

MINUTES OF MEETING
AVON CIVIL SERVICE COMMISSION
Held Monday, January 9, 2023

AVON CITY HALL

CALL TO ORDER

The meeting was called to order at 10:00 A.M. by Peter Kratt, Chairman of the Civil Service Commission.

ROLL CALL

Present: Chairman Peter Kratt, Commissioner William Greaney and Commissioner Alan Wojciechowski

In attendance: Law Director John Gasior, Police Chief Fischbach, Safety Director Streator and Recording Secretary, Rose Seighman

ADDITIONS/DELETIONS TO AGENDA:

Mr. Kratt indicated that each Chief has something they would like to discuss with the Commission today. Chief Swope responded saying his comments are very brief and Mr. Kratt asked him to proceed.

Chief Swope said the Fire Department is looking to give a promotional exam for the rank of Lieutenant. He will have more details next month, after he has a Labor Management Meeting with the Union regarding the structure of the department. Both our Captain and Lieutenant Eligibility Lists have expired. The only current eligibility list we have is our Firefighter Entrance Exam, which is good until the end of the year. Chief Swope has a good, solid 10-12 names that he can draw from should they hire due to someone retiring. They are looking to get three more Lieutenants. He will have more information to share at next month's meeting.

Mr. Kratt asked Chief Fischbach if he had something to mention to the Commission. Chief Fischbach explained that he has been looking at our process for hiring officers. He said, as the Commission knows, with the last two exams, we had both an Entrance List and a Lateral List – or what we called a Lateral. Our Lateral is not a true Lateral, as far as the actual intention of a Lateral goes. Our Lateral candidates all have to go through the exact same steps as the Entrance candidates. He explained that the intent of the traditional Lateral would be to get officers from other agencies, that are seasoned veterans. These candidates have already been through the hiring process and come with experience. By getting that experience, the true intent is to shorten the process for those candidates. Our Lateral does not do that, they need to go through the exact same steps as someone on our Entrance Exam. They need to apply, take the examination and do everything an Entrance level candidate needs to do. He has been doing research and more and more municipalities are going with the true Lateral process where there is no exam, it is an application process. He explained that he would review the applications. The candidates would

need to meet certain criteria: minimum number of years of experience as well as the background process, including the polygraph. That portion of the process would all remain the same. There would just be no examination. As an example, he explained that Westlake has a traditional Lateral process, where it is just an application. He believes it would be a big benefit to Avon if we go this route. Unlike our Fire Department, we are not in a good spot as far as hiring goes. We have officers retiring and our process to replace them is not quick or expeditious. Some of that we cannot get away from, like the background process. Right now, he has 6 officers that he needs to hire. He is working off the Entrance List right now. It's not a great list. We exhausted the names on our Lateral List within the first few months. We do have Entrance Level candidates that we are working with now, trying to get some good, viable candidates for the 6 open positions we have. The problem is, we are falling behind quicker than we can catch up. There is a need to look into this Lateral process. This will greatly help us out in filling these voids that we are seeing. Chief Fischbach explained that we aren't reinventing the wheel, he has several examples of agencies across the state that are going to this process. He is comfortable asking that we look at this and look at our rules. It may require a rule change to allow the Lateral Application process as well as the Entrance Exam. Chief is not suggesting we get rid of the Entrance Exam process, he said that is equally important. We need younger officers coming in with little or no experience that we can mold. It is important to have a range of young officers to seasoned officers. He will be working with Rose, Mr. Gasior and Mr. Streater to come up with a proposal for a rule change to allow for a true Lateral Application process. Although we've been calling our lists "Entrance" and "Lateral", we do not have a true Lateral process.

Mr. Kratt said Chief Fischbach answered his question, which was: is he working with Mr. Streater and Mr. Gasior on this. Chief responded that he hasn't touched base with Mr. Gasior yet, as he's been thinking about this for a while, but just started delving into it deeply late last week. He did not realize that the city of Westlake had already changed their rules and started this process already. It's evident that they are because they have been hiring officers from jurisdictions all around us. He believes they have had four officers from North Ridgeville make the lateral move to Westlake. They hired two officers that were on our list as well. They got to them before we were able to, mostly due to our process. As Chief Fischbach has mentioned to the Commission at every meeting, our pool of candidates is getting smaller and smaller and if they are a good candidate, every city that has an opening wants them. Right now, candidates can go wherever they want to go. It's not like it used to be - if you were offered a job, you jumped at it. Now, they have the luxury of going wherever they want. Every agency is hurting for manpower and the manpower just isn't out there. If we don't look into this new process, we will find ourselves behind the eight ball. From what Chief Fischbach sees across the state, this is the trend everyone is going to. He has some documents ready, but felt it was best to give the Commission a heads up at this meeting, so that next meeting when you see that documentation, it won't be out of the blue.

Mr. Kratt asked if Mr. Streater had anything to add. Mr. Streater commented that this is a trend in law enforcement because of the lack of candidates and to speed up the process in order to fill the ranks. He asked if this is a long-term solution? Probably not. We are looking at hiring candidates that come from an agency that has gone through the Civil Service process. But this is what a lot of communities are doing. We are competing with the other communities. And as Chief Fischbach mentioned, you would have a couple hundred people applying for one or two positions. That's not how it is anymore, it's not like that at all. It's difficult not only to recruit

candidates, but to retain them. In some larger communities, they have officers leaving and coming to communities like ours, and Westlake and Strongsville because of the working conditions. Cleveland received grant money from the State to use for retaining bonuses to keep their officers. We are up against a lot and if we can streamline the process, we should. If we are looking at a quality candidate, chances are, other agencies are looking at that candidate as well. If you are a quality candidate, you can drive where you are going to go. That's not a good position for the employer (City) to be in.

Mr. Kratt asked Mr. Gasior if he will make sure the Commission will be comfortable with whatever changes might be necessary? Mr. Gasior said that it shouldn't be any problem.

Mr. Greaney asked if the list would be made up based on the date that you applied? Chief Fischbach answered that yes, our current retention on applications is one year, maybe two. Chief will check on that to confirm. Right now, when you submit an application to the city, they will retain that application for either one or two years and after that, your application is no longer considered. We would have something similar. Once we receive an application, it would be valid for a certain period of time and if it expires, then you would need to submit another application. It would run side by side with an Eligibility List that is certified through the Civil Service Commission. It would be taking our Lateral List and changing it from an examination process to an application process. Chief Fischbach has the documentation from Westlake Civil Service Commission. He does not want to keep bringing them up, but they are very relevant, as they are right next door to us and are a very similarly situated city. This is working very well for Westlake. They are getting a lot of quality applicants that the rest of us are missing out on.

Mr. Wojciechowski asked the Chief if he thinks it has anything to do with pay. Chief said a lot of factors come into play. He said it is pay, working conditions, etc. But the ability of Westlake to get these applicants is strictly because they have the Lateral process in place. Applicants know that. If you are an officer in another department and are considering going to another agency, the easier the process, the more likely they are to do it. If they have to sign up for an exam, pay a fee, etc., wait to get put on a list, etc., they wouldn't prefer that. In addition, we can only look at a certain number of candidates at a time. Chief Fischbach explained, as Mr. Streator stated, it's not a great solution, but he doesn't see any way around it. If we don't consider it, we will be one of the only agencies not doing it. His biggest concern right now is that he has six openings that he needs to fill and that is going to be very difficult to do. Anything we can do as an agency or a Commission, to streamline the process, it's time to start looking at that.

Mr. Greaney stated that he believes it puts a big onus on the Chief and Mr. Streator to go through that list. He mentioned you may find other departments that might give those applicants a good reference if they no longer want them in their department. Chief Fischbach said we have that issue now. He mentioned that the vast majority of officers that we've hired in the last several years have come from other agencies - Cleveland, Avon Lake, Streetsboro, etc. Our internal background check is very thorough, such as a polygraph, a medical exam is required for retirement system and a physical agility test. The only real difference with us doing it this way is that it is an application and not an exam. Everything else is the same. What Westlake requires is that the applicant must come from an agency that used Civil Service, so they have already gone through a Civil Service process with their current agency. Chief said in no way is he trying to get rid of or shirk the duty of the Civil Service process. Now is just a time to improve our ability to get quality candidates.

Mr. Kratt thanked both Chiefs for giving the Commission a heads up on what is going on in each of their departments.

Mr. Wojciechowski made a motion to approve the agenda as published. Mr. Greaney seconded and the motion passed 3-0.

APPROVE MINUTES OF MEETING OF 12/05/2022:

Mr. Greaney made a motion to approve the minutes from the meeting of 12/05/2022. Mr. Wojciechowski seconded and the motion passed 3-0.

CHAIRMAN'S COMMENTS: None

ACTION ITEMS:

- *Elect 2023 Chairman*

Mr. Greaney made a motion to nominate Mr. Kratt Chairman for 2023. Mr. Wojciechowski seconded and the motion passed 2-0.

- *Certify Clerical & Labor Eligibility Lists*

Rose updated the Commission on the Eligibility Lists. She stated for the Clerical List, two applicants were added and none were removed. The Labor list has four applicants that were added and three were removed. Those three were all removed because they have been on the list for more than 2 years.

Mr. Greaney made a motion to certify the Clerical and Labor Eligibility Lists as presented. Mr. Wojciechowski seconded and the motion passed 3-0.

- *Remove names from Police and Fire Eligibility List*

Mr. Greaney made a motion to remove the two names from the Police Eligibility List and one name from the Fire Eligibility List as presented. Mr. Wojciechowski seconded and the motion passed 3-0.

DISCUSSION ITEMS: None

GENERAL COMMENTS: None

NEXT MEETING DATE:

Monday, February 6, 2023, at 10:00am

ADJOURN:

Following a unanimous vote, today's meeting was adjourned at 10:18 A.M.

PASSED: _____ **SIGNED BY:** _____

Peter Kratt, Chairman

ATTEST: _____

Rose Seighman, Recording Secretary

C: John Gasior
Safety Director Duane Streator
Chief Fischbach
Chief Swope
Rose Seighman