



Civil Service Commission
104 E. Franklin Street
Circleville, OH 43113
740-477-1731
Fax: 740-477-5829
www.circleville.oh.us

Matthew Tootle
Chairperson

Stacy Young
Vice-Chairperson

Amy Elsea
Member

Circleville Civil Service Commission Meeting Minutes

Tuesday, September 8, 2020– 8:30 AM

I. Roll Call

The Circleville Civil Service Commission met in the City Administration Conference Room on Tuesday, September 8, 2020. The meeting was called to order at 8:30 AM. Members present: Matthew Tootle, Chairperson, Amy Elsea, Member and Stacy Young, Vice-Chairperson. Guests: Tony Chamberlain, HR/Safety Director, Brian Thompson, Fire Chief, Laura Bray, former Fire Fighter and Tyler Carroll. The meeting was recorded and later transcribed.

II. Approval of Agenda

Mr. Tootle stated the Commission received a request for reinstatement from Matthew Hafey this morning. The Commission decided to place the request on the October 13th meeting agenda. Ms. Elsea offered motion to approve the September meeting agenda as presented. Ms. Young seconded the motion. Vote: All yeas.

III. Reading/Approval of Minutes

Ms. Elsea offered a motion to approve the August 11, 2020 meeting minutes. Ms. Young seconded the motion. Vote: All yeas.

IV. Reports/Correspondence

The following correspondence was read and approved:

- A. Appointment of Dustin Smith to the position of Fire Fighter effective 8-24-2020
- B. Appointment of Anthony Bickers to the position of Communications Officer effective 8-31-2020
- C. Notice of Fire Captain Promotional Testing on September 22 and September 23, 2020 issued to eligible Fire Lieutenants Micah Reese and Michael Shroyer dated August 20, 2020 **Discussion:** Mr. Chamberlain stated both candidates are participating so the test is competitive.

V. Unfinished Business

None

VI. New Business

A. Request for Reinstatement to the position of Fire Fighter – Laura Bray

Laura Bray, former Fire Fighter, presented a request for reinstatement to the position of Fire Fighter. Ms. Bray explained that she was an employee of the Fire Department for a few years, first as a part-time Fire Fighter, then full-time. Ms. Bray expressed her love for the job and stated she misses it dearly. Ms. Bray stated that for over a year she was on the fence about resigning from the department because she felt department morale was at an all-time low and the amount of overtime was extreme. Ms. Bray explained that a Fire

Fighter typically works 48 to 72 hours a week but that she and her co-workers were working 100+ hours a week even before the pandemic. Ms. Bray stated she doesn't want to speak on behalf of the department but the morale was so low and she herself was physically and mentally exhausted. Ms. Bray stated she had spoken with HR/Safety Director Tony Chamberlain as well as Chief Thompson and her questions were just not getting answered - When are we going to hire? Ms. Bray stated the department has not been at full staff in years – if ever. She stated not only was that a red flag but a huge safety concern because it is a young department (young as being in the fire service). Ms. Bray stated there was not enough staffing to train or send employees to the academy for training. Ms. Bray admits knowing things (funding) are tight but full Police and Fire staffing are an absolute necessity and needed.

Ms. Bray stated employees would go to work and not know when they were leaving because of overtime coverage. Mr. Bray stated one employee worked 5 24-hour shifts in a row, never leaving the station. She stated that, per the Ohio Revised Code, is illegal but employees were being forced in to it because the hiring was not happening.

Ms. Bray introduced her support system, Tyler Carroll, a career fire fighter, and explained that he was seeing what working so much was doing to her. Ms. Bray stated everyone at the department was on edge and they were all breaking down. Ms. Bray stated their biggest concern was when the vacancies would be filled but they were not getting any answers. Ms. Bray stated she typed her resignation but held on to it. She stated she didn't want to resign but she needed answers, the amount of overtime was so overwhelming. Ms. Bray stated she talked to Chief Thompson and asked questions about hiring and reducing overtime but the Chief didn't have any answers because he wasn't getting answers from above him. Ms. Bray understands it is typically a 3 month process to hire a fire fighter because of all the testing and understands it does take time.

Ms. Bray stated she submitted her resignation and boom! overnight staffing was where it is supposed to be. Ms. Bray stated it is her understanding that 3 more fire fighters are going to be hired in January and she would like to be considered for one of those positions.

Ms. Bray stated she met with Mr. Chamberlain one afternoon after she resigned and she told him she loves the job but it was everything else that was piled on that led to her resignation. Ms. Bray stated everyone at the department felt the same because they were not getting answers about the hiring process. She stated then the hiring happened after she left which was heartbreaking and very upsetting to her. Ms. Bray shared that several of the employees sat down (while she was still employed) and discussed how to attract and retain employees. Ms. Bray stated she is a fixer and wanted to fix things for the better.

Ms. Bray went on to say she has 19 years of fire service and when she resigned no one questioned why she was walking out the door. She stated that was a red flag and she wondered why no one asked why she, a fire fighter with all of her experience, was leaving. Ms. Bray stated nobody wanted to know why and that bothered her. Ms. Bray stated it was heartbreaking when several people were hired after she left. Ms. Bray stated the biggest part of her resignation was because she was physically and mentally exhausted. She told Mr. Chamberlain and Chief Thompson that she wasn't ready to leave and didn't want to leave but the exhaustion was overwhelming. Ms. Bray stated it was also a safety concern to work so many hours, adding what happens when one of them make a mistake because they are so mentally and physically exhausted? Who will replace them?

In closing, Ms. Bray asked to be considered for reinstatement because she misses the job dearly.

Chief Thompson stated Ms. Bray submitted her resignation to him on June 26, 2020. He wanted to make it clear that he did question Ms. Bray as to why she was leaving and Ms. Bray told him she was physically and mentally exhausted.

Ms. Young asked if Ms. Bray provided a two week notice. Chief Thompson stated no. Ms. Bray stated it must have been just shy of two weeks.

Mr. Chamberlain stated Ms. Bray's resignation was received on June 26, 2020 and his office responded to Ms. Bray via email with a resignation acceptance letter, which is normal procedure, on the same day. The acceptance letter included an exit interview form. Mr. Chamberlain noted June 26 to July 1 (date of resignation) is 5 days. The resignation notice was dated June 2, 2020; however, Mr. Bray did not turn in her resignation until June 26, 2020. Mr. Chamberlain sat down with Ms. Bray to discuss the exit interview several weeks after her resignation because of the short notice provided. He stated they planned to meet again but paused that meeting due to Ms. Bray's reinstatement request.

Mr. Tootle asked if there are any Fire Fighter positions open at this time. Mr. Chamberlain stated no, and none are expected unless an employee leaves employment. Because of the state of City finances, the City is only filling position that are vacated by a current employee leaving. Mr. Chamberlain hopes the City will fund 3 additional Fire Fighter positions in January. As far as the hiring process and timing, Mr. Chamberlain stated several people were in the hiring process when Ms. Bray left employment. He went on to say that while it does take time to fill positions, they were almost at the point of finalizing the hires when Ms. Bray resigned.

Mr. Tootle asked if the reinstatement request is granted, what happens next. Mr. Chamberlain stated, per ORC, if the reinstatement is granted and a position becomes open, the appointing authority has the final decision to reinstate the individual or not.

Ms. Young asked if the lateral transfer program speeds up the hiring process. Mr. Chamberlain stated the lateral transfer program is for law enforcement only but it does not speed up the hiring process. Candidates must still go through the hiring process and, if hired, a lateral transfer means a Candidate can be hired at a higher rate of pay and may accrue vacation at a higher level. Ms. Young asked a lateral transfer program is an option for fire fighters. Mr. Chamberlain stated he is unsure but it can be discussed. Mr. Chamberlain stated the hiring process is a long process due to the extensive background investigation and pre-employment testing but HR has worked extremely hard to bring in Police Officers and Fire Fighters this year. Of the 24 employees hired to date, 18 have been safety forces employees.

Ms. Elsea asked if, other than the date of Ms. Bray's resignation, was there a performance or attendance issue to prevent granting the reinstatement request. Ms. Elsea also asked if positions will be open in January. Mr. Chamberlain stated lack of a sufficient notice is the only reason noted for eligibility for re-hire in Ms. Bray file. Mr. Chamberlain is hopeful that more positions will be funded in January. If the COVID pandemic doesn't negatively affect revenue the City will start the hiring process again in January. Reinstatement is in effective for a period of 1 year.

Ms. Elsea offered a motion to approve the reinstatement request from Laura Bray. Ms. Young seconded the motion. Vote: All Yeas. Reinstatement eligibility is in effective for a period of 1 year from the date of September 8, 2020.

Following the vote, Mr. Chamberlain reiterated to Ms. Bray that a vacancy would have to occur and if/when that does happen, it is the appointing authority's final decision whether to reinstate. Mr. Chamberlain believes positions may be available in January; however, a vacancy could occur prior to then if a current employee leaves.

B. Request for Promotional Testing for Deputy Chief of Police, Police Captain, Communications Center Commander

This request relates to the recent re-organization of the Circleville Police Department approved by City Council on August 18, 2020. Three command positions were created and in accordance with Civil Service rules, those positions must be filled within 60 days. The ultimate goal of the re-organization is to ensure leaders are in place for accountability. The Administration has met with a local group of minorities and would like to create a Community Relations Board to help with CPD finance review, hiring, policy review and use of force reporting. Mr. Chamberlain and Chief Baer are requesting an extension to the 60 day rule to allow for creation of the Board. Chief Baer is confident the Board will be in place within the next several months. IACP's written promotional test, OACP's assessment and a panel interview board will determine the score and rank for promotion. Chief Baer stated a lot of leg work is done but he is asking for an extension to put the program together to serve the public better and be transparent. His belief is that if citizens truly understand their Police Department and its inner-workings, it will serve public well.

Mr. Chamberlain explained the eligible candidate list noting that one current Sergeant retires in November leaving 2 Sergeants eligible; however, eligibility is dependent on the posting date. One of the remaining Sergeants is on probation until December 18. If the posting is before December 18 and in order to be a competitive test, the candidate list will include police officers who have completed the probationary period. Referring the list provided to the Commission, Mr. Chamberlain pointed out several officers are currently in the probationary period. If the Commission decides to extend the 60 day rule, it will allow some employees to participate in the Command staff promotional process. An extension will also allow several employees to participate in the Sergeant promotional process which will take place after the command staff promotions. Mr. Chamberlain stated the City is looking for guidance from the Commission and wants them to understand what is being asked of them and what it means to postpone the test. Approval is also needed to hold off on the Sergeant promotional process since there is one current vacancy in that position.

Mr. Tootle asked how long is needed to get the Review Board in place and administer the promotional testing. Chief Baer stated OACP would like 10 weeks to prepare their assessment; however, they are experiencing COVID delays and are backlogged. Chief Baer believes 120 days would allow the structure to be in place.

Mr. Tootle stated 120 days from August 18 would be December 16. It is important to note the current probationary Sergeant completes probation on December 18. Mr. Tootle expressed his desire to post the promotional test after December 18. He feels the probationary Sergeant has put in the time and training needed for a chance to test for a leadership position. Mr. Tootle asked Mr. Chamberlain if there are ramifications within

ORC if promotional testing does not occur within 60 days. Mr. Chamberlain answered the code doesn't discuss a penalty.

Mr. Tootle offered a motion to grant a time extension for promotional testing for the positions of Deputy Chief, Captain and Communications Center Commander and to post the promotional examination on December 20, 2020 and to test within 60 days of this date. Mr. Tootle included in his motion to also postpone the current vacant Sergeant promotional testing until the other Sergeant positions become vacant and to test within 60 days of that date. Ms. Young seconded the motion. Vote: All Yeas.

C. Recommendation for Removal from Police Officer Eligibility List for BRS I, 2 – Hunter Hopkins, Jordan Robinson

Mr. Tootle offered a motion to accept the recommendation for removals. Ms. Young seconded the motion. Vote: All yeas.

D. Recommendation for Removal from Police Officer Eligibility List for BRS G, 5 –Theodore Frumkin

Ms. Elsea offered a motion to accept the recommendation for removal. Ms. Young seconded the motion. Vote: All yeas.

E. Review and Certification of Police Officer Eligibility List

Mr. Tootle offered a motion to certify the Police Officer Eligibility List. Ms. Young seconded the motion. Vote: All yeas.

F. Request for Police Officer Test

Ms. Young offered a motion to open a testing period for Police Officer. Ms. Elsea seconded the motion. Vote: All yeas.

VII. Public/Informal Time

None

VIII. Adjournment

Meeting adjourned at 9:18 AM.

The next meeting is scheduled for Tuesday, October 13, 2020.