

civil service commission

BOARD OF REVIEW AND APPEALS



Commissioners

Don Becker
Alyse M. Lazar
Haywood Merricks III
Joyce A. Taylor
James Vandenberg

**MINUTES
REGULAR BUSINESS MEETING
THURSDAY, NOVEMBER 21, 2013
9:30 a.m.**

**County of Ventura Government Center
Hall of Administration
MULTI-PURPOSE ROOM**

- I. CALL TO ORDER** – The meeting was called to order by Vice-Chair Becker at 9:30 a.m.
- II. ROLL CALL** Commissioners present: Vice-Chair Becker and Commissioners Vandenberg, Lazar and Taylor. Staff present: Cheryl Shaw, Commission Assistant, and Robert Orellana, Law Advisor.
- III. PLEDGE OF ALLEGIANCE**
- IV. MINUTES FOR APPROVAL** – The minutes of the Regular Business Meeting of October 24, 2013 were approved on motion by Commissioner Vandenberg, seconded by Commissioner Taylor.
- V. PUBLIC COMMENTS** – None.
- VI. OLD BUSINESS** – None.
- VII. NEW BUSINESS** – Discussion regarding Ventura County Fire Department hiring and promotional procedures.

At the request of the Commission, Assistant Fire Chief Rod Megli appeared to explain the Fire District's hiring and promotion procedures. Chief Megli explained that, when positions need to be filled, the District limits the number of applications it will accept and review because, otherwise, the District would have to interview thousands of applicants. After an initial screening process, applicants are screened by reviewing supplemental questions about the applicant's age, education, certifications, etc. If an application fails to positively address any of the supplemental questions, then the application is rejected.

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The remaining applicants are given a written examination which is scored on a pass/fail basis (with 70% deemed a passing score). Applicants that pass the written exam then take an oral examination before a 3-member panel which consists of volunteers from among current Fire District personnel. All applicants are asked the same questions during the oral examination with additional questions presented to paramedic applicants. Following the oral examination process candidates are ranked by the panels. Assistant Chief Megli clarified that if the candidate is from within the District, then outside raters are used for the oral exam.

Three eligibility lists are then established, which consist of outside firefighter candidates, internal non-firefighter candidates, and paramedic qualified candidates. A selection interview panel, consisting of at least two chief officers, then reviews and rates the remaining candidates. The selection interview is not rated or scored but a list of ranked candidates is established based upon the rankings of the interview panels. The final list created by the selection interview committee is then given to the Fire Chief who takes the panel's list under advisement. However, the Fire Chief ultimately chooses whom to hire and can overrule the selection committee's recommendations.

A selected candidate will be given an offer of employment contingent on passing a background investigation, medical testing, and a physical ability test. If a candidate does not pass this phase, other contingency candidates are selected from the established eligibility list depending on the needs of the District. Candidates that have military experience may be granted additional points at the application or oral examination phases prior to the selection interview. If an outside candidate is not selected, they have no right of appeal, however, they can inquire as to what they can do to improve. Candidates also can also request a practice oral examination.

After candidates pass all contingencies stated in their offers of employment, they proceed to the District's Fire Academy but are given an opportunity to attend fitness training classes before the 16-week program begins. Following graduation from the Academy, new hires are assigned to various fire stations for the remainder of their one-year probationary period. During this time they also are given a task book to complete. Candidates are expected to complete all tasks and clear probation within one year from graduation from the Academy.

Attrition rates vary in the Academy from year to year and are sometimes caused by injuries. If a probationary employee is injured prior to graduation from the Academy, that person is usually placed on a staff assignment until the next Academy class, which are usually scheduled every two years. There are typically 4 to 5 internally promoted persons in any given class which ranges in size from 15 to 24 employees. In response to a question from the Commission, Chief Megli stated that the District investigates all accusations of hazing.

In response to another Commission inquiry, Chief Megli stated that during oral examinations the panel does have sample answers to the questions asked to use in judging responses from applicants. If a prospective candidate is already an employee of the District, then there is an exam appeal process, as governed by that employee's Memorandum of Understanding.

In response to additional questions from various Commissioners, Chief Megli stated that candidates are not told what recommendations are being made by selection committees. Rankings are made by the panels after the oral and written examination process has concluded. If someone were to file a grievance then it is possible the selection interview list could be released. The District has an open door policy and unsuccessful candidates can make appointments to ask for tips on how they can improve their chances of success during future applications processes. Selection lists are maintained for two years. As the current list is set to expire next August, recruitment will begin in March 2014.

Commissioner Lazar thanked Chief Megli and stated that the information provided will help the Commission with regard to any future appeals filed regarding hiring practices within the District. Vice-Chair Becker confirmed that regarding an entry level fire fighter position, the examination appeals process is covered by the County's Personnel Rules and Regulations.

VIII. REQUEST FOR HEARING – Anthony Sheppard, IT Services (Termination)
Case #13-102-19-04

The petitioner, Anthony Sheppard, was present, and stated that he has retained an attorney and requests a formal hearing. Mike Reed from IT Services was also present and stated he had no objection to the petitioner's request. Ms. Shaw informed Mr. Reed that the agency was permitted to have an attorney and to notify the Commission's office if the agency decided to retain counsel. A hearing date of February 24, 2014, was set and the parties were told they will receive written confirmation of same. Mr. Reed then requested that the hearing be closed as there were components that are sensitive in nature for the agency and others present. Mr. Orellana indicated that good cause for the request had to be shown, based upon specific facts, before the Commission could order the hearing closed. The Commission directed Mr. Reed to provide the factual reasons for the request and that the Commission would continue the request for a closed hearing to its next business meeting set for December 12, 2013. A hearing panel would also be assigned at that time.

IX. REQUEST FOR INVESTIGATION – None.

X. INFORMATIONAL – In response to Commissioner Vandenberg's question, Mr. Orellana informed the Commission that, under Section 1352-6 of the County Ordinance and Personnel Rule and Regulation 2307, an unexcused absence of a petitioner may be

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deemed a withdrawal of the petition. With respect for requests for continuance, good cause must be shown.

- XI. COMMISSION/STAFF COMMENTS** - Ms. Shaw wished Vice-Chair Becker a happy birthday.
- XII. ADJOURNMENT** –The meeting was adjourned at 11:02 a.m.