

<b>CIVIL SERVICE COMMISSION MEETING</b>		
<b>MINUTES</b>		
<b>1:00 PM</b>	<b>JANUARY 10, 2023</b>	<b>ASPEN ROOM and TEAMS</b>
<b>COMMISSIONERS PRESENT</b>	Desmond McNeal	Chair
	Barb Cleland	Commissioner
	Barbara Shannon-Banister, Ph. D	Commissioner
	Matt Snider	Commissioner
	Scott Krob	Commission Counsel
<b>STAFF PRESENT</b>	Matt Cain	Administrator
	Emily Shuman	Senior Analyst
	Michelle Haines	Civil Service Analyst
	Heather Dearman	Civil Service Analyst
	Tom Cramer, Tonja Hayes, David Guscott, Jen Sloan, Gary Rogers	Civil Service Background Investigation Team
<b>OTHERS PRESENT</b>	Julie Heckman, Isabelle Evans, Nancy Rogers, Pete Schulte, Kimberly Skaggs	City Attorney's Office
	Ryan Lantz	Internal Services
	Interim Chief Acevedo, Div. Chief Juul, Div. Chief Lanigan, Cmdr. McGhee, Ofc. Syidi, Ofc. Nguyen, John Schneebeck, Regan Pena	Aurora Police Department
	Sgt. Thompson, Ofc. Cancino	Aurora Police Association
	Sgt. Sears	Fraternal Order of Police Lodge 49
	Cmdr. Hays, FF Barnes, Sherri Jo Stowell	Aurora Fire Department
	Tech. Pulliam	IAFF Local 1290
	Charlie Richardson	IAFF Counsel
	Jeff Schlanger, Erin Pinyak, Cassi Chandler	IntegrAssure
<b>1) Chair Johnson called the Civil Service Commission meeting to order at 1:00 PM</b>		
<b>A.</b> On a motion by Commissioner Cleland, seconded by Commissioner Shannon-Banister, the agenda was adopted as written.		
<b>B.</b> On a motion by Commissioner Cleland, seconded by Shannon-Banister, the minutes for the regular meeting on December 13, 2022, were unanimously approved.		
<b>2) AGENDA ITEMS (Requires a vote)</b>		
<b>A. 2023 Vice-Chairperson Election</b>		<b>Commission</b>
<b>DISCUSSION</b>	Chair McNeal nominated Commissioner Cleland for 2023 Vice-Chair. Commissioner Snider seconded the nomination.	
<b>PROPOSALS/ CONCLUSIONS</b>	Commissioner Cleland was unanimously elected 2023 Vice-Chair.	
<b>3) ITEMS FOR DISCUSSION or POSSIBLE VOTE</b>		
<b>A. Consent Decree and Hiring Resolution Follow Up</b>		<b>Cain</b>

## DISCUSSION

Cain introduced a PowerPoint summarizing the consent decree, hiring resolution and timelines. He pointed out the pressing questions before the commission:

- How does the Civil Service Commission wish to change their Rules and Regulations relating to entry-level hiring?
- Who will make the final determination of who is hired for the February 27, 2023, Police Academy, May 8, 2023, Police Academy and June 2023 Fire Academy?
- Will the Civil Service Background Investigators remain with the Commission or move to HR? Who makes this decision?

Cain presented the difference between what the Consent Decree and council's Civil Service Hiring resolution prescribed and what the Consent Decree Monitor proposed.

The Decree and Resolution require that the Civil Service Commission modify their Rules and Regulations pursuant to the requirements of the Consent Decree and Civil Service Hiring Resolution. They require Civil Service Commission to accept applications, screen for minimum qualifications, administer the examination, produce a ranked list of applicants including preference points, and provide this ranked list to Human Resources for all further evaluation for employment in coordination with APD/AFR. They imply that Civil Service Investigators would move to Human Resources.

The Monitor recommends that the Commission perform all functions described in the Consent Decree and Resolution including accepting applications, administering entry level examination, applying preference points, and delivering ranked list to Human Resources. Further involvement as proposed by the Monitor is the Commission participating in entry level background file review, interviews, and application of "rule of six", each with minority voting rights. The Commission would also accept appeals from disqualified entry-level applicants. The Monitor proposal also infers that Civil Service Investigators would move to Human Resources.

Cain presented a table of the Police and Fire Entry-Level testing processes 2022 to present. It included number of applications received, number of candidates who met minimum qualifications and passed the Frontline or FireTEAM exam, number of candidates who completed JSA, Poly and background, number of candidates interviewed and number of candidates who accepted final offers and reported to the respective academies. Interim Chief Acevedo asked for clarification on the application processes and if an applicant who applied on the current opening for May, could be considered for the February process. There was a discussion about how lists were established. Acevedo explained how the process was done in his prior department.

There was a discussion about how the "whole person approach" would be integrated into the background file review in the different scenarios. There was a discussion about the ability for HR to take over the backgrounds and the timeline needed. Ryan Lantz stated that to take on a full workload, there would have to be some conversations about what the current civil service background investigators are doing and that there would have to be some transition. He added that they have 7 background investigators, a supervisor, we coordinate with a PD and 4 APD investigators that are assisting them. Monitor Schlanger offered that it didn't seem unreasonable that there would be a coming together of those forces and everybody would continue doing what they're doing in perhaps a little tweaked way. He stated that the Civil Service Commission would continue to receive exactly

the same reports that they have been used to seeing done by primarily the same people that they're used to having doing them. Lantz stated that they have established their own expectations and process of how they do backgrounds, so there would have to be a little bit of a showing up for that. But we would definitely want to follow our standards for how we would do it and make sure that the background investigators from civil service would be able to comply with that.

Vice-Chair Cleland countered that she wants to make sure that HR meets the Commission's criteria. She expressed that HR may have less of a criteria, and it bothered her that the requirements would be lessened for police and or fire. She asked that the Fire and Police let the Commission know how they would like the process to work. She asked Batchelor in the last five years in the lateral program, how many minorities were hired. She expressed her frustration that Civil Service is getting blamed for the lack of minorities or diversity, when the lateral program was put in place for exactly that.

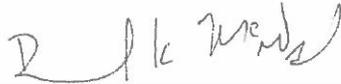
Monitor Schlanger stated "The last thing we wanted to do in our report, and I don't think it is evident in the consent decree, either is blame anybody for anything. What we wanted to do is look forward to getting the best possible system we possibly can to hire a workforce that is one of the best quality and has the most diversity as it possibly can through a process in which agency, APD and AFR have a substantial say in the process of picking those candidates and by virtue of the consent decree mandate, have the final say in which candidates are chosen. That was the essence of our report we put forward, but we was a reasonable plan to accomplish that while keeping the Civil Service Commission involved in those green areas that Matt pointed out on the chart. But that is not the final word. That was a recommendation, and to Barb's point, I think working together collaboratively to figure out what the best process is as long as it meets the minimum requirements of the consent decree, which are those that I just stated."

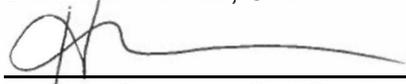
There was a discussion about How much time does the Monitor need to evaluate the Commission's changes to the Rules and Regulations prior to the May 15, 2023, Consent Decree deadline. There was a discussion about making changes at this point. Julie Heckman stated, "...until a change has been made. that is collaborative... you guys continue to do your process which you have until modifying your rules at any time you want. But until that full number to process has made a change that goes towards what the consent decree said. You continue moving forward." Pete Schulte stated "I represent fire and Police. I think their vested interest is to keep the pipeline going right, get our new hires into the academies, do what we need to do until we get set to make the change right...wherever that change may be and whatever it might be, but hopefully prior to May 15th of this year. So that is my understanding of talking to my clients."

Interim Chief Robnett asked for clarification on the interview process stating "And so for the Fire Academy, you're going to deliver us a perspective employment list, and that list is going to go to HR, and then after they complete that, my Chiefs panel will conduct the interviews." Chair McNeal stated "Looks like it's a question mark. What you're saying is not necessarily wrong. It's not a conversation we've had yet. As far as what's the interview panel is going to look like when this is done, and I don't think we have that answer yet." Monitor Schlanger added "... this is perhaps in the role of expert not in the role of consent decree monitor. ... the Commission can decide on whether the process which we laid out as the expert is that which you want to go with or not. And if not, what the process that you do want to go with?"

	<p>Then the rules that need to be adopted can be adopted after that decision is made. The complicating factor, I think, is that, and Julie has to weigh in, those decisions have to obviously be discussed amongst yourself, and there are certain rules and regulations that apply to those meetings... but ultimately it is the Commission that needs to make the decision as to what that flow chart is going to look like.” Schulte added “(the Consent Decree) only requires that the Commission change their rules by May 15th. It does not require that the process to have been started by that day... so you guys could decide the beginning of May, say starting in October ... I don't envision any of the Chiefs want to have a change in the process midstream. So if we're going to do this process and you're looking at the February Academy, you're going to complete the February Academy, look at the May Academy or the June Fire Academy. You're going to complete that process. We want to start the new process it doesn't have to be by May 15th. We just have to have the rules changed by that day”.</p>
<p><b>PROPOSALS/ CONCLUSIONS</b></p>	<p>Chair McNeal suggested keeping the current process for the February Academy and then look to whatever changes might be implemented in May Commissioner Snider suggested that someone from HR and a member of AFR or APD sit in on a Commission review process to get some exposure to what the Commission does and how they do it. Ryan Lantz suggested between now and next month meeting himself and Ron Hess could put together a plan and idea description of their process, collaborate with Civil Service to see what's the difference is and what a collaboration would look like if background does transition from Civil Service to HR. Interim Chief Acevedo suggested he and his staff have a sit-down meeting and come up with what they think they should do and then provide it to the Commission at the next meeting, and if they come up with something they may give it to the Commission early so they can digest it to formulate questions.</p>
<p><b>A. Request to Extend the Timeframe for Reinstatement</b></p>	<p><b>APD Representative</b></p>
<p><b>DISCUSSION</b></p>	<p>Chief Juul stated that currently, the state POST board allows for licenses to be renewed 36 months after someone leaves employment within public safety. He asked that the current 18-month reinstatement be extended to 36 months. Interim Chief Robnett added that when PD brought this to their attention, they found that it is consistent with federal government reinstatement rules. Interim Chief Acevedo stated, “I would like to say that a lot of times people think the grass is greener somewhere else and when you get those employees back, they have a renewed appreciation for working in our city and our department and they end up being our greatest recruiters and our greatest retainers”.</p>
<p><b>PROPOSALS/ CONCLUSIONS</b></p>	<p>Vice-Chair Cleland made a motion to extend the reinstatement period from 18 to 36 months. Commissioner Shannon-Banister seconded the motion. The motion passed unanimously.</p>
<p><b>4) REPORTS</b></p>	
<p><b>A. COMMISSIONER REPORTS-</b></p> <ul style="list-style-type: none"> <li>• None</li> </ul>	
<p><b>B. LEGAL COUNSEL REPORTS-No comment</b></p>	
<p><b>5) COMMENTS</b></p>	
<p><b>A. FIRE DEPARTMENT – No comment</b></p>	

1.Chief or Designee – No comment
2.Union Designee – No comment
<b>B. POLICE DEPARTMENT</b>
1.Chief or Designee – No comment
2.Association Designee <ul style="list-style-type: none"><li>&gt; APA – No Comment</li><li>&gt; FOP – No Comment</li></ul>
<b>C. CITY MANAGER DEPARTMENT –No comment</b>
<b>D. PUBLIC COMMENT- None Present</b>
<b>7) _ADJOURNMENT – The meeting was adjourned 2:40 PM.</b>

ATTEST:   
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Desmond McNeal, Chair

  
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Heather Dearman, Civil Service Analyst