

**TUMWATER CIVIL SERVICE COMMISSION
MINUTES OF VIRTUAL MEETING
December 8, 2022 Page 1**

CONVENE: 5:30 p.m.

PRESENT: Chair Eric Trimble and Commissioner Simon Tee.

Staff: Secretary/Chief Examiner James Trujillo, Fire Chief Brian Hurley, Police Chief Jon Weiks, Assistant Fire Chief Shawn Crimmins, HR Program Manager Juliann McGarva, and Paramedic Lieutenant Rian Winter.

CHANGES TO AGENDA: There were no changes to the agenda.

**APPROVAL OF
MINUTES,
NOVEMBER 10,
2022:**

MOTION: **Commissioner Tee moved, seconded by Chair Trimble, to approve the minutes of November 10, 2022 as published. A voice vote approved the motion.**

DECEMBER STATUS OF ELIGIBILITY LISTS: Chief Examiner Trujillo reported the eligibility list for Assistant Fire Chief has expired. The list for Police Sergeant Promotional has also expired. An update for the Police Officer Entry Level Eligibility List will be presented later in the meeting, as well as the Police Services Specialist II Eligibility List.

POLICE SERVICES SPECIALIST II ELIGIBILITY LIST: Chief Examiner Trujillo presented information on the recruitment for the Police Services Specialist II position. The process included two sessions of the oral board extending the time of the recruitment period. Twenty-nine applications were submitted comprised of 12 females and 17 males. Overall, the applicant pool included 70% diverse and female applicants. Two of those individuals are proposed for inclusion on the eligibility list with five applicants from the pool passing all portions of the testing process. The City has not received any appeals for the recruitment process.

Chief Examiner Trujillo presented the proposed eligibility list for review.

Chair Trimble asked about the difference in effective dates. Chief Examiner Trujillo explained that the dates are based on the testing date. Staff plans to monitor dates on the list as the second session of the oral board was extended over a two-month period. The intent was to increase the applicant pool and attract the best candidates. However, the process created some logistical issues that were not initially identified.

MOTION: **Commissioner Tee moved, seconded by Chair Trimble, to approve the Police Services Specialist II Eligibility List as presented. A voice vote approved the motion.**

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**ENTRY LEVEL
POLICE OFFICER
ELIGIBILITY
LIST:**

Chief Examiner Trujillo reported the open competitive testing process for Entry Level Police Officer positions attracted eight new candidates. Two of the applicants represented the diverse community. Twenty-five percent of female and diverse candidates passed all testing phases. Staff received one appeal from one candidate.

Chief Examiner Trujillo presented the proposed list for consideration. Since last month, some changes to the list has occurred with a number of new candidates proposed for inclusion on the list as well as a number of candidates proposed for removal from the list because of their failure to pass the Chief's interview.

MOTION:

Chair Trimble moved, seconded by Commissioner Tee, to approve the Entry Level Police Office Eligibility List as presented. A voice vote approved the motion.

**CIVIL SERVICE
POSITION
UPDATES:**

Chief Examiner Trujillo referred to the staff report for more information. Per Civil Service Rules, any changes to classifications require approval by the Civil Service Commission. During negotiations between the City of Tumwater and Local Union 2409, the parties agreed to eliminate the Fire Captain position and create a new position of Battalion Chief to supersede the Captain position. The change aligns with most other fire departments in terms of operation and management of battalion staffing, which is becoming the normal process for many fire departments. The Commission is requested to approve the City's request to eliminate the Fire Captain position from Civil Service Rules and add the position of Battalion Chief based on the position description as previously provided to the Commission. The Fire Battalion Chief position description was created by City Human Resources staff and fire management staff.

Fire Chief Hurley advised that based on minimum staffing for the Fire Department, some days the shift Captain would either be assigned to the battalion unit or assigned to a fire engine making it difficult for Fire Captains to manage programs. The proposal places the positions in a program management role while also serving as an incident commander during an incident scene. As part of the City's budget, the Fire Department is adding three additional positions to the Fire Department enabling the department to increase minimum staffing on each shift by one additional position. The process entails moving the Fire Captains to the Battalion Chief positions, as well as utilizing the existing Fire Lieutenant Eligibility List to promote four employees to Fire Lieutenant positions.

Commissioner Tee asked about potential impacts to the positions in terms of changes in Civil Service classifications. He asked whether the new positions would be considered an exempt position. Fire Chief Hurley explained that the proposed change reclassifies Fire Captains to Battalion Chiefs. The positions are included in the bargaining unit and would be covered by the labor

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agreement. The position exemption status would not change under the proposed action. Additionally, the proposed action aligns with the current practice at Olympia Fire Department.

Commissioner Tee inquired about the timeline of Olympia Fire Department's change to establish Fire Battalion Chief positions. Fire Chief Hurley replied that Olympia has used the Battalion Chief model for over 20 years.

MOTION:

Chair Trimble moved, seconded by Commissioner Tee, to update Civil Service Rule 21 (21.01 Fire Service Classifications) to eliminate the Fire Captain role in place of an updated Battalion Chief position. A voice vote approved the motion.

**CIVIL SERVICE
RULE
INTERPRETATION
REVERSION
9.02.05:**

Chief Examiner Trujillo said existing Civil Service Rules allow for an employee who successfully completed probation of another position to revert to that same position pending the employee's request to be considered for placement on a reversion list. Civil Service Rules also speak to the need to create flexibility between the Paramedic-Firefighter and the Firefighter role recognizing that both roles are nearly identical except for the higher-level knowledge required for the application of paramedic expertise and skills. A current employee has requested a reversion to a Fire Lieutenant position from the current position the employee currently occupies. The employee previously passed probation as a Paramedic Fire Lieutenant. In this instance, the reversion is in alignment with the spirit of the rule and in terms of the comparison of the Fire Lieutenant and the Paramedic Fire Lieutenant position as those positions are virtually identical with the exception of the higher knowledge level required as a paramedic. Staff is seeking the Commission's approval to enable the employee to revert to a Fire Lieutenant position despite not holding the position previously but who has successfully served as a Paramedic Fire Lieutenant.

Commissioner Tee asked whether the change in position results in any change in compensation. Chief Examiner Trujillo said the employee's request to revert to a Fire Lieutenant from a Paramedic Fire Lieutenant would be a lower classification and result in less compensation. The action is dependent upon the availability of the reversion position. The Fire Department currently has a vacant Fire Lieutenant position.

Fire Chief Hurley explained that Fire Lieutenants with a paramedic certification are compensated at the same rate as the Paramedic Fire Lieutenant based on the existing contract.

Assistant Fire Chief Hurley Crimmins said the new contract also reflects the same rate of pay.

Fire Chief Hurley added that within the City's Medic One contract, Medic One helps support the additional compensation so employees can maintain their

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paramedic certification as the employee can work on the Medic unit when needed.

Chief Examiner Trujillo explained that the citation for reversion speaks to creating an eligibility list for reversion from a current classification formerly held by the employee as long as the employee successfully completed the probationary period. He plans to work with Fire Chief Hurley on the reversion process. If there are multiple individuals interested in reversion, the candidates would be ranked by seniority.

CONSENSUS:

The Commission approved the Chief Examiner's interpretation of Civil Service Rule 9.02.05 to include Paramedic Fire Lt. transfer rights to Fire Lt. This change would allow an individual to revert to a Fire Lt. role even if the individual only held a Paramedic Fire Lt. role in the past. This change would only affect these two positions as they are in alignment with current rule language.

Fire Chief Hurley responded to questions on the reasons for an employee requesting a reversion. In many cases, some employees who have worked multiple years on a paramedic unit prefer to work on the fire engine as a Fire Lieutenant instead. In other cases, the reason could pertain to the schedule as other positions have a 40-hour workweek. There are numerous reasons for why an individual would want to change their respective position.

**RECESS &
CONVENE AN
EXECUTIVE
SESSION:**

Chair Trimble recessed the meeting and convened an executive session at 6 p.m. to discuss Potential Litigation pursuant to RCW 42.30.110(1)(i) for approximately 20 minutes.

RECONVENE:

Chair Trimble reconvened the meeting at 6:20 p.m.

**PROBATIONARY
PERIOD
EXTENSION
REQUEST:**

Chief Examiner Trujillo advised that based on Civil Service Rules, the Chief Examiner is required to seek permission from the Commission to extend the probationary period of an employee. The employee is a Firefighter who has requested leave, which may extend to three months. The employee has not completed the probationary period. The request is to afford flexibility to the City to extend the probationary period by approximately one month when the employee returns from leave to complete the probationary period.

MOTION:

Chair Trimble moved, seconded by Commissioner Tee, to approve the City's request to extend Firefighter Devin Gorman's probationary period for approximately one month to enable completion of the mandatory 12-month probationary period. A voice vote approved the motion.

Discussion ensued on whether the probationary period must be contiguous with no break. Chief Examiner Trujillo reviewed the Civil Service Rule pertaining to the probationary period, which allows a break.

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UPDATES:

Police Chief Weiks announced the graduation of the department's newest police officer on January 17, 2022 from the police academy.

Police Chief Weiks complimented Chief Examiner Trujillo and staff for working with the department to identify all testing dates for police officers during 2023.

Fire Chief Hurley thanked the Commission for approving action on the Fire Battalion Chief proposal. At the first of next year, the department's Fire Captains will move to the Battalion Chief positions followed by a recruitment process to fill four Fire Lieutenant positions.

A lateral Paramedic-Firefighter candidate began with the department on December 1, 2022.

Chief interviews are scheduled in the next week for Fire Lieutenant positions.

**NEXT MEETING
DATE:**

The next meeting is scheduled on Thursday, January 12, 2023.

ADJOURNMENT:

Commissioner Tee moved, seconded by Chair Trimble, to adjourn the meeting at 6:28 p.m. A voice vote approved the motion.

DocuSigned by:

Eric Trimble

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Eric Trimble, Chair

DocuSigned by:

James Trujillo

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James Trujillo, Secretary Chief Examiner

Prepared by Valerie L. Gow, Recording Secretary/President
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