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CIVIL SERVICE COMMISSION
ACTIONS
AUGUST 10, 2005
6:00 P.M.
CIVIL SERVICE CONFERENCE ROOM
3RD FLOOR, CITY HALL

Roll Call

Chief Examiner John Whitcomb called the meeting to order. In attendance were Chairman Michael Finn, Commissioner Geraldine George and Commissioner Frank Caracansi. Police Chief Alan Baker also attended the meeting.

Minutes of July 13, 2005 meeting - Amendment to July 13, 2005 meeting minutes: Deputy Police Chief candidate: Shaun McColgan has college credits toward a degree. Chairman Finn believed that Shaun McColgan has a degree. He has 74 college credits from John Jay College. No degree was issued.

Commissioner Caracansi made a motion to accept the previous meeting's minutes as amended. Commissioner Geraldine George seconded the motion. The motion passed unanimously.

OLD BUSINESS:

Report on the Fire Lieutenant Appeal: Chairman Finn and Chief Examiner Whitcomb met with four candidates who were appealing their Fire Lieutenant oral exams. Some of them have appealed before and met with Chief Examiner Whitcomb. He went over the test with them. Chief Examiner Whitcomb also allowed the candidates to review the tapes of their oral exams and the panelist's notes from the testing. There was some confusion and the candidates didn't think they were being treated fairly. The candidates' appeal dates within the appeal period and Chairman Finn and Chief Examiner Whitcomb met with them except for Mr. Rozzi. He missed the appeal deadline. Even though he missed the appeal deadline, Chief Examiner Whitcomb met with Mr. Rozzi. Chairman Finn believes the test should be accepted. Commissioner Caracansi asks to verify the names of the Fire Lieutenant candidates: Christopher Ryan, Fred Pollard, Richard Gerlach and Richard Krikorian. Paul Rozzi was the late appeal. Commissioner Caracansi asks if these candidates are appealing the oral section of the exam only. Chairman Finn says yes. Chairman Finn reads one of the letters from Richard L. Krikorian. A copy of this letter is attached.

After the letter was read, Commissioner Caracansi asked if the other letters were similar. Chairman Finn and Chief Examiner Whitcomb said yes. Chief Examiner Whitcomb said some of the letters made reference to the written part of the exam but those issues were concluded before meeting with the candidates. The candidates did not pursue those issues in the meetings. Commissioner George asked how many candidates took the exam. Chief Examiner Whitcomb states approximately 40 candidates took the exam with four candidates contesting. Commissioner Caracansi made a motion that the appeals had been reviewed and unless there is a mathematical error that the grades stand as they are. Commissioner George seconded the motion. The motion passed unanimously.

NEW BUSINESS:

Entry Level Firefighter Recruits and Candidate Disqualification Appeals:

Commissioner Caracansi asks who are the candidates that appealed their disqualifications. Chief Examiner Whitcomb explains that several candidates have appealed their disqualification by submitting the missing documentation for their applications to be considered complete. Chief Examiner Whitcomb's recommendation is if they brought in the missing documentation within the appeal time period that we accept it. If the candidate was not considered qualified from the beginning, we should not accept any missing documentation. Commissioner Caracansi agrees that if the candidate corrected their application or submitted the missing documentation within the proper appeal period that they be accepted as qualified candidates. If they have missed the appeal period, the candidate should be rejected. Chief Examiner Whitcomb states there is one candidate who responded in a very unprofessional manner, threw his diploma/transcript at a secretary in the Personnel/Civil Service office. He then went to the Mayor's Office and threw his documentation at the receptionist. Commissioner Caracansi states that even though the candidate was unprofessional, he submitted the necessary paperwork and should be allowed to take the exam. Chairman Finn states the candidate must apologize to both secretaries. Commissioner George feels his application should be rejected based on his behavior. Chief Examiner Whitcomb agrees with Chairman Finn and says if the candidate submits a written apology, his application should be accepted and be allowed to take the exam. Commissioner George does not agree and feels the candidate should not be allowed to take the exam. Commissioner Caracansi put forth a motion that the candidate's application be accepted with an apology to the secretaries. Chairman Finn seconded the motion. The motion passed with one objection.

Chief Examiner Whitcomb states that there will be a timing issue regarding the CPAT exam. In order for the Chief to take candidates for the Fire Academy in October, only individuals who currently have CPAT certification would be eligible to attend the Academy. It is important to select from those qualified individuals with CPAT certification. Those candidates that are qualified but do not have CPAT certification yet, will be considered but put on hold until they do receive certification. Chairman Finn disagrees with this. Chairman Finn states that if a candidate takes the exam and he scores a 90 and another candidate scores a 75 and the person who scored 75 has the CPAT certification and the other candidate does not, that candidate with the lower score but has the CPAT certification will be placed ahead of the higher scoring candidate? Commissioner Caracansi agrees with Chairman Finn. Chief Examiner Whitcomb states that the Fire Chief will have the discretion to pick from within the pool of candidates according to Civil Service Rules. The Mayor can select a candidate from the top six candidates. If one of those candidates has the CPAT certification, the Mayor can select that candidate.

Deputy Chief of Police: Police Chief Alan Baker asks if the Commission members have received a copy of Captain Shanahan's letter. Chief Baker feels that letter accurately depicts the current situation. Commissioner Caracansi reviews the letter because he arrived a little late and was not able to read the letter before the meeting started. Commissioner Caracansi states that Captain Shanahan's letter questions whether or not the applicant must have a bachelor's degree from an accredited college. Is that the minimum requirement? Chief Examiner Whitcomb gives Commissioner Caracansi a draft response letter to review. Commissioner Caracansi asks for an answer to his question. Chairman Finn responds that there was no requirement that the candidate have a bachelor's degree but when Chief Baker was hired, it was decided that the Deputy Chief job description needed to be revised. Chief Baker made changes to the job description. Chairman Finn states that he does not remember which Civil Service meeting it was, but the revised job description with the bachelor's degree requirement was accepted and voted in. Commissioner Caracansi states that he doesn't think he was at that meeting but it was at that meeting that the Civil Service Commission said the minimum education requirement would be a bachelor's degree. What type of degree? Could that bachelor's degree be in History? Criminal Justice?

Psychology? Chairman Finn says as long as it's a bachelor's degree, it is acceptable. It can be for any field from an accredited college. Commissioner Caracansi asks if the Civil Service Commission is well within its rights to make that change. Someone answers yes. Chairman Finn states that the issue is when this was voted in, it was in the interim period when these candidates were applying for the exam. So, to make sure everything was fair, and candidates included their educational background on the application, it was voted at a Civil Service Commission meeting to accept what we thought would be equivalent in continuing their education while they are on the job. We reviewed their personnel files and we reviewed their applications. Two of the three who did not have a degree had a record of continuous education in police duties and criminal justice. One candidate stated he had 74 credits toward a degree. Another candidate had attended eight to 10 different schools to continue his education. The candidate that was rejected had three classes at the beginning of his career and no continuing education. We accepted three of the four candidates: One with a bachelor's degree and two with equivalent training/education but did not have a bachelor's degree. Chief Examiner Whitcomb states that the fourth candidate was sent a letter saying he did not have the degree nor did he have the equivalent training or education. To date, we have no further documentation from this candidate. The time period for an appeal has expired. The rejected candidate does not appear to want to file an appeal.

Chief Baker explains that he understands the Commission has the right to accept equivalent training and education. Chief Baker just wants the Commission to understand that this caused concerns within the Police Department. The employee that was eliminated feels he was unjustly eliminated because he feels his experience is equivalent to the other candidates. It has also caused concern by Captain Shanahan when he read that the job description stated the bachelor's degree requirement. Chief Baker states that the Police Union has filed a grievance on the whole testing process alleging unfair and discriminatory and the change in the job description. Chief Baker feels that because this position is not covered by a labor contract, the Police Union really does not have a say on the job description change. However, the Police Union grievance procedure does allow them to contest what they perceive to be unfair and discriminatory practices within the Police Department. Chief Baker says the communication on this could have been better on his part and this involved a couple of different Civil Service Commission meetings. We are faced with several options here:

1. Allow the eliminated candidate to participate in the promotional exam.
2. Take the other two candidates out of the process because they do not have bachelor's degrees or;
3. Proceed as planned.

The Commission is within its rights under City ordinances to articulate the equivalencies. There is no conspiracy. There is no favored candidate. Ultimately, the Mayor is going to conduct an interview and make the decision based on the testing procedure.

Chief Examiner Whitcomb stated that Chief Baker recommended revising the job description to include education and experience equivalent to a bachelor's degree either temporarily to cover this exam and then remove the bachelor's degree requirement in the future job description. Commissioner Caracansi asks about the job description: What is the minimum number of years of police work required? Chief Examiner Whitcomb looks up the City ordinance that states the number of years of police experience required. Commissioner Caracansi asks if these officers met the City ordinance requirement. They all have the necessary time in the Department as required. However, two candidates continued their education during their time in the Police Department. One candidate did not continue his education. Commissioner Caracansi states that in his opinion, he does not think that someone having a degree is going to necessarily make him a better Deputy Chief than someone who has 25 years in the Police Department in all different facets of police work. Chairman Finn agrees with this. The bachelor's degree requirement was added because most top management jobs ask for a degree and the Civil Service Commission agreed to add that to the job description.

Commissioner Caracansi asks if they could discuss individual personalities. Under the Freedom of Information Act, could the Commission go off the record? Chief Examiner Whitcomb answers that he is not an attorney but he believes that is correct. Commissioner Caracansi requests that they discuss the individual candidates' personalities off the record. Chairman Finn seconded the motion. The motion passed unanimously. The tape was shut off.

Tape was turned back on.

The Deputy Chief written exam has been completed. The Commission has further reviewed the letter from Captain Shanahan questioning the job description that has been changed to include a bachelor's degree. A copy of this letter is attached. Captain Shanahan is asking why two of the candidates who participated were allowed to participate if they do not have the bachelor's degree. Chairman Finn explains that there was an overlap in the timing when the test notification was distributed under the old job description and when the new job description from the Police Chief was voted in. The Commission reviewed and wanted to be fair and to be sure that the candidates had equivalencies or continuing education in the police field and that we would accept them also. Commissioner Caracansi makes a motion to let the results of the Deputy Chief written exam stand as they are and proceed to the next part of the exam. Commissioner George seconded the motion. The motion passed unanimously.

Captain Shanahan will receive a written response from the Chief Examiner and the Commission in response to his questions and concerns. Commissioner Caracansi requests that Police Chief Baker receives a copy of the response letter to Captain Shanahan. The Commission agrees.

Police Department Promotional Exams: Another issue regarding the promotional exams held in December 2004. Typically eligibility lists from those tests are renewed for a second year. Chief Baker has been told of concerns regarding the tests because they weren't compiled in conformance with the 1994 court decision which is to have a minority present on the oral exam panels. Chief Baker asks that if we are going to re-test, it is important to start preparations for that now, such as getting study guides, getting materials out, and setting a test date.

Chairman Finn states that the Captain and Lieutenant exams will remain as is. When the Eligibility List is due to expire, it is reviewed. If there are no candidates remaining on the list, the list expires. On the Sergeant's list, in accordance with the attorneys, the list will expire in one year. Commissioner Caracansi asks if the issue was that a minority person was not on the oral panel for the Sergeant exam. Chairman Finn states yes, that was part of the grievance and court issues. Part of the agreement was to allow the list to last for one year and then re-test. The re-test will be scheduled as soon as we complete the Entry Level Firefighter, Entry Level Police recruitments, and then the Captain's test. Commissioner Caracansi asks when the Sergeant Eligibility List expires. All the lists for Captain, Sergeant, and Lieutenant expire on December 30, 2005. Police Chief Baker feels it is important to have some additional participation from within the department on the process. Chief Examiner Whitcomb would meet with Chief Baker and other Police Department members to solicit their input on the test scheduling process. Commissioner Caracansi asks if another Sergeant's exam will be scheduled before December 31, 2005. Chief Examiner Whitcomb says yes. Chief Baker says the concern that the process becomes more customized to Connecticut state law and to Danbury Police procedures.

Entry Level Police Officer Candidates:

Commissioner Caracansi asks that since Chief Baker is here, should they discuss the entry level police candidates. Chairman Finn says yes if the Chief is interested in hearing about it. Chief Baker would like to hear about the candidates. Commissioner Caracansi says they are not going to discuss all of the

candidates. Commissioner George says they want to discuss the candidates they have questions on. Chairman Finn states there are over 150 candidates to police and that the commissioners were requested to review the applications against the qualifications for becoming police officer and what is needed to take the test.

The applications were split up among the Commissioners. Each commissioner has reviewed his or her packet. Commissioner Caracansi states his pile of applications were candidates named A through K. There are some exceptions in the applications where we are missing birth certificates, driver's licenses or social security cards. Commissioner Caracansi feels the candidates he reviewed are qualified. Commissioner Caracansi would like the candidates who are missing documents to provide the missing documents as soon as possible and if they do so, to be accepted as candidate.

Commissioner George has applications from candidates whose last names began with K through P. She has some candidates that are missing diplomas, driver's licenses, social security cards and birth certificates as attachments to their applications. She has a candidate that is a permanent resident and she asks if that person a U.S. Citizen. Chairman Finn says the requirement to be a police officer is that you are a U.S. Citizen. Everyone present agrees. Chairman Finn explains that is why we ask for copies of birth certificates. Chief Examiner Whitcomb asks which candidate is a resident. Commissioner George states his name is Ednei Lima. Commissioner Caracansi asks if he is a U.S. Citizen. Mr. Lima is a permanent resident. Also, candidate named Braulio Pascio is a resident, not a U.S. citizen. Commissioner Caracansi makes a motion that they make sure that every recruit is either a U.S. citizen or a naturalized citizen to be qualified to take the exam. Commissioner George seconded the motion. The motion passed unanimously.

Chief Examiner Whitcomb points out that the Commission is missing candidates with last names with R through Z. Commissioner Caracansi makes a motion that Chairman Finn review candidates with the last names R through Z on behalf of the rest of the Commission members. Commissioner George seconds the motion. The motion passed unanimously.

Chairman Finn makes a motion that the entry level police candidates be accepted. The candidates that are missing documents need to provide copies as required before they are allowed to take the exam. Chairman Finn wants the Commission to make sure that candidates that are requesting veteran's points are indeed entitled to request veteran's points. Commissioner George seconds the motion. The motion passed unanimously.

Chief Examiner Whitcomb has a tentative test date for the police exam for September 12, 2005. An orientation will be organized by the recruitment committee before that date. Tentative time frame for the orientation is the end of August. Tentative oral exam dates are September 28 and September 29, 2005. Chairman Finn asks if all candidates will be notified about the orientation. Chief Examiner Whitcomb says yes, the candidates will receive the orientation notice and the exam notice at the same time.

Police Chief Baker leaves the meeting and everyone thanks him for attending.

Entry Level Firefighter Candidates:

Commissioner Caracansi states the situation is similar to the police candidates. There are several candidates that did not include all copies of documentation as required. Commissioner Caracansi asks what the age requirement is for a firefighter. Chief Examiner Whitcomb states the minimum age requirement is 17 years and 11 months. There are some very qualified candidates for the firefighter position.

Chairman Finn states that there were 500 applicants for entry level firefighter. The applications were broken down into groups for the Commissioners to review. Candidates that did not attach the required documentation will be notified to do so as soon as possible or they cannot participate in the exam. Chairman Finn noted that many out of state candidates did not submit paperwork showing if they were a Firefighter 1 or 2. These candidates need to submit copies of their certifications in order to receive their points. Commissioner Caracansi puts forth a motion that the candidates need to submit copies of their certifications stating they are Firefighter 1 or 2 in order to receive their points on the exam. Commissioner George seconded the motion. The motion passed unanimously.

Commissioner George made a motion that the firefighter applications be accepted with notations. Commissioner Caracansi seconded the motion. The motion passed unanimously.

Chief Examiner's Report:

Fire Dispatchers Richard Gerlach and David Bonner have been sworn in.

The Account Clerk and Account Clerk II - Payroll exam has been scheduled for August 15, 2005.

The Account Clerk III - Payroll exam has been given.

The Assistant Building Inspectors interview have been conducted.

Auto Equipment Operator: This position is currently open and applications are being accepted until August 22, 2005. That will be a practical exam.

Pipe Installer: This position is currently open and applications are being accepted until August 22, 2005. That will be a practical exam.

Adjourn:

Commissioner Caracansi made a motion the meeting be adjourned. Commissioner George seconded the motion. The motion passed unanimously.

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Attachments