

***Auburn Municipal Civil Service  
Minutes–Regular Meeting August 2, 2012 3pm***

Chairman Chris DeAngelis called the meeting to order at 11am.

Roll Call –

Civil Service Clerk; Anna Hlywa took the roll call. Present were Commissioner; Chris DeAngelis, Commissioner; Jack Hardy and Commissioner Diane Gove. Also present were CSEA representative Will Streeter, Corporate Counsel John Rossi, City Manager Doug Selby, Police Chief Brian Neagle, Professional Unit President Anthony DeCaro and laid off employees Julie Liccion & Alicia McKeen.

Approve minutes of meeting held on June 2, 2012.

Motion to approve minutes by Commissioner Gove 2nd by Commissioner Hardy. Motion approved 3-0.

Old Business

New Business

- Certify preferred list created August 1, 2012 due to recent layoffs.

Commissioner DeAngelis explained that this preferred list represents each of the employees that were impacted by the adoption of the 2012 -2013 budget. Commissioner DeAngelis explained how a preferred list works and what the steps would be if any vacancy were to occur in the City of Auburn in the competitive class. All vacancies in the competitive class shall be reviewed by the Civil Service Commission for titles of similar nature that the incumbent previously held. It is state law that all laid off employees be on the preferred list. In regards to the positions that were cut from FT to PT the law isn't so clear and is discretionary to the local commission.

Commissioner DeAngelis explained that the list before everyone does include the employees who hours were cut from FT to PT but would like to get everyone's input if that is how they want to keep it. Both Commissioner Gove & Commissioner Hardy agreed the people that went from FT status to PT status should have the opportunity to be on the preferred list and offered opportunities that arise in similar titles that they held that will bring them back to FT status.

Motion to adopt the preferred list as presented by Commissioner Hardy. 2<sup>nd</sup> by Commissioner Gove. Motion carried 3-0.

- Time set aside for the laid off employees to ask questions.

Alicia McKeen addressed the commissioners. Informed them she was laid off August 1, 2012 from Administrative Assistant position in the planning department. She has worked with the City of Auburn for 18 years and is a good standing employee. Alicia requested reconsideration of her eligibility to retreat to the position she previously held of Keyboard Specialist. Alicia questioned why the Keyboard Specialist position changed from competitive to non-competitive.

Commissioner DeAngelis and Commissioner Hardy explained to Alicia that this case specifically was advised upon by the State Civil Service. Once a jurisdiction chooses to hire a 55a candidate that position is then in the non-competitive class. That person cannot be bumped or removed in lay off procedures. Alicia questioned what are her rights then as a competitive civil service employee and any way the local commission can override the state law. It was explained to Alicia that they cannot override the states advisement and Commissioner DeAngelis explained how the preferred list will leave her eligible for hire for any upcoming vacancies in similar titles.

Julie Liccion addressed the Commissioners. Informed them she was laid off on August 1, 2012 as a Parking Garage Supervisor and also has 18 years of service as a good standing employee. Julie asked for clarification in regards to job duties. She asked for consideration that her job was a specialty title but covers a wide range of responsibilities. Commissioner Hardy explained that we have been already reviewing titles that may be similar. Commissioner DeAngelis explained that once a vacancy occurs and the hiring authority asks for a certified list for any competitive position the people on this preferred list job duties and that vacant position job duties will be compared. If they are similar enough in nature that person will be certified for that opening. Alicia questioned is it a requirement to hire, are all names provided or the one who has more similarities? Commissioner DeAngelis explained that each vacancy will need to be evaluated by the Commission but if a certified list with a name from the preferred list is provided to the hiring authority under civil service rules he has to appoint or leave vacant. Will Streeter, CSEA representative questioned if these names should be certified at the school and housing authority if they have vacancies. Commissioner DeAngelis explained he believed it was each civil division but if he had information that stated otherwise to please provide. Alicia questioned will she lose her eligibility on the preferred list if she moves out of the City of Auburn? Both Commissioner Hardy and Commissioner DeAngelis did not know the answer and told her we would research. Anna Hlywa; Civil Service Clerk mentioned that in her review of the rules she did notice that anyone on a preferred list does maintain their eligible standing on any promotional list that they may be on. Also, that residency is a contractual obligation once you are an employee of the city so that may be a decision for the hiring authority. We will check to verify this. Anthony DeCaro mentioned that in the past the City Manager had given new hires who do not live in the city a time period for when they need to be a city resident by to maintain employment.

- Request from City Manager, Doug Selby to reinstate retired FT Parking Meter Attendant to PT Parking Meter Attendant.

Commissioner DeAngelis reviewed the request to the Civil Service Commission by City Manager Doug Selby requesting to reinstate Lynn Lepak from his FT Parking Meter Attendant position which he retired from on July 31, 2012 to a PT Parking Meter Attendant position. Commissioner DeAngelis explained that we took the liberty to review the preferred list and send a letter to Julie Liccion as we felt that the positions were comparable enough in nature but to make sure all steps are done correctly the rest of the commission should also take a look at the

job description to see if they believe the titles are similar enough in nature that Julie Liccion should be offered the job before a reinstatement is approved. Both Commissioner Gove and Commissioner Hardy agreed that there are enough responsibilities and duties in these positions that Julie should be offered the job off the preferred list before a reinstatement is approved. Commissioner DeAngelis reviewed that a letter was sent to Julie in hopes to be able to give an answer to the City Manager about his request to reinstate at today's meeting. Anna reviewed that the letter that was returned which offered Julie the PT Parking Meter Attendant position off of the preferred list. Julie denied the position due to its PT nature and would like to remain on the preferred list for any upcoming openings. Commissioner DeAngelis then reviewed the local Civil Service Reinstatement rule and a motion was made by Commissioner Gove to reinstate Lynn Lepak to PT Parking Meter Attendant, 2<sup>nd</sup> by Commissioner Hardy. Motion carried 3-0.

- Review and approve exam announcement # 71-162 Police Lieutenant promotional and #71-163 Police Captain promotional.

Commissioner DeAngelis asked Brian Neagle, the new Chief of Police who was appointed on August 1, 2012 if he had anything to add. Chief requested a little time to review the announcement and wanted to see how many people are eligible to take the Lieutenant exam if we just kept it with the 12 months as Sergeant. Anna informed the Commission that she needs to turn in numbers to the state on around the 20<sup>th</sup> of September and legally the announcement has to be posted for 10 business days. She also informed Chief Neagle that she compiled a spreadsheet if he wanted to review it. It entails that with the current specifications only 7 Sergeants will be eligible take it. If you open it up to officers with 72 months of service then an additional 39 people would be eligible. Chief Neagle expressed that he does not need more time and that he would like for the officers to be able to take it as well. Commissioner Gove motion to approve the exam announcement as presented. 2<sup>nd</sup> by Commissioner Hardy. Motion carried 3- 0.

Commissioner DeAngelis explained that although the exam announcement replicates what has been done in the past the job description still remains with 12 months as a Sergeant for min qualifications. He would like for us to change the job description so the min. qualifications for the examination and the min. qualifications for the job are the same. Motion to change the Min. qualification in the job description made by Commissioner Gove 2<sup>nd</sup> by Commissioner Hardy. Motion carried 3-0.

- Request from Custodian at the school to be reinstated on current Eligible list #20-085 (promotional) after failure to reply to two canvasses.

Commissioner DeAngelis reviewed the request and asked Anna to provide any information. Anna explained that this gentleman did not respond to two past canvasses and his name was removed from the current eligible list. When inquired why he wasn't receiving canvas letters anymore he noted that he had not returned past letters as he didn't think he needed to if he was not interested in the job. He now would like to be considered for any openings. Motion to approve reinstatement by Commissioner Hardy 2<sup>nd</sup> by Commissioner Gove, Motion carried 3-0.

- Review of Secretary to Civil Service Commissioners job description. Civil Service Clerk job description also enclosed for comparison.

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Commissioner DeAngelis explained that he is requesting the commission to review the Secretary to the Civil Service job description based on the changes that recently happened in the Civil Service office. I enclosed the Civil Service Clerk position as well so you can compare each duties. I am not looking to change the Civil Service Clerk duties. Commissioner Hardy asked if we are looking to combine the two? Commissioner DeAngelis explained that it is just a review and we may be able to abolish the Secretary position all together but wanted each of the commissioners to take the descriptions with them and come up with their own ideas.

- Employee changes

No discussion had.

- Upcoming schedule

Discussion of the September 15<sup>th</sup> examinations of WWTP Operator Trainee and Custodian. It will be at BOCES probably 30 – 40 ppl total. We have one candidate that has asked the exam be read to him and State Civil Service has approved that request. We will need to hire someone to read the examinations to him. Discussion is needed amongst the commissioners as to who is available that day and at what times.

Motion to adjourn meeting by Commissioner Gove 2<sup>nd</sup> by Commissioner Hardy. Motion carried 3-0. Meeting adjourned.

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Attest