 32 passing and assuming a passing rate of 70%. Ms. Middleton asked everyone to note if someone received extra credit points for having a degree or military service those extra credit points cannot put you over to a passing grade. For example the candidate that has 69.62% if he had extra credit points he would receive the extra credit points to a passing grade. Commissioner Trotter asked what the value of the extra credit points if they don't improve your grade. Ms. Middleton replied if you have a passing grade it will move you up once you have passed the minimum. Commissioner Kiely asked how many of these 32 received the extra credit. Ms. Middleton replied not as many as years passed she doesn't know the exact number and apologized for not having that information. Skipping to the last page of your package it's the same data but has a little more information about the top 20. The names highlighted in yellow, if hired, would require us to send them to the Police Academy. The highlighted names in purple are currently in the Academy, which mean by time of hire they would be ready to go. Those who are not highlighted to answer your question Ron are coming with some experience from another Department. Ms. Chaikin asked have we seen anyone of these 32 before. Ms. Middleton replied yes, only one. Chief DeMuth confirmed one. Commissioner Kiely asked has anyone withdrawn before. Ms. Middleton replied that we just passed over the individually. Mr. Gruber asked are they told that. Ms. Middleton replied that their background investigator would have told them what they found. Chief DeMuth stated after their interview or after the entire process do we tell them why they are being passed over. No! Commissioner Trotter asked this is a questions has nothing to do with today but it does in the future as we look for our staffing and our interaction with the community how is our department lining up relative to facing the community vs the department diversity issues. Chief DeMuth asked is your questions regarding the demographic of the department getting closer or further away from the demographic of the community. Commissioner Trotter replied yes. Chief DeMuth confirm that we are getting closer, but we have a lot of work to do. The statistics are 1% minorities and certainly the demographic of the community are more than that. Commissioner Trotter asked if we have a 1% level that we never going to be significantly diverse facing the community. Chief DeMuth replied yes. Commissioner Trotter stated unless we do something different than we are doing now. Chief DeMuth replied it would take us an extremely long time for us to get there, and this issue has been talked about nationally over and over again, and there has been articles written on this as to what can we do and there has never been really one resolution to this issue and what compounds it now for us is the stigma that's being attached to being a police officer in the United States. Commissioner Fountain asked as you look for positive deviance is there a Department or some Departments that seem to have dealt with it more constructively although there is no formula nor a template for it. Chief DeMuth replied I don't have actual statistics but what I can tell you is that we are the only City in the state that uses this format and I think that we provided actual statistics that show this has less of an impact on minorities than the standard written test, so I think just by speculation, we are doing a little better than most. Commissioner Trotter stated that would be the answer I would get if I was talking about education, it doesn't matter what the structural organization is that's reality we are going to face. Commissioner Trotter asked if we could get some of our fellow departments to work with us to find some enhanced ways, especially looking at the East Cleveland and the suburban communities on that side plus Cleveland when I think about the diversity that we don't have and I look at what I think is going on in the streets around us I think we need to do more because we need to be able to blend in more to do better to understand what the challenges coming our way could be. Chief DeMuth replied I agree, and I really think you have to start a program like this at such an early age with kids at 8 and 9 years old in the schools. You start it at that level keep working toward building a relationship with children and show what a great career this could be especially in this age of everybody going to college now. As we all know there are going to be electricians, carpenters, and plumbers all those trades are going to be unfilled because everyone has to go to college. The same as police officers although we give extra credit for going to college but you don't to go to college and you can have a wonderful career as a police officers. Chief

DeMuth stated that answer is if we could band together with other Departments and come up with a program that touches children at a much young age and that would be the answer. Commissioner Trotter mentioned he would like us to start thinking along those ways or else we will never move the needle. Chief DeMuth agreed with Commissioner Trotter. Commissioner Fountain stated this is the kind of subject that some social graduate school PHDs would be all over and look at these things and look at who doing dissertation and creditable dissertations and you said it's a national problem, and there are people who study this and write-ups about it and I would like to try to find some of that stuff in the academic environment. Some of those are out there and people have ideals where they have tried and what's work. Chief DeMuth replied that would be great!

**Approval of passing grade for Police entry-level examination**

Commissioner Kiely asked for a motion for the passing grade for the 2019 Police Officer Entry Level Examination be 70%, moved by Commissioner Fountain, seconded by Commissioner Trotter and the 70% passing grade was approved.

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**Approval of the Police Eligibility List**

Commissioner Kiely asked for approval of the Police Eligibility list moved by Commissioner Fountain, and seconded by Commissioner Trotter and approved.

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**Certification of list of the top 20 names**

Commissioner Kiely asked for clarification so you continuously move down the list as people are moved off the list? Chief DeMuth replied, yes. Commissioner Kiely asked for a motion for approval of the Certification list of the top 20 names, moved by Commissioner Fountain, seconded by Commissioner Trotter and approved.

Commissioner Kiely asked is there anything else that is not on the agenda that we would like to discuss. Mr. Gruber asked Fire change in how you going to considered your list open. Chief Sweeney replied we are not going to extend the list and the list has expired. We have three offers and all have accepted and have to pass some could continue to take test and picked up by another City. They have to pass a police background, medical, psychology and get through Fire school.

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There being no further business, the meeting was adjourned. The next meeting will be scheduled at a later date.



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Jeri E. Chaikin, Secretary  
Civil Service Commission

