



Notice of Public Meeting
Civil Service Commission Meeting
Wednesday, February 14th, 2018
@ 2:30 p.m.
In the NFD Officers' Office

- I. ROLL CALL:**
- II. MINUTES:** From: January 24th, 2017
- III. AGENDA:** Nomination for CSC President
Classified Positions Research
NFD FF/Medic Exam Results
- IV. ADJOURN:**

Please note: This posting is for notification to all department heads of The Civil Service Commission activity. If this pertains to you, please print a copy for your files. If this does not pertain to you, please view as information only.

Emailed:

Civil Service Commission Members (3)
Mayor Mike Zita
Robert Fowler, Administrative Officer
Justin Markey, Law Director
Ron Messner, Finance Director
Kerry Macomber, Clerk of Council
Mike Schultz, NFD Chief
John Dalessandro, NPD Chief
Larry Hess, Superintendent of Public Service
Posted & Emailed February 9th, 2018

Kerry Macomber, Administrative Assistant
Council Members (7)
Barberton Herald
West Side Leader
The Post Newspapers
Beacon Journal

Janice Back *CSC Secretary*

Contact # 330-825-7815 ext. # 201

jback@cityofnorton.org

NFD/CSC/RC Secretary, 08:00 - 16:30, Mon. thru Fri. Norton, Ohio 44203

Phone (330) 825-7815 ext. 201 / Fax (330) 825-2050

Any person who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-825-7815 Ext. 322 or karlar@cityofnorton.org. Any request for an auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.

City of Norton
CIVIL SERVICE COMMISSION
February 14th, 2018

The Norton Civil Service Commission convened for a meeting in the NFD Training Room

Joseph Conte called the meeting to order at 2:35 p.m.

Roll Call: Joseph Conte
Angela Beck
Peggy Dobbins

Attendees: Administrative Officer, Robert Fowler
Police Chief, John Dalessandro

Absent: None

CURRENT BUSINESS:

- Chief Dalessandro explained that there is not enough interest in the Police Captain position for a competitive assessment. He is trying to keep this from going outside and is considering broadening the competition into the next unit, Police Officers, with stipulations. He is requesting a definition for “competitive”.
- Administrator, Robert Fowler explained the difference between competition and already achieving a certification for your field. He explained that in his opinion testing in this case is feasible. Joseph Conte asked if the Assessment Centers and Exam are interchangeable. Mr. Fowler said yes. Mr. Conte asked if everyone has completed their probationary period that would be interested in the Assessment Exam. Chief said yes.
- Chief Dalessandro would like to see Officers with no less than 10 years’ experience as being eligible for the Captain Assessment.
- Mr. Fowler explained that it used to be 2 years then 5 years.
- Angela Beck explained that a promotion can be made without competition by a request from the Mayor with substantiated reason (Per CS Rule # 9-05).
- Joseph Conte made a motion to give permission to make a promotion without competition. Angela Beck seconded the motion.

Yes: Joseph Conte
Yes: Angela Beck
Yes: Peggy Dobbins

Motion passed to allow a promotion without competition.

- Robert explained that he would rather contact the assessors and bump the Assessment Exam back to March & canceling the assessment for February 24th, 2018. Chief Dalessandro requested something in writing to allow a minimum of 5

- years' experience with NPD to be eligible to take the Assessment Exam. This can be achieved by utilizing Rule 9-06 under minimum qualifications as set forth in the promotional examination announcement. No further permissions is needed.
- Joseph Conte requested that Administration supply the members with I.D. tags to wear when attending exams. Robert agreed and asked for some time to produce them.

NEW BUSINESS:

- Angela Beck made a motion to nominate Joseph Conte as the Chair Person for 2018. Joseph Conte seconded the motion.

Yes: Angela Beck

Yes: Joseph Conte

Yes: Peggy Dobbins

Motion passed to nominate Joseph Conte as Chair Person, 2018.

- Angela Beck made a motion to close the meeting. Peggy Dobbins seconded the motion.

Yes: Angela Beck

Yes: Peggy Dobbins

Yes: Joseph Conte

Motion was passed and the meeting was closed at 2:50 p.m. and reopened at 2:51.

- All members were present at the re-opening of the meeting.
- Secretary, Janice Back presented the requested research on each FT employee (please see meeting minutes from 1/24/18 for this request). Research for a resolve was also presented to the Commission Members and a copy was offered to Mr. Fowler.
- The findings were explained in succession according to the Administrators that have served the city since the 1980s. It was explained that back in the 1980s and 1990s some positions were not tested because they were titled as "unskilled". There were 4 of these positions, Service Department Laborers. Laborers were not tested back in the day. They were hired by the application process (Ordinance 276.05, 2. attached) It wasn't until 2000 when Mr. Claude Collins became the City Administrator that the Civil Service process was fully implemented for most FT positions. It was determined that Police and Fire/EMS have always been tested. There are no issues there.
- It was then explained that there is one clerical position that was overlooked by the city and was assumed to be FT Classified. This employee has been working for the city since 2008.

- It was explained that in the 1960s, an Ordinance was put in place (# 276.05, 2-b. attached) that covered an issue that resembles the current situation. It was suggested that this is one example that could be considered on how to “Grandfather” a position that has not been Civil Service tested.
- Mrs. Back explained that years ago there was a rule in the O.R.C. that also covered these situations. It was given as another example that could be added to the Civil Service Rule book to cover this situation (attached).
- Joe Conte asked Mr. Fowler if this girl is going to keep her job. Mr. Fowler stated yes and said he is just wanting to fix it properly. Mr. Fowler asked the commission members to give him a little time so that he can consult with his legal counsel and ask him how to fix it legally. What Mr. Fowler doesn’t want to see happen is for the city to do something unlawful and create another issue. He stated that “we are not getting rid of her, and I mean that. The intention to just give her the protection or address those who”. Peggy Dobbins agreed that we want to do this the right way. Mr. Fowler agreed. Joe Conte stated that we should be sure to test in the future. Mr. Fowler agreed and wants to see the commission keep current entrance eligibility lists so if we keep those lists, we can go to those lists for part-time and full time. Janice Back explained that in the past, the city has not wanted to go to the expense to keep current lists because it is expensive. The mind set in the past was that if we need a list, we will arrange for a test when the need arises. Everyone agreed that keeping lists that cycle will be an asset to the city.
- Janice Back asked Robert for guidance as to how to fill out the 2017 yearly report to the State Personnel Board of Review. It is due the first week of April. This report asks for information on Classified Positions. He explained that without research, he is not sure how to address this. The understanding is that the report should stay as it has been in the past.
- Joe Conte asked for Robert to explain what would happen if Layoffs occurred. Robert explained that this would go by seniority and the union contracts cover that. Layoffs don’t go by classification appointment. Robert stated that if we get to that point that we are in a world of hurt.
- Robert explained that really what the city needs is 4 entrance lists: Laborer, Clerical, Police & Fire. Having lists don’t always cost you money. It can actually save you money. If we can get in a cycle, it can work. If it can be staggered every other year, we should be covered. Mrs. Back asked that Robert explain this to the department heads so that if they run out of applicants and need another test before their cycle comes around they realize the Civil Service Commission is not trying to undermine their needs but is trying to meet the needs of all 4 departments.
- Robert explained that he is trying to think outside the box and is hoping to join with neighboring communities to give joint tests so that there are more candidates on the list and it would also be cost effective. Everyone thought this is a very good idea.

- The Commission also discussed probationary periods according to the rules, job descriptions, and union contracts. It was suggested that the members take a look at their rules and Charter to be sure that they don't ever conflict with each other. Robert suggested that it might be better to try to mirror the Ohio Revised Code with rules. This might be the safest way to go as long as it is not conflicted within the City Charter. He said that the Charter supersedes the Ohio Revised Code. Peggy Dobbins said that they will keep that in mind, to check the Charter first. Robert said that the Charter is the law of the people.
- Robert stated that his plans are for the law director to meet with the commissions in the near future for some training.
- Angela informed the commission that she will not be able to make the next meeting.
- The Commission continued with the certification process for the NFD Eligible List. Everything appeared to be in order.
- Joseph Conte motioned to accept the NFD Eligible List. Angela Back seconded the motion.

Yes: Joseph Conte
 Yes: Angela Beck
 Yes: Peggy Dobbins.

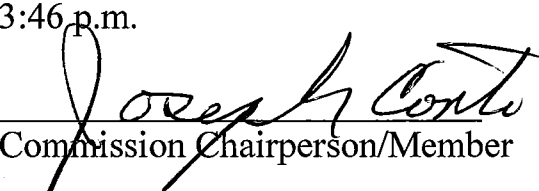
Motion was passed and the NFD Eligible List is certified as of today's date, February 14th, 2018

- Joseph Conte motioned to submit a total of 11 names. Peggy Dobbins seconded the motion.
- Yes: Joseph Conte
 Yes: Peggy Dobbins
 Yes: Angela Beck

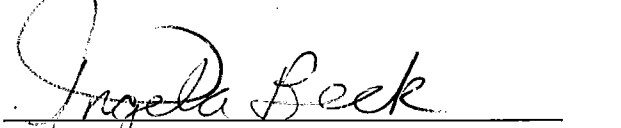
Motion was passed. Janice Back will submit the Certified Eligibility List of 11 names to the Mayor, Administrator and Department Head.

CONSIDERATION OF THE MINUTES:

- The minutes from January 24th, 2018 were presented and signed.
- With no further business presented to the Commission, the meeting was adjourned at 3:46 p.m.



 Commission Chairperson/Member



 Commission Vice-Chairperson / Member

Date Approved: _____

*Civil Service Commission
 JC/PD/AB*

Janice Back

From: Janice Back
Sent: Friday, March 02, 2018 10:50 AM
To: Justin Markey
Cc: jconte.ab8av@gmail.com; pldobbins@earthlink.net; rileycat2644@yahoo.com; Robert Fowler
Subject: Request from Robert to the Civil Service Commission

Hello Justin,

Next question from the Commission:

Robert would like to see a resolve for a position that was overlooked in the Classified process in 2008 and has requested the input of the Commission to correct this situation. Here are their thoughts.

History overview:

The employee was hired as Full-Time Unclassified to be the Boards and Commissions Secretary in 2008, was moved to Full-Time Police Department Secretary later in that same year, was then laid off in 2011, returned Full-Time in 2013, and was transferred as Full-Time Service Secretary in either 2015 or 2016. It is now 2018. The employee has been on board, Full-Time since 2008.

Please review (below) to see if this addition to the Rules might be appropriate (and legal) for this situation, or if you would rather utilize an update to Ordinance 276.05 instead.

- ***Rule 11-09, After an employee serves in the same classified position for a period of two continuous years, (fifty-two continuous pay periods), such employee may be eligible for automatic certification.***

Or:

- ***Rule 11-09, Any person who has served the Municipality in any position included in the classified service for at least ninety days preceding the effective date of this section (Rule 11-09, passed _____) shall retain his or her position without examination until discharged, reduced, promoted or transferred in accordance with the rules and regulations of the Civil Service Commission. (Insert Date here if/when approved.)***

In 1969 the City used **Ordinance 276.05** to "Grandfather" in anyone that was hired before the Ordinance went into effect. Here is a pasted version for your reference:

276.05 POSITIONS IN THE CLASSIFIED SERVICE.

(a) The classified service shall consist of all persons in the employ of the City not specifically included in the unclassified service and shall be designated as the competitive class and the unskilled labor class.

(1) The competitive class includes all positions and employments in the City for which it is practicable to determine the merit and fitness of applicants by competitive examinations.

(2) The unskilled labor class includes ordinary unskilled laborers. Vacancies in this class shall be filled by appointment from lists of applicants registered by the Civil Service Commission.

(b) Any person who has served the Municipality in any position included in the classified service for at least ninety days preceding the effective date of this section (Ordinance 67-1969, passed September 8, 1969) shall retain his or her position without examination until discharged, reduced, promoted or transferred in accordance with the rules and regulations of the Civil Service Commission.

(Ord. 67-1969. Passed 9-8-69.)

The Commission is looking at this old Ordinance with a "Grandfather Clause" (above) as an example. They are hoping to re-use this same idea for today's current situation. Due to the dates in the clause (above) the Commission is aware that they cannot use this fix unless you can create an "update" to this Ordinance. If this is not possible, they would like to see the current situation be "Grandfathered" into an additional Civil Service Rule.

The Commission will wait until they hear from you about this situation before submitting their complete list of updates to you for your suggestions/approval.

Thank you for all you do for our city.

Janice Back

NFD Office Manager

RC Secretary/CSC Secretary

Contact # 330-825-7815 Ext. 201

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jback@cityofnorton.org

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