

CIVIL SERVICE COMMISSION REGULAR MEETING MINUTES

September 8, 2015 at 2:00 p.m.
City Hall, 45 Lyon Terrace, Bridgeport, CT 06604
Wheeler Rooms A and B

Commissioner Eleanor Guedes called the regular meeting of the Civil Service Commission to order at 2:07 p.m. Present were Commissioners Rodgers, Falberg Plummer and Emanuel; Personnel Director David Dunn, Clerk to the Commission Deborah Brelsford; Attorney John Mitola; Larry Osborne, Labor Relations Director; Police Chief James Viadero (ret.), Fire Chief Brian Rooney; Mr. Whitbread, Fire Union Representative; David Garcia, Mr. Garcia, Police Officer Santiago; Ms. Celinas Rosario

Amendment to the Agenda.

**** COMMISSIONER EMANUEL MOVED TO AMEND THE AGENDA IN ORDER TO HEAR AGENDA ITEM #9 -THE REQUEST FROM JAMES VIADERO FIRST.**

**** COMMISSIONER FALBERG SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

9. Request From James Viadero – TABLED

The Commission reviewed a request from James Viadero regarding his pension.

Retired Chief Viadero came forward to speak about his pension. He said that a recent contract gave a retroactive payment and as a retired officer, he did not receive this compensation. He added that there was a new retiree contract that moved the retirees into another group.

Atty. Mitola said that he did not believe the Commission had jurisdiction over this. He agreed that the matter was complicated. Chief Viadero said that his retirement payments were correct, but the retroactive payment covered a time when he was still on active duty.

Commissioner Guedes asked why the Labor Board was not addressing this. Chief Viadero said that the Police Commission had decided the issue should go to Civil Service.

Mr. Neil Austin from Labor Relations joined the meeting at 2:15 p.m.

Mr. Austin gave a brief overview of how Plan A and Plan B were moved over to MERF. He outlined the items that were covered by the collective bargaining unit and the details about increases for pensioners. He said that he believed there was a mathematical error by UBC and adjusted payments would be made in the near future. Mr. Austin said that he did not believe that the Civil Service Board would have jurisdiction over this. The matter has gone before the Police Commission. He added that Labor Relations has been addressing this and added that Atty. Mitola might disagree with his statements regarding the issue.

Mr. Austin reiterated that the department is taking steps to correct the mathematical error. He urged the Civil Service Commission to send this to the Police Commission.

Commissioner Guedes asked Atty. Mitola whether this was a matter that would come before the Commission. Atty. Mitola asked Chief Viadero to clarify some of the details. He said that the City needs to recognize there is a problem and needs to be looked into.

Commissioner Guedes asked Mr. Dunn if Civil Service had jurisdiction. Mr. Dunn said that he did not think this was a Civil Service issue and believed that it would be a Labor Relations issue. Discussion followed.

Atty. Mitola said that while the retirees can't file a grievance but they may be filing this to exhaust the administrative remedies. Chief Viadero said that if the contract had been settled in 2011, the officers would have received the holiday credits. Atty. Austin said that he understood the retirees' concerns. The City negotiated for three years with the union, and during that time, the union never asked for any concession regarding this issue. Chief Viadero asked for a copy of the contract. Atty. Austin said that it would be upload to the website soon.

Commission Plummer said that his first question was about purview. He said that he would have wanted to have some documentation about the case. He said that he felt that he would like a written document from the City Attorney's before proceeding any further.

**** COMMISSIONER PLUMMER MOVED TO TABLE THE ITEM PENDING THE RECEIPT OF A WRITTEN OPINION FROM THE CITY ATTORNEY'S OFFICE.**

**** COMMISSIONER FALBERG SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

1. Meeting Minutes - APPROVED

The minutes from the regular monthly Civil Service Commission meeting on August 18, 2015 were submitted for review.

**** COMMISSIONER EMANUEL MOVED THE AUGUST 18, 2015 MINUTES.**

**** COMMISSIONER RODGERS SECONDED.**

**** THE MOTION TO APPROVE THE AUGUST 18, 2015 MINUTES AS SUBMITTED PASSED UNANIMOUSLY.**

2. Vacancy Report – NOTED FOR THE RECORD

Mr. Dunn reviewed the current vacancies with the Commissioners. The Commission noted the following Vacancies for the Record:

**MERIT INCREASES SEPTEMBER 2015
RETROACTIVE TO JULY 1, 2015**

PSC

John Scollin PSC TCO \$19.80/hr (1) to \$22.13/hr (2)

POLICE

Sheila Cosme TYPIST I \$33,717.00 (1) to \$35,405.00 (2)

4. Permanent Appointments – CERTIFIED FOR PAYROLL

Mr. Dunn reviewed the current candidates for permanent appointments with the Commissioners. The Commission certified the following permanent Appointments:

PERMANENT APPOINTMENTS – SEPTEMBER 2015 MEETING

<u>Employee Name</u>	<u>Job Title</u>	<u>Effective Date</u>
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POLICE

Brown Jr., Judson E.	Police Officer	5/24/15
Cavaliere, Michael	Police Officer	5/24/15
Coyne, Brian F.	Police Officer	5/24/15
Dolyak, Cynthia R.	Police Officer	5/24/15
Garcia Jr., Edwin	Police Officer	5/24/15
Kunst, Albert B.	Police Officer	5/24/15
Martinez, Ariel J.	Police Officer	5/24/15
Meade, Jesse T.	Police Officer	5/24/15
Morales Jr., David N.	Police Officer	5/24/15
Neal, Freddy	Police Officer	5/24/15
Paoletti, Michael J.	Police Officer	5/24/15
Polite, Davon G.	Police Officer	5/24/15
Rivera, Aaron	Police Officer	5/24/15
Rodriguez Jr., Victor M.	Police Officer	5/24/15
Vizzo, Janice J.	Police Officer	5/24/15

5. Request for Waiver - GRANTED

The Commission received a request from Mr. David Garcia, entry level Police Officer #2330 candidate, to waive his appointment due to being under-age.

Commissioner Emanuel asked why there was a discrepancy between the fact that candidate can take the test at 18 but could not be hired until they were 21. Mr. Dunn explained that the City had determined the age for taking the test, but later the hiring requirements had been changed. He added that Mr. Garcia had scored very high on the test. Commissioner Guedes asked if there had been other waivers like this granted. Mr. Dunn confirmed that there had been similar waivers granted. This waiver is only to start

the processing. If the list expired before Mr. Garcia turned 21, then he would have to re-take the test.

Mr. Garcia asked how his age would affect his ranking. Mr. Dunn explained that once he was hired, his seniority would start then.

Officer Santiago, a 21 Police veteran, said that he did not believe the list would expire before Mr. Garcia turned 21.

Mr. Garcia, the candidate's father, asked if his son would be processed if he would be 21 at the time of graduation. Mr. Dunn said that he would.

**** COMMISSIONER EMANUEL MOVED TO APPROVE THE REQUEST FROM MR. DAVID GARCIA, ENTRY LEVEL POLICE OFFICER #2330 CANDIDATE, TO WAIVE HIS APPOINTMENT DUE TO BEING UNDER-AGE.
** COMMISSIONER FALBERG SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

6. Request for Waiver - GRANTED

The Commission received a request from Mr. Taequan Mitchell, entry level Police Officer #2330 candidate, to waive his appointment due to his military commitment.

Ms. Celine Rosario, the mother of Mr. Mitchell, was present to answer any questions that the Commissioners might have regarding her son's military service.

**** COMMISSIONER PLUMMER MOVED TO APPROVE THE REQUEST FROM MR. TAEQUAN MITCHELL, ENTRY LEVEL POLICE OFFICER #2330 CANDIDATE, TO WAIVE HIS APPOINTMENT DUE TO HIS MILITARY COMMITMENT.
** COMMISSIONER FALBERG SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

7. Fire Grievance – Tabled from August 18, 2015.

The Commission received a request from Fire Union Local 834 to hear Grievance 2015-5 failure to promote Sanzo and Marrero (FI).

Commissioner Emanuel recused himself on this item.

Mr. Whitbread came forward and gave a brief overview of the situation. The two individuals were transferred to the Fire Marshal's Department as Acting Marshals and later made Fire Inspectors. Mr. Whitbread said that the seniority issue has been settled. However there are three comp days that are in question. One holiday is being compensated.

Chief Rooney said that he was not aware there were three holidays involved. He had only been told about one. Mr. Whitbread said that he had checked with other parties and found out that there were three holidays involved.

**** COMMISSIONER RODGERS MOVED TO TABLE THE ITEM UNTIL CHIEF ROONEY HAD TIME TO REVIEW THE UPDATED INFORMATION.
** COMMISSIONER FALBERG SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

8. Fire Grievance – WITHDRAWN BY UNION

The Commission received a request from Union Local 834 to hear Grievance 2015-10 Cordisco Promotion.

Mr. Whitbread, the Union representative, said that he would be withdrawing this as it was resolved and all payments have been made. He added that he would be send a letter confirming this to Civil Service.

10. Legal Report – Attorney Mitola

Atty. Mitola said that he did not have an additional report for the Commission.

11. Personnel Director’s Report

Mr. Dunn presented his report to the Commissioners.

Amendment to the Agenda.

Mr. Dunn explained that a request for a waiver by the Commission had been received earlier in the day.

**** COMMISSIONER FALBERG MOVED TO AMEND THE AGENDA IN ORDER TO INCLUDE A RECENTLY RECEIVED ADDITIONAL REQUEST FOR WAIVER DUE TO MILITARY SERVICE.
** COMMISSIONER PLUMMER SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Request for Waiver – GRANTED

Mr. Dunn explained they had received a letter earlier in the day from Mr. Roger Hakins requesting waiver due to his military commitment.

**** COMMISSIONER EMANUEL MOVED TO APPROVE THE REQUEST FROM MR. ROGER HAKINS, ENTRY LEVEL POLICE OFFICER #2330 CANDIDATE, TO WAIVE HIS APPOINTMENT DUE TO HIS MILITARY COMMITMENT.
** COMMISSIONER RODGERS SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** COMMISSIONER PLUMMER MOVED TO ADJOURN.**

**** COMMISSIONER EMANUEL SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The September 8, 2015 regularly monthly Civil Service meeting adjourned at 3:13 p.m.