

City of Gahanna

*200 South Hamilton Road
Gahanna, Ohio 43230*



Meeting Minutes

Tuesday, March 3, 2009

6:30 PM

City Hall Committee Rooms

Civil Service Commission

*Anthony Penn, Chairman
Katharine Essex, Vice Chairman
Stephen Renner
David Schroeder
Paul Leithart*

Donna L. Jernigan, MMC, Sr. Deputy Clerk of Council

1. CALL TO ORDER AND ROLL CALL

The Gahanna Civil Service Commission met in Regular Session on Tuesday, March 3, 2009 at Gahanna City Hall, 200 South Hamilton Road, Gahanna, Ohio. Chair Anthony Penn called the meeting to order at 6:30 p.m. The agenda for this meeting was published on February 26, 2009.

Members Present: Paul Leithart, David Schroeder, Katharine Essex, Stephen Renner and Anthony L. Penn

ADDITIONAL ATTENDEES:

Mayor Stinchcomb, Tom Weber, Kristen Treadway, Chief Dennis Murphy, Isobel Sherwood;

2. ADDITIONS OR CORRECTIONS TO THE AGENDA

3. APPROVAL OF MINUTES: Regular Meeting February 3, 2009

A motion was made by Essex, seconded by Schroeder, to approve the minutes of the February 3, 2009 Regular Meeting. The motion carried by the following vote:

Yes 5 Leithart, Schroeder, Essex, Renner and Penn

4. HEARING OF VISITORS

5. UNFINISHED BUSINESS

2007-0006

Review of Civil Service Rules & Regulations.

Penn asked that Mayor Stinchcomb or City Attorney Weber begin the discussion on testing in the classified service.

Treadway said that she had a follow up discussion with the Mayor and Weber about the police test rule; have been talking for some time; kind of evolved; spoke with Weber a couple of years ago about this and the Mayor decided to do an Administrative recommendation regarding the police testing rule. Mayor said discussion has been ongoing and probably won't surprise you; for a long time we did not have Human Resources; took a charter change in 2001 that mandated we have an HR department; we hired Treadway to create an HR department; we talked about duties and roles of work with Civil Service; at that time we knew the task awaiting the HR director was huge; that was 6 1/2 years ago and we feel we are at a juncture to revisit the whole idea of the testing, especially with the police test.

Weber said he does see a conflict of interest over a period of years; have concern with what the future function of CS might be; concern if in fact at some point in time it evolves into an appellate board if the role of HR is to do more of the actual testing and administering the tests; been monitoring cities and in a lot of cities this function is done by HR; we did not have HR for many years so Civil Service had to do this function; the recommendation, if accepted, is that HR does this testing; see the potential of CS, in the future, being the body that would hear appeals and grievances from the testing process; if you are assisting in the testing process then you cannot serve as an appellate body; there are a lot of different possibilities of what this body wants to do; feel the testing function will be decreasing; the State of Ohio does very few written tests; many are not relevant to the actual job; having more and more problems finding applicable tests relevant to jobs; what testing function there is could be done by HR; like to see this

board serve like BZA and hear appeals; they hear appeals from Planning Commission and are very respected and do a fine job. If the testing function decreases or is evolved to HR then what does the Civil Service Commission see as its function; what would you like to do and what would be the function. The Mayor has been attempting to address this issue; time again to say where are we going. The last Charter change that failed would have taken the word "written" out of the Charter so that written tests would not have to be given for all classified testing; testing process does not have to be a written test; HR can take resumes and do interviews for the hiring process. Mayor said like a business would; get view of qualifications of candidates from that; obviously we are going to have a Civil Service Commission; question is what role do you see for yourselves within this new role/new model; can't see Civil Service Commission in 5 or 10 years monitoring tests. Weber said you have these ministerial duties; you are a bright group; there are a lot of changing roles; you can delegate certain duties to HR; this is what we are here to discuss.

Mayor Stinchcomb said we are not here to advocate that everything change tomorrow; there can be a lot of scenarios; we could try for a while just to do the police testing; maybe you will decide you want to give more work to HR and the Administration; this larger issue came up as we were discussing this; at a juncture for some broader discussion. Treadway said at a conference she attended the personnel director basically said that civil service should not be doing the testing; that HR should be doing the testing; is wave of the future. In the police packets it is very clearly outlined and the police test could not be changed for 2009; has been advertised through September; could not change process over night.

Penn thanked everyone for the overview and said this is more about structure than process; coordinating with HR.

Treadway said she has always wondered how Civil Service can give the test and monitor and be a neutral body; ultimately should be a neutral body to hear appeals if we do something wrong. Penn asked how we compare with other communities: Treadway said Dublin, Worthington and Westerville still do police and fire testing; have handed other testing over; they have Personnel Board of Review for appeals.

After question from Schroeder, Treadway said she does not feel comfortable testing for the supervisory positions; all of the supervisors; not able to find job related tests; would like to give only practical test for equipment operator; not sure about the written exam; many in this line of work do well on practical tests but not written tests; we do not see testing going away for police; can find good written tests like Ergometrics for police; wanted that Charter language change. Schroeder said absent a test how do you get by the "good old boy" system. Treadway said both she and the Mayor look at the qualifications of the applicant; can help ascertain that from resume; they would all still be Civil Service positions; candidates could appeal if they felt that something was wrong; with all the labor laws now that also makes it harder.

Schroeder asked Weber if he was aware of recent litigation to a Civil Service Commission where there were allocations of conflict of interest based on the fact that they are the appellate body? Weber said he was not, but he can do that; seems implicit that you cannot be an impartial body over the process that you helped administer; asking for problems; may have to recuse yourselves; you serve a very important function; viable function because a lot of what you are doing is not that discretionary; we are not saying what you are doing is not important; not sure your talents are being used as they could be. As the HR function grows and assumes responsibilities then there are going to be grievances; as is now there would be no place to go because you are the test monitors;

function interwoven with HR; rules ought to reflect some of these realities.

Mayor said we know that you have been working on rules for over a year now; not trying to mess anything up; HR has been a large part of these rules. Schroeder said all of this work was for what. Mayor said she does not know what to say. Treadway said we do not want people to feel we are trying to take over the Civil Service Commission; she did not feel right coming to Civil Service and expressing many of her concerns so she kept quiet. Mayor said for the most part she tries to stay out of the roles of all board and commission members; do not attend all meetings; not want to impose her will; respect all members and want you to be independent boards; she and Weber felt it was time to take a time out and discuss a broader view. Treadway said it would not be a total rules change to do the police testing; if the Commission would want to go with that philosophy then would require change in rule 4 in the future. Mayor said this is an opportunity to bring a broader view; may take a period of years to implement; do we wait or do we do it now; the City Attorney has pointed out potential conflicts of interest; our obligation is to bring to the Civil Service Commission; we need to be looking at this.

Penn said it is good to have a broad view; his question is do you have a proposed time frame. Treadway said again nothing can change with the police testing process until 2010, and we have no other testing scheduled for the rest of this year except for radio dispatcher.

Renner said he wants to understand the premise of Weber's concern. Weber said in the modern world we have a viable HR department; what is the advantage of Civil Service to figure out which one of you will show up to a test when the HR department can do that and monitor; could conceive of you delegating the testing authority to HR because they have the ability to do that type of thing. Schroeder said in essence have we not already done that. Weber said the longer they are here we find more comfort with their skills; do the rules reflect this gradual process; just raising issues we need to talk about.

Mayor said we are aware that you are a volunteer board and we ask a lot of you; you spend whole Saturdays giving tests; at what point do we best utilize your fine talents when we have employees to do some of the more routine work; we know the timing could have been better; just talked about it and Treadway brought it to Weber's and my attention. Weber said HR in Gahanna is now a fully integrated department. Treadway said we just got our part-time employee in the past year.

Penn said it is important to understand all of the issues; we have never heard about the conflict of interest before this; need to make note of that and weigh into our decisions. Schroeder said is it possible to get a step by step plan of how you would like to see this implemented so that Civil Service could see a plan of how this might proceed. Penn said he would like to see recommendations for the testing process included. Schroeder said how you see the Civil Service Commission of Gahanna functioning in the City; like a business plan; to have something to look at. Mayor said as long as you take this as a recommendation only; ultimately Council would have to approve these rules; no one is trying to ramrod anything with this process.

It was agreed that Treadway will come back to the Commission with a proposed plan/recommendation in two months, as she will not be able to attend the next Civil Service Commission meeting and wants to be present for discussion.

Commission members agreed they wanted to continue discussion among themselves at the next meeting.

Penn thanked the Mayor and Weber for coming.

2009-0003

Certify Eligibility List for Recreation Specialist; list established February 17, 2009.

Treadway said there were no official appeals of the test, but a candidate came to her and asked that if we use that test in the future that it should be explained to candidates taking the test that there are pages that say "This page left blank intentionally"; and that does not mean to stop. Treadway continued that this candidate felt that was a big stop sign and she shouldn't continue until told to do so; 3 other candidates also came to her about that; they did not stop but thought it was very confusing; really hope never to test for recreation positions again. Commission made note of this.

Jernigan said we do have an extensive list; approximately 76 took the test and only 8 failed; do have the top 15 candidates ready for certification; there were several ties.

A motion was made by Essex, seconded by Renner, to certify the Recreation Specialist eligibility list established February 17, 2009. The motion carried by the following vote:

Yes 5 Leithart, Schroeder, Essex, Renner and Penn

6. NEW BUSINESS

2009-0011

Police Officer Test March 14, 2009 - Results.

Penn and Schroeder will be present at the March 14th written/video police test to be held at New Life Church at 7:45 a.m.

7. CORRESPONDENCE AND ACTIONS

8. OFFICIAL REPORTS

Treadway said she had nothing further.

a. Director of Human Resources

b. Chairman

Test Dates Scheduled:

Police Officer Written/Video Test - March 14, 2009

Police Officer Written/Video Test - May 30, 2009

Police Officer Written/Video Test - September 12, 2009

Police Physical Fitness Test - June 27, 2009

Police Physical Fitness Test - October 3, 2009

10. POLL COMMISSION FOR COMMENT

Leithart said Weber makes a good point; the dual role and the increasing role of HR; purpose of Civil Service was to prevent the "good old boy" network; that may not be in danger now, but we need to keep something objective in the process so that if we do not have Treadway and Mayor Stinchcomb, we do not allow that network to rise up again; we need to make sure candidates/employees know they can come before us; whatever the process we need some degree of objectivity to be preserved.

Essex said as the Civil Service Commission evolves we need to protect the City and employees and serve as a neutral body; we need to preserve the integrity of our

Commission; not just HR coming in and telling us what to do as a board.

11. ADJOURNMENT: 7:20 p.m.; Motion by Leithart.

Donna L. Jernigan, MMC
Senior Deputy Clerk of Council

*APPROVED by the Civil Service Commission, this
day of 2009.*

Chair Signature