

**MINUTES OF THE REGULAR MEETING OF
THE HOBART CIVIL SERVICE FIRE COMMISSION
OF THE CITY OF HOBART
HELD April 14, 2022 at 6:00 p.m.**

Call to Order/Pledge of Allegiance: Mr. St. Myers called the meeting to order at 18:00, followed by the Pledge of Allegiance. The meeting was held with the building open to the public and a call-in number for remote public participation.

Roll Call: The following members were present: Mr. Finnerty, Mr. St. Myers. Also present: Clerk-Treasurer Longer, Attorney Mindell, Assistant Chief Tinsley and Commission Secretary Pukoszek.

Approval of Agenda: Motion by Mr. Finnerty and seconded by Mr. St. Myers to approve the agenda as presented. Motion carried (2-0).

Approval of Minutes: Motion by Mr. Finnerty and seconded by Mr. St. Myers to accept the minutes of the regular meeting on February 10th, 2022, as presented. Motion carried (2-0).

Correspondence: None

Committee Reports: None

Old Business:

Promotional Testing

Mr. St. Myers has reached out to Gary Fire Department Asst. Chief Grady about 3rd party company testing.

Another suggestion has been made about online testing, which would possibly be cheaper and easier to use. Per Mr. St. Myers, Chief Martinez mentioned that Ivy Tech has this capability and currently administers testing for the State of Indiana. St. Myers states that he will contact Ivy tech and further investigate this possibility. Books used for testing may need to be adjusted for these tests.

Fabian Martinez is still interested in administering these tests, possibly utilizing the MAAC facility for this.

The Captain's test is approaching, the Commission is looking to get this issue resolved quickly to be ready for this test.

Revamping the Duties of Lieutenants and Assistant Chief Positions:

Mr. St. Myers spoke with Asst. Chief Reitz. The Commission and the Fire Department administration were supposed to have a meeting regarding the proposed changes, but due to outside circumstances, this meeting has not taken place. A motion to table this discussion until next meeting was made by Mr. Finnerty. Second by Mr. St. Myers. Motion passed. (2-0)

Proposed Commission Rule Change:

II-9 DUTIES OF ACTING OFFICERS

Any member filling in for officer positions may act at one rank above the member's normal rank. Acting officer positions shall come from the Acting Officers list. The Acting Officers list will consist of members currently on the active promotion lists, additionally members who have the requirements set forth by the Commission to challenge the test of rank in question can also voluntarily be added to the list. Acting Officer position will be filled by the following order.

- 1. The highest ranked member on the acting officer list that is already assigned to the station needing the acting officer.*
- 2. If no member at the station is on the acting officer list, Then the position will be offered to the member in the highest position on the list who is working. The position will continue to be offered to members who are working, starting from the highest position to the lowest position until a member accepts the acting officer position.*
- 3. If no member voluntarily accepts the acting officer position, then it will be filled by the lowest position member on the acting officer list who is working.*

If there is no candidate for acting officer working on a given shift, a department wide request will be put out for an Acting Officer from the active list for that rank to fill the position. If there is no qualified individual available on the Acting Officer's list, the position will be filled by the most senior and most qualified member on duty that day. An Acting Officer shall be governed by the same rules and regulations as those governing a regular Officer and shall assume full responsibility of the regular officer's position. The Acting Officer shall be compensated with Acting Officer pay for hours worked.

***SECTION PASSED 2/10/2022** *(The acting officer list will be maintained by the Civil Service Commission. Members who are qualified may request to be added to the acting officer list between January 1st to January 15th of each year. Members may request to be added to the list outside of the sign-up period within 30 days of meeting the qualifications. Request to be added to the acting officer list shall be done in writing to a Civil Service Commissioner or the Civil Service Secretary. Members who request to be taken off the acting officer list will be required to remain off the acting officer list for a period of at least two years.*

Members on the acting officer list shall be placed in the following order.

- 1. Members on the current promotion list ranked in the same positions as the promotional list.*
- 2. Members who meet the requirements to challenge the ranks test, but who are not on the current promotional list, Ranked by seniority.)*

Last meeting, both the Fire Chief and delegates from the Local 1641 Union were in attendance to discuss this potential change. Both entities expressed concern about the Commission displaying a possible overreach and dictating policy. Both entities believe that it is the Fire Department Administration's realm when it comes to dealing with this issue. From listening to them, Mr. St. Myers has proposed the following:

- Any member filling in for officer positions may act at one rank above the member's normal rank. Acting officer positions shall come from the Acting Officers list. The Acting Officers list will consist of members currently on the active promotion lists, additionally members who have the requirements set forth by the Commission to challenge the test of rank in question can also voluntarily be added to the list.

Mr. St Myers believes that this proposed wording allows the Administration to have the ability to set their own rules regarding placement of their personnel while still fulfilling the Commission obligation to set the requirements for the position.

Mr. St. Myers has not spoken to the Chief about this proposal. A meeting was supposed to have taken place about this issue yesterday, 4/21/2022, however the Chief had an emergency and was unable to attend. Mr. St. Myers has spoken with the Union President about this proposal and states that the Union is "on board" with this proposed change.

Mr. St. Myers made a point of saying that this proposed change does not give the Fire Chief the ability to force someone to fill the Acting Officer rank if no one is qualified or is on the list. This is in conjunction with Local 1641's contract, which states that the Fire Chief cannot force someone to take the position.

Asst. Chief Tinsley asks that since the Fire Chief has not had a chance to go over this proposed change, the Commission postpone voting on this change until next month so that the Fire Chief has time to look at it. Mr. St. Myers states that he has made every attempt to have a meeting with the Fire Chief about this issue and mentions that this issue has been postponed several times already. Mr. St. Myers believes that this wording is an amicable solution to many of the concerns from the members of the department, the Union and the Administration. Mr. St. Myers states that it has been approximately 5 months since these issues were brought to the Commission.

Mr. Finnerty states that once this rule is passed, changes can be made at any time by the Commission to address any further issues. Mr. Finnerty makes a motion to accept this proposed rule change. Second by Mr. St. Myers. Motion passed. (2-0)

Commission Rule II-9 is now read as follows:

Any member filling in for officer positions may act at one rank above the member's normal rank. Acting officer positions shall come from the Acting Officers list. The Acting Officers list will consist of members currently on the active promotion lists, additionally members who have the requirements set forth by the Commission to challenge the test of rank in question can also voluntarily be added to the list.

An Acting Officer shall be governed by the same rules and regulations as those governing a regular Officer and shall assume full responsibility of the regular officer's position. The Acting Officer shall be compensated with Acting Officer pay for hours worked.

The acting officer list will be maintained by the Civil Service Commission. Members who are qualified may request to be added to the acting officer list between January 1st to January 15th of each year. Members may request to be added to the list outside of the sign-up period within 30 days of meeting the qualifications. Request to be added to the acting officer list shall be done in writing to a Civil Service Commissioner or the Civil Service Secretary. Members who request to be taken off the acting officer list will be required to remain off the acting officer list for a period of at least two years.

New Business:

Mr. St. Myers asks for clarity about how many candidates were left on the hiring list at this time. Asst. Chief Tinsley states that he believes there are still 10 candidates on the list. Asst. Chief Tinsley states that there is a possibility that the Department will be hiring 6 more candidate throughout the year, but is unsure of the exact timeline.

Announcements: NONE

Adjournment: St. Myers adjourned the meeting at 18:11.