

A Meeting of the Fire Civil Service Commission was held Tuesday, March 8, 2022 in room 122 of City Hall 203 S Troy Street, Royal Oak. The meeting was called to order by Chairperson White at 3:34 p.m.

PRESENT Chairperson White Alexander McMall	ABSENT
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Also present was Human Resources Director Van de Laar, Human Resources Specialist Marlisa Limas, and Chief Cummins.

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APPROVAL OF MARCH 8, 2022 AGENDA

Moved by McMall
Seconded by White

Be it resolved that the Fire Civil Service Commission hereby approves the agenda for the March 8, 2022 meeting as presented

Adopted unanimously

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ELECTION OF OFFICERS

Moved by McMall
Seconded by White

Be it resolved the Fire Civil Service Commission hereby appoints Wil White as the Chairperson for 2022.

Adopted unanimously

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PUBLIC COMMENT

Mark Finitzer stated that he would like to see the fire lieutenant eligibility list tabled, as there is a current grievance on the process used to create that list. He presented some exhibits to prove the legitimacy of the grievance.

- A copy of the contract was presented, which establishes the requirements to enter the testing process for Lieutenant.
- The definition of temporary promotions, that establishes that an employee is acting in capacity but does not have the permanent rank of a position.
- The deadline for applications in business and past city history was presented and it was explained that the deadline is normally when requirements of the process are met.
- Two dated promotional lists that show when two candidates on the fire lieutenant list got promoted to sergeant. They didn't have two years with the rank of sergeant upon deadline of the application.
- Lastly, he wished to establish the exact definition of "in grade" because of its use in the contract.

The grievance was sent to the city manager who has had multiple extensions, but he has not acted on it yet.

Jonathan Meloche disagreed that this list should be tabled. He has a vested interest as the number one candidate on the Fire Lieutenant Eligibility List, and depending on the outcome of the grievance, could potentially be disqualified from that list. He feels that he is within his rights but is willing to go along with tabling the approval of the list until the union gets clarification from within and makes a decision on interpreting the language.

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ANNOUNCEMENTS

There were no announcements.

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EMPLOYEE COMMENTS

There were no employee comments.

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APPROVAL OF MINUTES

Moved by McMall
Seconded by White

Be it resolved that the Fire Civil Service Commission hereby approves the minutes of July 28, 2021 as submitted.

Adopted unanimously

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UNFINISHED BUSINESS

There was no unfinished business.

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**NEW BUSINESS
APPROVAL OF FIRE CAPTAIN ELIGIBILITY LIST**

Moved by McMall
Seconded by White

Be it resolved that the Fire Civil Service Commission hereby approves the Fire Captain Eligibility List as presented.

Adopted unanimously

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APPROVAL OF FIRE LIEUTENANT ELIGIBILITY LIST

Human Resources Director Van de Laar advised that there is not an immediate vacancy, however there is an expected vacancy later this year. The list does not have a pressing need to be approved to fill a current vacancy. He suggested that the members provisionally approve the list today, with the caveat that there is a grievance that could change the actual outcome of the list. If the list stays the same, then the members do not have to have another meeting to approve the list. If the grievance goes the other way, Human Resources will revise the list and the members would have to meet again to approve the new list. If the list is not provisionally approved today, the members will have to come back either way no matter how the grievance decision ends to approve a list.

Chief Cummins confirmed that the labor counsels agreed that since the Fire Civil Service Commission is not proceeding over a grievance hearing, a provisional acceptance of the list was acceptable and would not appear as the commission favoring one side or the other. He also stated that the grievance will go on, but operationally he can still move forward while the grievance is settled.

Tony Cattini stated that the wording of the provisional approval is very important as the grievance is out of his hands. As a member he has a right to a hearing, and he doesn't want to give up that right if the list is approved.

Jonathan Meloche questioned if acknowledging approval of the list provisionally now would give credence later if this were to go to arbitration as to which side is right.

Discussion continued to ensure that the provisional approval of the list, with a caveat regarding the grievance, would not hinder any part of this grievance process. Both sides of the grievance have their right to argue their sides during a hearing and in no way should this approval weigh towards one side or the other.

Moved by McMall
Seconded by White

Be it resolved that the Fire Civil Service Commission provisionally approves the Fire Lieutenant Eligibility List following the recommendation from the Human Resources Director, given the fact that there is a pending grievance beyond the existing scope of the fire civil service commission; and,

Be it further resolved if the Fire Lieutenant Eligibility List is changed because of the grievance process the Fire Civil Service Commission must meet again to review the new list.

Adopted unanimously.

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ADJOURNMENT

Upon motion of McMall and seconded by White, and decided unanimously, the meeting was adjourned at 4:00 p.m.

Melanie Halas, City Clerk /db