

Civil Service Commission Minutes
January 5, 2017

<u>Call to Order:</u>	Chair Jacobs called the January 5, 2017 meeting of the Steilacoom Civil Service Commission to order at 2:02 p.m. in the Steilacoom Community Center conference room.
<u>Roll Call:</u>	In attendance were Chair Jacobs, Vice-chair Maus, and Commissioner Lynch. Staff members representing the Town were Town Administrator Loveless, Detective Bailey and Secretary Sterbick. Chief Rodriguez was absent.
<u>Approval of Minutes:</u> October 20, 2016 Yes: All November 16, 2016 Yes: All	Commissioner Lynch moved and Vice-chair Maus seconded to approve the minutes of the October 20, 2016 meeting as written. Commissioner Lynch moved and Vice-chair Maus seconded to approve the minutes of the November 16, 2016 meeting as written.
<u>Discussion/Action</u> Name Disqualifications	<p>Chair Jacobs opened the discussion of applicant disqualifications from the January 5th list.</p> <p>Chair Jacobs asked if Mr. Crandall had admitted to what was presented in the report.</p> <p>Detective Bailey responded that Crandall did admit to it, it was in his personal history statement.</p> <p>Chair Jacobs asked if Crandall had been subject to a polygraph.</p> <p>Detective Bailey responded that Crandall had not done a polygraph and that this was a pre-oral board background check.</p> <p>Commissioner Lynch asked why Crandall was on the list of candidates.</p> <p>Detective Bailey explained that the applicants on the list are from the initial phase applied by Public Safety Testing.</p> <p>Commissioner Lynch responded that he understood that but there is clearly a disqualifier right on the website for Public Safety Testing. He asked why there are candidates who are clearly disqualified.</p> <p>Administrator Loveless pointed out that it's a self-selecting list. He explained that the Town has disqualifiers listed and even though the candidate is disqualified, he can check the box that he read it and still wants to submit his name.</p>

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Commissioner Lynch said this goes back to the two last meetings, if Public Safety Testing is supposed to give qualified people why are they giving names of people who are already disqualified. Commissioner Lynch noted how it is a waste of time and it's unsatisfactory.

Secretary Sterbick referred to the information she had printed from Public Safety Testing.

Commissioner Lynch said he had read that information and he had also gone to Public Safety Testing's website and looked under Town of Steilacoom and somebody is not doing what they are supposed to.

Secretary Sterbick referred to her notes on Public Safety Testing and explained that the applicants select the agencies where they want to apply, they are given the list of disqualifiers and they self-select if they do meet the qualifications or that they do not meet the qualifications. If the applicant selects that he does not meet the qualifications the system does not let him go any further in the process.

Chair Jacobs asked if for them it is identified as an automatic disqualification but what would happen if it says potential.

Secretary Sterbick replied that the applicants have to certify if they meet the qualifications or they don't so there isn't a potential.

Chair Jacobs asked if in their rules it says potential, what happens if the applicant self-selects that he qualifies like Crandall has done.

Secretary Sterbick said that Crandall probably said that he meets the qualifications.

Administrator Loveless continued that Crandall would have had to say he meets the qualifications, which then gives the name to the Town, that puts him on the list for the personal history statement.

Chair Jacobs asked for confirmation in his understanding that unless the disqualification is automatic the Commission would get the name.

Administrator Loveless replied that is true and noted that the candidate is saying they have read and met the criteria.

Commissioner Lynch asked if anyone from Public Safety Testing reviews the information before they get to the personal history statement so that time is not wasted.

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Secretary Sterbick mentioned that she doesn't see anywhere where there would be a review of the personal history statement, it is left up to the applicant to submit.

Chair Jacobs added that he thinks the problem is not with Public Safety Testing but rather it is a problem with identifying the issue as a potential disqualifier since everyone would say they meet the qualifications. He pointed out that the Town will exercise the judgment of a potential disqualifier not Public Safety Testing.

Detective Bailey added that with drug use as a potential disqualifier there is sometimes a difference with a person who used drugs 6 years ago or a person who used drugs when they were 18 and they are now 50.

Commissioner Lynch noted that there are circumstances when an adjudicator needs to make a decision that a person is disqualified or they can move forward in the process and it's obvious Public Safety Testing is not doing that and it will be the responsibility of the Commission. He continued that he was glad Detective Bailey picked up on the disqualifier but it seems that they are spending a lot of time disqualifying people.

Administrator Loveless mentioned other agencies who do background investigations, including Pierce County Sheriff, have results of about one in ten applicants making it through the background process which mirrors the results of Steilacoom.

Commissioner Lynch spoke about drug use being more common today and the need to adjudicate to determine if the behavior is acceptable for positions of increased responsibility.

Detective Bailey suggested making narcotic drug use an automatic disqualifier by adding a timeline.

Chair Jacobs asked if the timeline would be when the applicant was a juvenile.

Detective Bailey said it would be up to the Commission, Chief Rodriguez and the Town of Steilacoom to set a timeline.

Chair Jacobs wanted to know how many times an applicant who had a potential disqualifier resulted in Detective Bailey having to adjudicate it.

Detective Bailey said he could get that information to the Commission at the next meeting.

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Chair Jacobs added for each potential disqualifier how many times in each category was it brought to the Commission, how many times was it adjudicated favorably and negatively.

Administrator Loveless asked that a time parameter be put on the request and asked was Chair Jacobs just asking for information from 2016.

Chair Jacobs said he didn't know how far back the records go but if it went back to 2015 it would give them a larger sampling. He continued that he doesn't think there are many so he would like to see enough to see if there is a pattern or to see if it needs to be changed to an automatic disqualifier.

Commissioner Lynch said he doesn't think the objective of the Commission is to increase the staff workload. He noted that from the list of seven people they were presented, Crandall is the only one that mentions the illegal use of drugs as a disqualifier. It would have been his hope that Public Safety Testing would have some people review the personal history statement to catch something like this since they are being paid to provide qualified candidates. He continued that it appears Public Safety Testing is just providing names: some are unresponsive, some are not qualified so he's not sure they are getting all they are supposed to be getting for the money that is paid.

Chair Jacobs said he thinks if the applicant has completed the application they should go forward but if they have not completed it they shouldn't, he said it's a different issue than the automatic or potential disqualifiers.

Commissioner Lynch noted that the list that was given out explaining the other services that Public Safety Testing provides is interesting because if they were doing any of those they would be eliminating a lot of the applicants themselves. He continued that obviously Chief Rodriguez has an opinion on whether it is outsourced or done in-house and with the volume it probably makes more sense economically and being able to get people who are a good fit for the department by doing it in-house.

Chair Jacobs said he would like Chief Rodriguez to communicate with his peers and find out what their experience has been and if they are experiencing the same thing then he thinks there should be a coalition who talks to Public Safety Testing.

Commissioner Lynch noted that the memo from Chief Rodriguez suggests that he has already talked to agencies who had previously outsourced and then gone back to in-house. He said he thinks that is part of the rationale for Chief Rodriguez's position on it.

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Chair Jacobs said he is suggesting getting other departments onboard to make Public Safety Testing do the job they are supposed to do and that they are getting paid for.

Secretary Sterbick noted that Public Safety Testing is paid to do advertising and both written and physical testing before the names are received. She explained that they don't do pre-qualification.

Chair Jacobs said he is not asking them to do pre-qualifications for them, he is only asking that they don't send a name of someone who has not completed the application process. He said two years' worth of information, considering the low volume, would be sufficient to see if it is ongoing which would resolve the issue.

Secretary Sterbick said she would find out if there is a way for Public Safety Testing to not send the names of individuals who have not completed the personal history statements.

Chair Jacobs said he still thinks Chief Rodriguez should find out what his peers are experiencing and jointly send a letter to Public Safety Testing to tell them what they want and the reasons that they are no longer customers.

Commissioner Lynch noted that that would be for background testing only.

Chair Jacobs said he is talking about the completed application process.

Commissioner Lynch said he believes Chief Rodriguez had talked to other agencies who had previously outsourced background investigations and then decided to bring them back in-house and their rationale was articulated in the memo noting the quality of the material they received and responsiveness. Commissioner Lynch continued that he thinks this had nothing to do with the testing and application process. He added that at this point there wasn't a decision to outsource background investigations to Public Safety Testing.

Chair Jacobs said he is not suggesting that, he is only talking about the completed application because it seems there is a majority of applicants who are getting disqualified because they haven't submitted a completed application. He continued that the background investigations are a separate issue. Chair Jacobs said he wanted to know if the other agencies are having an issue with not getting completed applications and if so, tell Public Safety Testing to get back on the stick. He noted that if Public Safety Testing eliminated six out of seven applicants for not completing the application then only one background investigation would have to be done which would be a lot cheaper.

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Commissioner Lynch asked for a description of the product that is received from Public Safety Testing.

Secretary Sterbick explained that she receives the application which gives education and work histories as well as the personal history statement which is a separate download from the application. These are printed for Detective Bailey to do a pre-oral board review.

Chair Jacobs asked why Public Safety Testing doesn't make sure the applicant completes the personal history statement.

Secretary Sterbick said they leave it up to the applicant to complete the personal history statement. They tell the applicant that a lot of agencies will want this information but they leave it up to the applicant to complete it.

Chair Jacobs said it seems to him that there needs to be a revision in the contract with Public Safety Testing.

Administrator Loveless asked to confirm that Chair Jacobs is saying an applicant should be automatically disqualified if they do not complete a personal history statement.

Chair Jacobs confirmed that is what he was suggesting.

Administrator Loveless said the profile with Public Safety Testing could be changed to require not only a completed application but also a completed personal history statement.

Chair Jacobs said that they believe the completed history statement and the completed application are the application.

Administrator Loveless said that might be what the Commission believes but the personal history statement is part of the process but not necessarily received from Public Safety Testing.

Chair Jacobs noted that without the personal history statement they are not a qualified applicant.

Administrator Loveless said he doesn't deny it is part of the application/recruitment process but at what time it is received is the question. Administrator Loveless noted that Chair Jacobs said it should be an automatic disqualifier if it is not received from Public Safety Testing and a name wouldn't even be provided. He continued that he thinks the contract probably says an applicant can apply to the Town of Steilacoom

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and it would be a nice idea if you fill out the statement then Detective Bailey would eventually get the statement or disqualify them if it isn't provided.

Detective Bailey added that the applicant is given a second opportunity to complete the statement. He continued that he needs to know what some of their background is in order to allow the applicant to come to oral boards. He mentioned that the other option is him sending them a large packet to complete at home and send back. He said the current process saves a lot of grief but there are potential disqualifiers to weed through.

Commission Lynch directed a question to Administrator Loveless asking what are the deliverables between Public Safety Testing and the Town of Steilacoom.

Administrator Loveless responded that Public Safety Testing should be providing names of qualified applicants who have completed their written and oral process and have indicated that they are interested in being considered by the Town of Steilacoom. He continued that they would need to review the contract and have a discussion with Public Safety Testing but it has become apparent that to get a qualified applicant they haven't necessarily completed the personal history statement. He asked if the Commission is asking the Town to have a discussion with Public Safety Testing to have an automatic disqualifier if there isn't a completed personal history statement.

Commissioner Lynch said that is part of it but wanted to know the deliverables again. He asked if Public Safety Testing does testing.

Secretary Sterbick and Administrator Loveless confirmed they do testing. Secretary Sterbick added they do written and physical testing.

Commissioner Lynch said if they provide an application with test results it should be suggested that at this point they provide a personal history statement. He asked if Public Safety Testing has a place for the personal history statement to be completed on their website.

Secretary Sterbick confirmed there is a place for it to be completed on the website.

Commissioner Lynch said if the applicant has the opportunity to fill it out there then that is what they should be doing.

Chair Jacobs added that Public Safety Testing should also be asked if other agencies require the personal history statement. He points out that if Steilacoom isn't getting it then other agencies are not getting it either.

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Chair Jacobs suggested that Public Safety Testing have a chart for the applicant that shows the requirements for each agency. He said that it's possible the applicants don't know what to provide since they are applying for 7 or more agencies and Public Safety Testing should make sure the applicant knows the requirements.

Vice-chair Maus asked Detective Bailey about the two applicants at the bottom of list, Voigt and Wilson, who failed to respond to requests: she wanted to know if they were based on documentation from Public Safety Testing.

Detective Bailey confirmed that it was.

Vice-chair Maus asked if the information had come in a more completed form then Detective Bailey wouldn't have to do phone, email and certified mail to the people who don't fill out the documents appropriately.

Detective Bailey said there is another problem in that the applicants are required to fill out the information accurately, completed and required to know what the automatic and potential disqualifiers are so those applicants shouldn't be checking those boxes but at the end they are responsible for making sure their contact information is kept up to date. The people on the list have been called twice, sent emails twice and sent certified mail yet Detective Bailey still cannot get ahold of them. He mentioned that he doesn't know if that's a failure of Public Safety Testing or a failure of the applicant.

Commissioner Lynch asked if Detective Bailey had or had not received the personal information statement from these applicants.

Detective Bailey confirmed that he had received all of the information but when it came time to speak to the applicants there is no way to get ahold of them.

Vice-chair Maus asked who they update the contact information with.

Detective Bailey explained that they can update all of the information on the website.

Secretary Sterbick added that she receives notification by email if a candidate has changed any personal information. She added that she thought there was a rule that states that incomplete applications will be given notification that they will be given an opportunity to make the application complete.

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Chair Jacobs asked if the applicants show up on the list when they are incomplete.

Secretary Sterbick confirmed that the applicants do show up on the list when there is no personal history statement to download.

Commissioner Lynch said that is concerning to him because an application, as they see it, is incomplete without a statement of personal history. He added that Public Safety Testing should also be sending the applicants' test results as part of the information that is received.

Secretary Sterbick said that does happen. She confirmed that they receive test results with the application initially. If she tried to download the personal history statement and it is not there she gives them 14 days to go into Public Safety Testing and fill-out the personal history statement. Some applicants do complete it and some fail to do so.

Commissioner Lynch asked if the applicant is given a separate statement.

Detective Bailey said that would come when they are going into the background investigation.

Commissioner Lynch said that what needs to be understood is that for a candidate putting together a statement of personal history is a huge task which leads him to believe the people that don't complete the statement are not serious.

Chair Jacobs noted that from the list of seven names, five actually completed the application including the personal history statement so that means two are disqualified. He said these two were given 14 days to respond and they didn't. He mentioned that it seems to him that the majority of applicants complete the application the first time around.

Detective Bailey confirmed it was probably 90% overall.

Chair Jacobs mentioned that it would save them time and effort and that is what Public Safety Testing is being paid to do. He added that he thinks they are beating a dead horse at this point and he thinks everyone has the message of what they are asking for now.

Administrator Loveless noted the seven names before the Commission that staff is requesting be disqualified and removed from the list.

Chair Jacobs had a question about the driving history for applicant Varios and what is the criteria for an unacceptable risk.

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Detective Bailey explained that he uses a totality of the circumstances similar to drug use.

Chair Jacobs said that Detective Bailey would need to be more explicit.

Detective Bailey explained that if he looks at a person's background and personal history statement and it doesn't appear as though it seems to be acceptable to the Town [sentence interrupted]

Chair Jacobs asked what makes it unacceptable.

Detective Bailey explained that there are so many different driving infractions and situations that he couldn't possibly come up with a list.

Chair Jacobs said he is not asking for specific charges that the applicant may have faced but rather what is the guideline that is used to say that they are too much of a risk for the Town.

Detective Bailey said he is working with the verbiage of the Civil Service Rules which doesn't have specific disqualifiers. He continued that to him unacceptable would be someone who has been arrested for driving while license suspended twice and being arrested for a warrant for the same, then that would be a disqualifier. He continued that if someone had been arrested for a DUI recently then that would be a disqualifier or if someone had 3 or more traffic infractions within the last 12-24 months.

Chair Jacobs said he is asking for some kind of guideline to operate within. He asked how an applicant would be disqualified for a maintenance position that requires driving.

Secretary Sterbick explained that there is a point value system that is used where she pulls driving abstracts on an annual basis.

Administrator Loveless added that most of the public works employees also have CDL's and if they no longer qualify for their CDL they no longer qualify for their position. He continued that within that point system they have taken away the cars from some of the public safety officers so that they are no longer able to take them home.

Chair Jacobs asked what criteria is used for the police officers.

Secretary Sterbick explained that it is the same point value system.

Chair Jacobs asked what would happen if an employee lost their license.

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Administrator Loveless said there is a difference between being a risk and losing a license. He explained that a person can be a high risk and still maintain a license. He said the accident review board uses very specific language when they assign points that relate to the driver at fault in an accident so if an employee gets a certain amount of points, where they are at fault, then they are no longer allowed to drive a Town vehicle off-hours.

Commissioner Lynch pointed out that the Town is assessing negligence like an insurance company would and that the Town is self-insured.

Administrator Loveless agreed and said the Town is trying to mitigate risk.

Chair Jacobs asked if the Town is self-insured.

Administrator Loveless said that the Town is insured through the Washington Cities Insurance Authority which is a risk pool and the Town patterns the point system based on their criteria.

Chair Jacobs asked how it differs for driving a Town vehicle for off-duty driving versus on-duty driving.

Administrator Loveless pointed out that a requirement of the job is the ability to drive a police car but there are other employees who, based on their history, are not allowed to operate Town vehicles.

Chair Jacobs asked what is the difference in criteria for a maintenance worker who would lose their position.

Commissioner Lynch said it was a difference of domicile of duty and because they are police officers they are expected to be able to respond if there is an emergency and that is different than when they are driving home.

Administrator Loveless explained that within the point system the employee can lose the ability to participate in the take-home fleet program which means they are a public safety employee, who lives within 20 miles and has the right to take the vehicle home. At the point that the employee becomes an unacceptable risk to the Town, one of the remedies is to limit the use of the vehicle.

Chair Jacobs asked what is the difference in the criteria between not being able to take the vehicle home and no longer being able to work for the Town.

Administrator Loveless explained that an employee can have a higher level of risk on the public safety side but they can still operate a vehicle but on

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the public works side if an employee loses a CDL then he can no longer operate those vehicles.

Administrator Loveless gave an example of the CDL being a requirement for a particular class of employee.

Chair Jacobs pointed out that the officers are a class of employees who do not have CDLs and he asked if there was another cause that would make one of the maintenance workers not be able to drive their vehicles home.

Administrator Loveless responded that none of the public works employees are allowed to drive their vehicles home, only the public safety officers are allowed to drive their vehicles home. He explained that the officers have a different point system that applies if they are involved in any accident that was preventable in a Town vehicle regardless of if they are on-duty or off-duty.

Chair Jacobs said again that he is trying to understand the difference.

Administrator Loveless explained that it was progressive levels of discipline where the employees are getting points and at a certain level the employee is an uninsurable risk and can no longer work for the Town.

Chair Jacobs discussed the progressive discipline scenario and mentioned that if there is a different charge when an employee is driving a vehicle then he said that the Town is not really saying they just use a point system but it's really how many times and how serious the offense is to warrant the discipline of being terminated.

Administrator Loveless said it is a combination of both. He gave an example of if he was in an accident and assessed a point, in another accident he may rear-end someone because he was going 40 miles an hour and talking on his cellphone then he may get 5 points for that accident.

Chair Jacobs asked at what point the employee would be terminated.

Secretary Sterbick explained the point system has ranges with zero to three in the acceptable range, four to five means management has to give consideration if the employee should be driving, six to eight is unacceptable and the employee would not be able to drive Town vehicles.

Chair Jacobs concluded that would be the point of termination. He continued that he just wanted to get a better understanding of the criteria for the points and he wanted to find something translatable to the applicant.

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Administrator Loveless said there is a difference because the point system is used for existing employees, the Town is covered by collective bargaining agreements that have progressive discipline and have a right to the position type environment as opposed to someone who is coming in and Detective Bailey sees has multiple infractions in a short amount of time which would be a problem and the applicant wouldn't move forward.

Commissioner Lynch pointed out that what Chair Jacobs is saying is very understandable. He pointed out that he takes exception to the word "offense" being used. He said the drivers are negligent in some cases or they are at fault in other cases or it's an accident plain and simple, they didn't do it intentionally as an offense but every time something like that occurs they become an increased liability to the Town of Steilacoom. He continued that a guy who already doesn't have a good driving record is already showing a predisposition to becoming a liability to the Town and he hasn't even gotten in a police car yet.

Chair Jacobs mentioned that there is even a question if the insurance pool would insure that person.

Administrator Loveless said the insurance pool would insure an employee because they don't get to choose who is insured.

Commissioner Lynch said that Detective Bailey is probably looking for things like reckless driving, DUI, excessive speed multiple times, anything that shows a person is careless and negligent operating a motor vehicle.

Detective Bailey explained he asks if something would be a reasonable offense because traffic tickets and collisions are common but having a license suspended, being arrested or taken to jail for having a license suspended, having a warrant issued are not common. He continued that he looks at the situations to see if they would be something acceptable to do himself or for one of his peers to do.

Chair Jacobs asked if Detective Bailey knows what his predecessor was doing on these cases and what judgment he would use.

Detective Bailey said he would have had to do the same thing.

Chair Jacobs asked if Detective Bailey knows if he was using the same kind of criteria that is being used now.

Detective Bailey responded that it is the way that his predecessor taught him.

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Chair Jacobs said that his concern is that without some guidelines there is an individual exercising individual judgment with no parameters specified by the Town which opens up a liability.

Detective Bailey said the parameters are set in the Civil Service Rules.

Chair Jacobs read "is rated as an unacceptable risk by the Town." He then said that Detective Bailey is "the Town" in this case.

Detective Bailey said that is correct and that is the language from the Commission.

Chair Jacobs said that if the rule is applied inequitably they would be at fault and there is no way of saying it is not applied inequitably because the Commission does not have any parameters to give guidance to Detective Bailey. He continued that he is not saying that Detective Bailey's judgment is poor but simply that the Commission is not in a defensible position.

Chair Jacobs said he wants to see the Commission have some kind of criteria. He gave examples of if three DUI is over the limit then two DUI is also not there or explain what is the difference between three DUI in a month and two DUI in a week.

Vice-chair Maus said they can't possibly be that specific in developing criteria.

Chair Jacobs said he is not saying they need to be that specific but they need to be more specific than they are in this situation.

Commissioner Lynch said there is a simple solution. He explained that Detective Bailey is the investigator, not the adjudicator. Commissioner Lynch continued that Detective Bailey finds the red flags, then he makes a recommendation to the Chief, to the Town Administrator, and to whoever else is responsible for a liability to the Town of Steilacoom, so collectively a decision is made that the person is an unacceptable risk and we don't need to move forward with that applicant. Commissioner Lynch further said that he thinks the hang-up has been that the background investigator may have been trying to make decisions and adjudications of unqualified people when the background investigator probably should have run it up the flag pole. Commissioner Lynch asked if this made sense to Detective Bailey and Administrator Loveless and they both acknowledged it made sense.

Detective Bailey said that every applicant background investigation goes through the Chief.

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Chair Jacobs asked if a record is kept of what it was that disqualified the applicants on the driving side.

Detective Bailey confirmed he does have records. He explained that the Commission is provided with a limited amount of information but what the Commission is not provided with is his final dispositions of disqualification. He further explained that he believes the reason that the Commission is not provided the full information is because the meeting is a public forum.

Chair Jacobs said he is not concerned that the Commission is not getting all of the information. He continued that his concern is that Detective Bailey is exercising consistent judgment and if there is a question can substantiate that consistent judgment was used.

Detective Bailey said that he has record of every disqualification that was made and he can read verbatim what the reasons were.

Chair Jacobs asked if he could extrapolate a chart of what was done and why.

Detective Bailey said that he could absolutely produce a chart.

Chair Jacobs said that there would then be parameters.

Detective Bailey explained that ultimately his parameters fall within the Civil Service Rules.

Chair Jacobs disagreed and said that Detective Bailey's parameters don't fit the rules. He said that the information he was provided is an absolute and it says that the Town considers the applicant to be a risk. Chair Jacobs pointed out that Detective Bailey is the Town in this circumstance, whether it is Detective Bailey individually or Detective Bailey and the Chief. He continued to say since there is a track record of what was done why don't they look at that and put some kind of codification on it and it is simple. He said that in the future they can say that applicants were consistently disqualified for each kind of thing.

Chair Jacobs said he thinks in all of these cases there should be a sufficient track record to say what was done when there were four, five, ten instances of something in a category then it can be extrapolated from that what is in the realm of acceptability and what is not, whether it's drugs or driving any of those things.

Detective Bailey said that he thinks that is what the Civil Service Rules are for and that there are disqualifications there and it is like a manual.

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Chair Jacobs said the Civil Service Rules is and it isn't a manual. He continued that the Commission sets up rules for Detective Bailey and those rules are generally hard and fast except when they are mitigated by saying "potential" but within those rules there is a lot of judgment that gets exercised and judgment needs to be codified just like the progressive discipline used for Town employees. He continued that the Civil Service Commission doesn't say there has to be a chart or that something is an absolute disqualifier but the rules are purposely broad to give the latitude to exercise judgment within the rules. He added that the Commission does not create the rules so that Detective Bailey cannot exercise judgment because that wouldn't be a positive thing to do but when judgment is exercised the Commission needs to know that the judgment is being exercised consistently and that circumstances are not being created that leave the Town liable by inconsistent application.

Commissioner Lynch asked if it was fair to say that when Detective Bailey brings the Commission information outlining circumstances that the information was run through the Chief, HR and the Town and all that is being asked of the Commission is validation for the recommendation to remove the people.

Detective Bailey confirmed that it was. He continued that he believes the opinion may be that he is making the decisions on his own and that there is no vetting process but the information absolutely goes from him to the Chief for review, it sometimes goes to a sergeant but the consistency is that it is ultimately approved by the Chief.

Commissioner Lynch said the Commission is trying to understand that process and mentioned that he believes he clearly understands the process now. He continued that if Detective Bailey brings recommendations for action that have been discussed among the Town employees and hierarchy he doesn't need to get into the whole record. Commissioner Lynch said if an applicant is considered to be an unacceptable risk to the Town of Steilacoom then he will accept that.

Administrator Loveless explained that the Town gives the names and then cites from the Civil Service Rules the reason for disqualification.

All Commissioners agreed that they know that.

Chair Jacobs said that behind the citations the Commission wants to know that there is consistent application and the only way to do that is to have established some kind of guideline whether that's a chart of past practice in order to document it.

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<p>Motion to remove names</p> <p>Yes: All</p>	<p>Vice-chair Maus made a motion to remove seven names as indicated by Public Safety from the consideration for public safety officer. Commissioner Lynch seconded the motion.</p> <p>As further discussion, Chair Jacobs asked if Detective Bailey contacted the applicants by phone, email and certified mail.</p> <p>Detective Bailey confirmed he did.</p> <p>Chair Jacobs asked if Detective Bailey had received no response to anything.</p> <p>Detective Bailey confirmed there was no response.</p>
<p><u>Reports:</u></p>	<p>None</p>
<p><u>Adjournment:</u></p>	<p>Chair Jacobs adjourned the January 5, 2017 meeting of the Civil Service Commission at 3:08 p.m.</p>