

**Call to Order:**

**Chair Jacobs** called the regular December 3, 2015 meeting of the Steilacoom Civil Service Commission to order at 2:00 p.m. in the Steilacoom Community Center Conference Room.

**Roll Call:**

In attendance were Chair Jacobs, Vice-chair Maus, and Commissioner Lynch. Staff members present were Chief Rodriguez, Detective Yabe, Town Administrator Loveless and Secretary Sterbick.

**Approval of Minutes:**  
**October 1, 2015**

**Commissioner Lynch moved and Vice-chair Maus seconded to approve the minutes of the October 1, 2015 regular meeting as written.**

**Yes: Lynch, Maus**

Chair Jacobs abstained because he was not present at the October meeting.

**Discussion:**  
**Register Certifications**

Secretary Sterbick gave an update on the register. All of the November 16<sup>th</sup> oral board participants received passing scores and were entered into the existing register. Half of the names on the register are due to expire on January 3<sup>rd</sup> 2016. The position of sergeant is currently vacant. **Commissioner Lynch moved and Vice-chair Maus seconded to approve the open competitive register dated December 3<sup>rd</sup>, 2015.**

**Yes: All**

**Sergeant Recruitment**

Secretary Sterbick opened the discussion asking what the Commission wanted to do regarding recruitment and testing for the sergeant position. She stated the last recruitment was open-competitive with a written examination and an assessment center. Chair Jacobs asked if there is anything in the contract that relates to seniority. Town Administrator Loveless responded that there isn't anything in the contract with regards to this matter; it is the Commission's option to choose an internal process only or an open competitive process. Chair Jacobs asked if there were qualified internal candidates. Chief Rodriguez responded that there are five qualified internal candidates that meet the standards. Secretary Sterbick explained that the standard that had been set was five years current commissioned law enforcement experience. Vice-chair Maus mentioned that if there are qualified candidates internally it sends the wrong message by going external. In addressing an open competitive process, Chief Rodriguez stated the pros may include a broader perspective from external candidates who may be

coming in from larger agencies. He indicated these applicants may have more operational experience. He stated an open competitive process may also bring in a broader applicant pool. Conversely, Chief Rodriguez stated open competitive applicants don't know the organization, the people within the organization, and the citizenry while internal promotional candidates do.

Chief Rodriguez expressed that the department has a good balance/chemistry at this point and it would be good to maintain that. He said that he believes if an internal candidate was selected the other internal applicants would be supportive and it would give them the best chance of doing things they want to do as a department. Chief Rodriguez recommended an internal promotional process.

Commissioner Lynch and Chair Jacobs had questions about the registry for candidates. Secretary Sterbick said a registry would be created for internal promotion or open competitive and Administrator Loveless added that there is still a rule of three. Chair Jacobs asked if the commission should continue with the rule of three or anyone who is qualified. Commissioner Lynch spoke about the department, the development of employees, and maintaining people who advance and grow. Chair Jacobs raised a concern that if you have a group of 5 and all score within a point of each other on the register, it is hard to determine that only three are better than the other two. Chair Jacobs pointed out that the Chief will have to choose the person who is most qualified and that might not be the person with the highest score. Administrator Loveless explained that the top three could be interviewed and if anyone is excluded (which can be appealed) the names of candidates four and five could be requested from the Commission. Commissioner Lynch asked if the rule should be changed from the top three to the top five names. Chair Jacobs suggested changing the language to read 'or among the qualified' instead of listing a number. Mr. Loveless explained that there are five people currently eligible to apply but they haven't passed any test so they don't know if there are five candidates.

Secretary Sterbick explained that the process is different depending on how they want to test. She asked for clarification on the requirement applicants have five years current commissioned law enforcement experience.

Chair Jacobs said that the last time this had been discussed they determined that the candidate must have had experience for at least 5 of the last 7 years. Secretary Sterbick said this was added into the Civil Service Rules as an Exceptional Entry. Chair Jacobs asked for input. Chief Rodriguez said he thinks the term "current" means as of right now they are currently law enforcement officers and if you look at cumulative time it has to be more than 60 months of cumulative time and that the certification hasn't lapsed. Chair Jacobs stated a 2 year gap was OK but no more than 2 years out from their last experience and their last experience should have occurred within a 7 year period (5 out of 7).

Chair Jacobs addressed absence due to military service stating, under the law, a spouse is entitled to the same consideration as the military member so a lapse in experience due to a military move is irrelevant. He asked for clarification as to what would be a reasonable time for a person to be out of law enforcement (other than military service). Chief Rodriguez pointed out that a person could have five years of experience and still be in a probationary period at their current position. The probationary period within Steilacoom's public safety department is 18 months. Chair Jacobs asked if an open competitive candidate would get a pass on probationary status but an internal candidate would not. He said they should all be treated the same or we shouldn't care about probationary periods at all. Secretary Sterbick pointed out that a new hire has a probation period of 18 months. Chair Jacobs said probation here should count as probation elsewhere and everyone needs to be eligible to apply not just qualified. He indicated only non-probationary employees, no matter where employed (internal or external), should be eligible.

Secretary Sterbick asked about the options: written or assessment center with a written component. The second to last time it was a written examination without an assessment center. The last time an assessment center with a written component was used. The feedback Secretary Sterbick received from prior Public Safety Director Schaub was that equal weight was given to all components of the assessment center and he would probably weight the components differently next time. Detective Yabe said the Assessment Center was comprehensive and the process was relatively fair with pertinent questions and scenarios. Secretary Sterbick said main opposition to the written test in the past was it had police, fire, and EMS components and the test

questions were compiled by the Town. She reported the following sources are available sources for test questions: Public Safety Testing for written exam, the International Public Management Association for Human Resources, or Cooperative Personnel Services. Chief Rodriguez mentioned that he personally does not like the assessment center because the assessors seemed removed from what the officers actually do. Administrator Loveless suggested if an assessment center is used that they focus on police only and eliminate the EMS assessment. Commissioner Lynch added that since they have set a precedence of using the assessment center it's probably the smart move in this situation. Chief Rodriguez said he called different agencies to see how they handle this process. He spoke to Chief Zaro in Lakewood about how they handle sergeant and lieutenant promotional exams and they currently do a work rank assessment, a written component then an interview with their Chief. They are given a project and asked how they would handle that problem. They present their solutions to the assessors while the other candidates are present. Commissioner Lynch pointed out that the decision that they need to make today is if they go internal or open competitive. Chair Jacobs said he wants to know from Chief Rodriguez his recommendation for how he wants the overall evaluation process done. Chief Rodriguez says there needs to be a written test as well as an interview with him. Chief Rodriguez was asked what other departments he had spoken to. He said Lakewood did a written and an interview in the past, Pierce County does a written test from their policy manual with no input from supervisors but they found out people were doing really well because they had the book knowledge but they couldn't necessarily perform in the field. He continued that he would like to see a three step process to making this decision for the promotion with written on one end, the interview at the end but he doesn't know what would be in the middle. He suggested finding out their response to a tactical situation, a kidnapping, a robbery, a missing person, where the candidate has to demonstrate their ability control a scene, manage resources and make critical decisions. He wants to see how the applicant takes charge and moves forward as the position is different than patrolling. Chair Jacobs asked Chief Rodriguez to tell them the assets or attributes that he is looking for in a person for this position. Commissioner Lynch added that it needs to be remembered that they are talking about a leadership position in the department of which there are limited

numbers and they need to look at leadership potential which could be deluded when taking a written test.

**Chair Jacobs moved that the Commission pursue an internal register candidate for the selection of sergeant on this particular selection process and Vice-chair Maus seconded.**

Commissioner Lynch asked if they needed to make any particular recommendation about the rule of three. Chair Jacobs said they need to formalize the question of the probationers and he asked how the Department is operating with being down one sergeant. Chief Rodriguez explained that they have acting sergeants on rotation that will take them to the end of February or beginning of March. Commissioner Jacobs asked if the issues aren't resolved until the January meeting how much longer will the process take and will that be harmful to the department. Administrator Loveless mentioned that since the Commission has given direction to use an internal process then the presumption is that there would be a successful candidate so Chief Rodriguez would have the option to hire a person who won't be eligible for the sergeant test but would be able to fill the existing vacancy within the department and he could use either the register or the lateral register. Commissioner Lynch asked for someone to find out from the testing outfit and get their synopsis for the police only test so the Commission can review it for the next meeting. Chair Jacobs agreed that there should be a written test and interview and added that he thinks there should be some sort of situation that is assessed by a variety of people as not to get only one person's opinion.

**Approval of the Lateral Register**

**Yes: All**

**Commissioner Lynch moved for approval of the Lateral Register dated December 3, 2015 and Vice-chair Maus seconded.**

Chief Rodriguez asked that the Commission clarify how to handle an eligible person with a break in service. Chair Jacobs said that he believes two years is the max due to currency of knowledge. Chief Rodriguez mentioned, by state law, certification ends after a break of three years. (Commissioner Lynch left at approximately 3:00 p.m.) Secretary Sterbick pointed out an area of the civil service rules addressing a break in service. Chair Jacobs read "To be classified as exceptional entry the break in service will be beyond two years but less than five years at time of equivalency academy." Chair Jacobs said he doesn't have any problem with that but if it's beyond 3

years they have to do recertification. Chief Rodriguez said applicants would go to a recertification academy to go over changes in laws and refresh their skills. Chair Jacobs asked if anyone would be sent to an equivalency academy if they had a break of less than three years and what would that cut of be. Chief Rodriguez said if they had a break of 24 months he would probably send them to equivalency academy, if they had a break of 21 months probably not but he would have to assess where they are at. Chair Jacobs mentioned some scenarios when a person could have multiple breaks in experience that add up to less than 24 months but he thinks there should be no more than one break that is greater than 24 consecutive months. He says he doesn't want people to be penalized for having more than one break in service. Secretary Sterbick asked for clarification of what they are looking for. Chair Jacobs said: 60 months of certified experience as an officer with no breaks greater than two years or five years of service without loss of certification. Secretary Sterbick asked to confirm it was: Sixty months certified experience with no loss of certification. Chair Jacobs mentioned that it didn't matter how long it took to get the certification. Chief Rodriguez said it sounded like they were back to sixty months within an 84 month period. Chair Jacobs said no. Vice-chair Maus said it could be ten years. Chair Jacobs said it is just under eleven years because you can have two breaks where they didn't lose their certification since you can be a day short of three years each time you have six years plus five years is a maximum of eleven. Chair Jacobs said for the sergeant position there needs to be five years of certified experience, not currently on probation with the department and currently employed as a certified officer. Secretary Sterbick confirmed the Commission wanted 60 months certified experience, not currently on probation, currently employed as a certified officer and they would be dropping no breaks in service. Chair Jacobs confirmed but he wondered whose criteria we would use for probationary period. It was agreed probation is defined by Town of Steilacoom criteria. Chair Jacobs asked Secretary Sterbick to modify the appropriate provisions of the civil service rules and bring them back to the Commission to vote on the next meeting. His intent was to satisfy the two meetings requirement so that there is no confusion later.

### **Veteran's Scoring**

Secretary Sterbick reported a group of individuals wanted to claim veterans' preference but they are currently serving and they haven't been released yet. She stated she had heard the military is considering

releasing people early if they have a position secured. Chief Rodriguez pointed out the RCW states a person who is currently servicing honorably is considered a veteran. Secretary Sterbick said the definition of veteran that applies to RCW 41.04.007 says a different veteran definition applies to 41.04.010 Veterans Scoring that says in item 4 all veterans scoring criteria may be claimed on release of military service or upon an honorable discharge issued by the respective military department. Secretary Sterbick said it is her understanding that those separation orders are issued about 180 days out so without a DD-214 or separation orders she doesn't feel she can apply the veterans preference score. Administrator Loveless added that Secretary Sterbick is asking permission to continue the current practice and alerting the Commission of a potential issue. Secretary Sterbick said she had a letter from the commanding officer of one applicant and a letter from another applicant explaining that there is a separation date in the future if there is a position but Secretary Sterbick doesn't feel she can credit them for a veteran's preference due to the definition in the RCW. Chair Jacobs discussed terminal leave and stated it is irrelevant because it doesn't change the date orders would be issued. He said if we don't have it codified in 010 or 007 then we need to. Secretary Sterbick said it shows as provided in RCW 41.04.010. Chair Jacobs approved.

Chair Jacobs asked for a draft form for a change to the rule of three for the next meeting. Administrator Loveless said the rules had been updated and he would rather they not change again in regard to this matter. Chair Jacobs stated whether or not you can pick from the entire group of qualifieds or only the top 3, he would like to see language in draft form. He indicated the rules are evolving and the Commission is interested in making sure departmental management has an opportunity to make decisions and not be channeled into a decision by the rules. Secretary Sterbick asked for clarification on the examination. Chief Rodriguez was directed to come back with a recommendation at the next meeting. Vice-chair Maus asked if in the interim will there be a notice of a vacancy to ask for people to apply. Secretary Sterbick said they need to determine first who is qualified with the break in experience to know who is eligible. Chair Jacobs asked to see it in writing before it is approved.

**Reports:**

None

**December 3, 2015**

**Steilacoom Civil Service Commission Minutes**

**Adjournment:**

Chair Jacobs adjourned the December 3, 2015 regular meeting of the Civil Service Commission at 3:37 p.m. The next meeting will be January 7, 2016 at 2 p.m.