EDMONDS CIVIL SERVICE COMMISSION
MINUTES
CIVIL SERVICE COMMISSION MEETING

Regularly Called Meeting

June 6, 2018

Commissioners present:	Chair Mike Fields Norm Davis
Others present:	Professional Standards Sergeant Josh McClure Secretary & Chief Examiner Mary Ann Hardie

CALL TO ORDER

Chair Mike Fields called the meeting to order at 7:00 pm. Commissioner Chris Fleck was unable to attend the meeting.

MINUTES:

Chair Mike Fields stated that since Commissioner Fleck was unable to attend the meeting (as both Commissioners Fleck and Commissioner Davis were the only two commissioners in attendance at the March 7, 2018 meeting), that the meeting minutes would be deferred for approval to the July 2018 regularly scheduled meeting.

CORRESPONDENCE

None.

POLICE BUSINESS

Proposed update/rule change language:

6.2 Minimum Requirements (for compliance with the new state law allowing for hiring of lawful permanent residents)

Proposed language (in red):

Section 6.2 MINIMUM REQUIREMENTS. All applicants shall be citizens or lawful permanent residents of the United States of America, who can read and write the English language, in ordinary good health, and good moral character, and of temperate and industrious habits. No individual will be eligible to apply prior to attaining the age of twenty-one (21) for police officers unless a special waiver on the minimum age requirement is granted by the commission. Minimum education requirement shall be specified in Appendix "B". All applicants eligible for inclusion in the LEOFF system shall comply with the minimum medical and health standards established pursuant to RCW 41.26.045 and .046 provided, however, that nothing herein shall be interpreted to relieve the appointing authority or Commission of any obligation of State or federal law, including by way of illustration and not limitation the Washington Law Against Discrimination (WLAD), the American's with Disabilities Act (ADA) and as applicable the federal Rehabilitation Act.

Sergeant Josh McClure explained that proposed language to this section of the Civil Service rules for police officer minimum requirements which allows for permanent residents to be eligible (in addition to US. Citizens) reflects compliance with the recent state law (*SB 6145 effective 6/7/18; 41.12.070 Civil Service for City Police).* The Commission had no questions on this proposed change.

7.5.1 Other examinations (clarification of selection from the recency of scores)

Proposed language (in red)

Section 7.5.1 Other Examinations - Candidates in a continuous testing pool may be subject to such additional testing processes as directed by the Commission, including but not limited to oral boards or any other testing process, as conducted by the Commission or by a subscriber pursuant to the Rules. Candidates for additional testing shall be selected from the pool on the basis of their rank order of written score and from overall test scores posted within the preceding sixty (60) day period from the date of the oral board testing. If that pool of candidates is exhausted (through a request to be removed from the list, confirmation of removal from the list, non-responsiveness to communication specific to their eligibility list placement, and/or other disqualification), the pool will then expand to the next oldest preceding (60) day period to meet agency needs.

Sergeant McClure explained that this proposed language is based on discussions with command staff and Police Chief Al Compaan as there are candidate names on the eligibility list who are remaining on the eligibility for one year after they have been passed over after review during the hiring process. Or, they were disqualified after the interview process (oral boards) for not meeting qualification standards. These candidates are remaining on the list, but will not be moved forward, which prevents other potential viable candidates from being added to the eligibility list and allows the City to remain competitive (also so as not to include candidates on the list who are being hired by other agencies). Additionally, due to the varied duration between our testing dates, candidates grow stale on the list once it is determined that they are no longer viable candidates. Removing names after six months would allow the eligibility list to contain more sustainable candidates to move forward with as needed. This would also allow freshly added names to more accurately represent ranking in the candidate pool.

As a result, the proposed language to this section would reduce the eligibility list from one year to six months, to allow the department to maintain a more current and viable candidate eligibility list for hiring. Sergeant McClure further explained that he had reached out to the candidates on the list requesting a response about their interest to remain on the eligibility list (with a deadline date of ten days of notification or they would be removed from the list for no response). As a result, 15 names were removed from the list with several candidates whose names still appear on the list as they have communicated that they wish to remain on the list (although they have not been hired elsewhere and they will not be hired by the department).

Sergeant McClure stated that there were 6 of 9 command staff interviews held today with 3 further command staff interviews schedule tomorrow (of the candidates on the eligibility list before the board for certification). Additionally, in the last two weeks, there were 2 simultaneous oral board processes held for a period of two days in which 30 candidates were interviewed by the City in one of two oral board panels. There was a short discussion that followed by the Commission.

Chair Fields inquired about whether or not the intent was to grandfather the remaining names on the existing eligibility list or whether, when the rule change was approved by the Commission, that the candidates would be informed that they were being removed from the list (now that they list would be changed to 6 months and they would then expire from the list). Sergeant McClure stated he had a discussion with Secretary & Chief Examiner Mary Ann Hardie about this further, but that it was up to the Commission to decide. Chair Fields stated that operationally, this made sense, however, he expressed concern as to whether or not a rule change could be retroactive and what the impact may be (of not grandfathering these candidates). Sergeant McClure stated that those candidates, if grandfathered, would remain on the list until September and would not be an issue for them to remain on the list until their original one year on the list had expired. Commissioner Davis inquired as to

whether or not there would be an issue with this given that their original notification had indicated a one year period that their name would remain on the eligibility list. Sergeant McClure responded that this

8.2.1 Continuous Testing Eligibility Lists (regarding continuous testing eligibility lists for academy graduate entry)

Proposed language (in red):

8.2.1 Continuous Testing Eligibility Lists. Notwithstanding Sections 8.2 and 8.3, the Commission may authorize a Continuous Testing Eligibility List for an entry class, including lateral entry and academy graduate* entry. Separate eligibility lists shall be established for 1) entry class candidates not meeting lateral requirements, 2) lateral class candidates and 3) academy graduate candidates. The continuous testing eligibility lists contains the names of no more than the top ~~ten~~ twenty (~~10~~) (20)** candidates in rank order based upon their final examination scores, including veterans' preference if applicable. The names of candidates certified by the Commission list shall remain on the list for ~~one (1) year~~ six (6) months or until bumped from the list by another candidate with a higher final score from a successor examination for the same class of position.

Academy Graduate Entry. In accordance with the needs of the Police Department, the Commission may authorize a Continuous Testing Eligibility List for Academy Graduate Entry. The following minimum requirements shall apply:

Applicants for Academy Graduate Entry into the Police Department shall be either a graduate of the WSCJTC Basic Academy holding a current and valid certification through the WSCJTC; or b) a graduate of a WSCTJC recognized equivalent training program as defined by WAC139-05-210 who meet the conditions established by WSCJTC at the time of hire.

Sergeant McClure explained, with the competitive recruitment environment, he is finding that there are other agencies who have probationary police officers who have graduated from the training academy, but that (for whatever the reason, such as fit, culture, "learned lessons," etc., are not successfully completing their field training with their agency during their probation. These candidates may be viable ones for the City, and it is beneficial that they have already completed the academy training (and saves cost savings training time) so they may be able to start their department field training at the City. They are interviewed with the same set of questions that entry level candidates are which would be disadvantageous to the entry level candidates without any police training and/or academy experience competing with other academy graduates.

These candidates also do not meet lateral level police officer eligibility criteria (given that they do not have at least 2 years of service). Creating this intermediary academy graduate eligibility list between entry and lateral level police officer based on the CJTC and WAC standards would allow for the creation for a set of questions to ask the academy graduate entry level candidate that would be more appropriate as well for the experience they have received. This would also remove them from inclusion on the entry level eligibility list so they are not competing with the academy graduates with a different level of experience.

There was a short discussion that followed by the Commission in which it was clarified that there would be 3 eligibility lists now created instead of two: 1) entry level, academy graduate entry, and 3) lateral level to hire police officers from. Sergeant McClure further clarified that this type of eligibility list would not be unique to Edmonds and that this proposed language came from the City of Bothell's Civil Service rules and regulations.

Chair Fields inquired as to whether the City uses the CalPos questions for our oral board interviews. Sergeant McClure states that the City does not, but instead used a combination of [practical and applicable] questions

derived from background investigations processes and field training to ensure proper screening of candidates with many behavioral and situational interview questions. Additionally, all questions are vetted by Ms. Hardie for validity. Chair Fields expressed concern as to whether or not a candidate could contest being "bumped" [where the academy graduate eligibility list would have preference] and/ or removed from the eligibility list with the adoption of the new eligibility list [if that was the City's plan]. Sergeant McClure clarified that the candidates who are on the entry level eligibility list currently are notified that there is a lateral level eligibility list that would give preference to those candidates on that list before they would be eligible for hire. Furthermore, it has been made clear to candidates that the City is looking for experienced officers [and that that experience would be given preference].

Commissioner Davis made a motion for the Commission to adopt the proposed language changes to the Civil Service rules under sections 6.2, 7.5.1 and 8.2.1. Chair Fields seconded the motion. The motion carried.

Entry Level Police Officer Eligibility List

Sergeant McClure explained that there had been command staff interviews that day (prior to the meeting) and that one of the candidates previously on the list had been removed due to disqualification. Of the 30 of the 32 candidates showed up for the oral boards process at the end of May 2018, and 16 individuals were disqualified during the process for various reasons (such as information disclosed during the oral board and/or information provided on the personal history statement).

The City is moving forward with the selection process with candidates 1, 8 and 9 (background investigations stage) and tomorrow, three more candidates are schedule for command staff interviews (10, 11 and 12). Additionally other candidates from the list will likely be invited to participate in command staff interviews as there are 6 vacancies.

Sergeant McClure explained that there have been 3 retirements in the last few months and one approved vacancy with the Woodway contract approval, the high school resource officer position that was reinstated with the budget, etc.

Commissioner Davis made a motion to approve the entry level police officer eligibility list dated June 6, 2018. Chair Fields seconded the motion. The motion carried.

OTHER

Chair Fields adjourned the meeting at 7:22 pm.

NEW BUSINESS

None.

Chair Mike Fields — Date 9/12/18

Mary Ann Hardie, Secretary and Chief Examiner — Date 9.12.18