

**NORTH RIDGEVILLE CIVIL SERVICE COMMISSION
MINUTES OF
REGULAR MEETING JULY 18, 2017**

To Order: The meeting was called to order at 6:30 P.M.

Roll Call: Present were Members Nick Ciofani and Chairman James Yost.
Also present was Assistant Prosecutor Cynthia Adams, and Recording Secretary Donna Tjotjos.

Minutes:

Regular Meeting May 16, 2017

It was moved by Yost, seconded by Ciofani to approve the meeting minutes dated May 16, 2017

MOTION CARRIED

Special Meeting May 23, 2017

It was moved by Yost, seconded by Ciofani to approve the special meeting minutes dated May 23, 2017

MOTION CARRIED

Special Meeting July 6, 2017

Member Ciofani corrected the minutes on the first page by stating he had asked if the DD214 was the gold standard for military record.

It was moved by Yost, seconded by Ciofani to approve the special meeting minutes dated July 6, 2017 as corrected.

MOTION CARRIED

Reports:

UNFINISHED BUSINESS:

Determine the release of the Fire Promotional Assessment Report

Recording Secretary Tjotjos stated this is the result of the memorandum received from Assistant Law Director Toni Morgan who had responded to the Civil Service Commission's request for opinion. During the May 16th meeting the Commission requested that she give an opinion prior to the next meeting regarding the release of the fire promotional assessment report to the candidates. Assistant Law Director Morgan responded to the Commission on May 18. She explained what was discussed during the meeting held on May 16 with the Fire staff that attended.

Member Ciofani asked if this was to decide to release or is this just to close the loop on the

outstanding question.

Recording Secretary Tjotjos stated that the Commission will need to decide whether or not they will release the information. According to Assistant Law Director Morgan's memo, it will require a rule amendment.

Member Yost was hesitant in releasing.

Member Ciofani asked if the Commission should postpone until Assistant Law Director Morgan is in attendance next month.

Assistant Prosecutor Adams stated that she has been informed by Assistant Law Director Morgan that she is leaving this decision up to the Commission and that she has no opinion whatsoever on it. She did provide a memo that provided options for the Commission.

Recording Secretary Tjotjos stated that the Civil Service Commission has provided assessment feedback in the past but because the agency felt a bit concerned releasing that information, it was not released. There isn't anything in your rules and regulations at this point that states Civil Service Commission provides that information.

Assistant Prosecutor Adams stated that they have released this information in the past outside of the rules. Before they were handed out and they are no longer doing that. If you review the last paragraph of Toni's memo, she sums up what she is saying in that an option given was to modify the rule to allow it be handed out, but very important to understand that it would not serve as any basis for protest or appeal. That would have to be written in the rule, if the rule was modified. If you aren't modifying the rule, then you don't have to hand them out.

Member Ciofani asked how it was given out in the past.

Member Yost stated it was given out without direction.

Recording Secretary Tjotjos stated that it was given because the city paid for the feedback to be provided. Because things have changed in recent past with agencies as far as security measures on their tests in its confidentiality and because they own the test and we don't, we have to be careful now what we hand out to the candidate. There have been problems with the security in the agency's exams in recent years, where now some don't allow a second review of their exams and they have refrained from allowing any protests on their exams based on the candidates sharing that information with other potential promotional and entrance candidates in other cities. Also, PRADCO is concerned that it may be challenged based on the uneducated individual not knowing how they provide the average of the exam.

Member Yost stated that the candidates really want to know what they can improve on.

Member Ciofani stated he is open to giving it but if Member Yost is against it, then the Commission would not have a majority on it and he believes this subject matter would be at a gridlock.

Member Yost stated that because this has been questioned, it needs to be considered and ruled on.

Member Ciofani stated that the Commission is then tasked to making on decision based on the test given this past year and then to possibly making a rule going forward.

Member Yost stated that he would tend to agree with PRADCO based on the confidentiality of the exam.

Member Ciofani stated that he was going on the fact that the fire employee stated it would help them in future improvements.

Recording Secretary read the option Assistant Law Director Morgan gave in her memo.

Member Yost stated that his concern is that it does state that the release of the information may not serve as a basis for an appeal.

Member Ciofani stated that he didn't feel that there is a majority here to change the rule.

Recording Secretary Tjotjos stated that the Commission would have to determine whether or not to release the fire assessment report and based on the information the Commission received from Toni, the members should be able to establish whether you release the information and modify your rule or deny the release and leave the rules as is. She read portions of her memo.

Member Ciofani asked if the Commission is at a stand-still is there anything that can be done. He stated that the rule provides for only the score on the assessment to be released. He stated that rule will still stand since we can't come to an agreement. He asked whether a motion would be required.

Recording Secretary Tjotjos stated that a motion should be made so that it is on record; whether that motion is to release or whether that motion is to deny the release.

Member Ciofani asked if he made a motion to release and he doesn't receive a second then the motion dies.

Recording Secretary Tjotjos stated yes. The motion will die if there is no second.

It was moved by Ciofani to release the assessment information to the applicants that request it. He asked if there was a second.

Member Yost stated as long as it doesn't serve as a basis for protest or appeal. He would second if that statement was included.

Recording Secretary Tjotjos asked for the motion to include the creation of the rule amendment as well.

Member Ciofani withdrew his motion.

It was moved by Ciofani to release the assessment information as long as it does not serve as a basis for protest or appeal and to amend the rules to state as such.

Member Ciofani addressed the memo and stated that he reads this to state that the rules could stand as is.

Assistant Prosecutor Adams stated that because the assessment has been given out, then the motion made was exactly the motion that would need to be made in order for it to be included in your rules and the assessment information provided in the future and only on the basis that it would not allow for protest or appeal. This would have to be included in your rule amendment.

Member Yost stated that statement would prohibit a protest on the assessment portion of the exam and the guys would get the information that they need if they wanted to improve themselves.

Member Ciofani stated he wanted to make sure that if this rule is passed, it wouldn't affect any current rules that are already established. He then reaffirmed his motion.

Member Yost seconded the motion on the floor.
MOTION CARRIED

Member Yost moved the meeting on to new business.

NEW BUSINESS:

Certify Top 10 Fire Fighter Paramedic as candidates have been removed and candidates were added.

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Recording Secretary Tjotjos explained the procedure of removing the names and adding the names to the certified list. She stated the procedure was followed by the Fire Chief and this list will need to be certified if he plans on hiring from this list.

It was moved Yost, seconded by Ciofani to certify the top ten list.
MOTION CARRIED

Member Ciofani asked if we received the official resignation letter from Dan Zezena and noted that his name is still on the top portion of the agenda.

Recording Secretary Tjotjos stated that was her error and thanked Member Ciofani for pointing that out. She stated it will be removed from further stationery.

Member Ciofani stated that if we continue to go without another member, should the commission make a motion to advertise.

Member Yost stated he will make the suggestion to the Mayor.

ADJOURNMENT:

It was moved by Yost and seconded by Ciofani to adjourn the meeting.

The meeting adjourned at 6:55 P.M.

James P. Yost
Chairman

Christina Tjotjos
Recording Secretary

8/15/17
Date Approved