

DATE: August 8, 2023

TO: Madison Heights Civil Service Commission

FROM: Amy J. Mischak, Human Resources Director

SUBJECT: Special Meeting Agenda for 9:30 am Wednesday, August 16, 2023

1. Police Lieutenant Eligibility List Current Test Update
2. Police Lieutenant Criteria – Next List
3. Police Sergeant Criteria
4. Fire Captain and Fire Lieutenant Criteria

1. Police Lieutenant Eligibility List

The criteria for Police Lieutenant eligibility list was approved by the Commissioners at their Special Meeting on May 10, 2023. The criteria included a minimum passing score of 70% for both the written test and the Assessment Center. Specifically, the criteria language states:

A minimum score of 70% will be applied to each step of the promotional process per the City's Letter of Understanding with the Union; furthermore, any candidate who fails to report or is late to the written examination or Assessment Center portion will be automatically disqualified and will not be eligible to continue through the process.

Unfortunately, the two candidates who sat for the written exam both failed the exam. Sergeant Hartunian scored 54% and Sergeant Moine scored 69% - each candidate has been advised of his score.

Accordingly, neither candidate is eligible to proceed to the Assessment Center and this test process cannot proceed forward.

2. Police Lieutenant Promotional Criteria/Methodology for Next List

Given the above circumstances, Chief LeMerise has requested, and received, authorization to begin a new promotional process for Police Lieutenant. The process would begin as soon as practicable after the Commissioner's approval of the criteria. The City would recommend that the Commission establish the following methodology:

	60%	Assessment Center
	35%	Written Examination
	<u>5%</u>	Seniority*
Total	100%	

*Seniority is calculated as one (1) full point for each full year in grade plus 1/12th (.0833) point for each full month of a fraction of a year up to a maximum of five (5) points calculated to the beginning of the written examination portion of the Assessment Center.

Please note that there will be a separate written examination; the 35% written examination will not be incorporated into the Assessment Center.

Typically, eligible candidates for Police Lieutenant must possess a minimum of two (2) years seniority in the grade of Sergeant as of the beginning date of the written exam portion of the Assessment Center. Given

the recent turnover in the Department, and the recent written test results noted above, the City has approached the Union with its intent to request the Commission to allow all non-probationary Sergeants to sit for the next exam. Therefore, we respectfully request that the Commission approve criteria so that **all non-probationary Sergeants as of the date of the written exam** are eligible to sit for the next Lieutenant promotional exam process.

The Assessment Center will be conducted under the same terms and conditions administered previously by EMPCO. These include:

- The Assessment Center Panel will consist of current or recently retired sworn Police service personnel from other cities (at least one rank higher). Officials from contiguous cities would not be eligible to serve on the panel. No late arrivals will be admitted once the Assessment Center or written examination portion begins; any candidate who fails to report for or is late for an exam will be disqualified.
- The written examination will be conducted by EMPCO. Candidates will be given at least a sixty (60) calendar day study period to prepare for the written examination. As with previous exams, no late arrivals will be admitted. Questions may be challenged only while the test is in progress. Any invalidated questions will be applied to all test takers.
- A post-test candidate review of written examination questions and answers is authorized, and will be conducted by EMPCO at a candidate's request.
- Assessment Center candidate feedback through EMPCO is authorized upon a candidate's request. Candidates will be given opportunity for feedback prior to the eligibility list being presented to the Commission for certification.
- A minimum score of 70% will be applied to each step of the promotional process per the City's Letter of Understanding with the Union; furthermore, any candidate who fails to report or is late to the written examination or Assessment Center portion will be automatically disqualified and will not be eligible to continue through the process.

3. Police Sergeant Promotional Criteria/Methodology

The eligibility list for Police Sergeant is anticipated to be exhausted within the next two weeks with the promotion of Officer Gary Strongarone. Chief LeMerise has requested, and received, authorization to begin the promotional process for a new eligibility list for Police Sergeant. The City would request the Commission to approve the following:

- Eligible candidates must have at least five (5) years of sworn seniority on the Department as of the date of the written examination.
- The eligibility list for Police Sergeant will be determined based upon the following weighted percentages:

	65%	Written Examination
	30%	Oral Examination
	<u>5%</u>	Seniority*
Total	100%	

*Seniority is calculated as one (1) full point for each year of service over five (5) years plus 1/12th (.0833) point for each full month of a fraction of a year up to a maximum of five (5) points calculated to the beginning of the written examination.

- No late arrivals will be admitted once the written examination or oral interview portion begins; any candidate who fails to report for or is late for an exam will be disqualified.
- EMPCO, Inc. will conduct the written examination. Candidates will be given a sixty (60) calendar day study period to prepare for the written examination. As with previous exams, no late arrivals will be admitted. Questions may be challenged only while the test is in progress. Any invalidated questions will be applied to all test takers. The release of categorical scores along with the overall written score is authorized. A post-test review shall be provided by EMPCO upon request of a candidate.
- EMPCO, Inc. will also conduct the oral examination. The interview panel shall consist of current or recently retired sworn Police service personnel from other cities (at least one rank higher). Officials from contiguous cities would not be eligible to serve on the panel.
- A minimum passing score of seventy percent (70%) is required for a participant to be eligible to participate further in the promotional process. (Candidates who do not score 70% or more on the written test will not be eligible for the oral exam, and candidates who do not score 70% or more on the oral exam shall not be eligible for the composite scoring and final promotional eligibility list.)

3. Fire Captain and Fire Lieutenant Promotional Criteria/Methodology

The eligibility list for Fire Captain expired on August 6, 2023 and Fire Captain Kevin Powers is expected to retire on his eligibility date of April 12, 2024. The eligibility list for Fire Lieutenant expired on February 8, 2023. Accordingly, Chief Lelito has requested, and received, authorization to begin the promotional process for new eligibility lists for Fire Captain and Fire Lieutenant.

During contract negotiations for the July 1, 2021 – June 30, 2025 Collective Bargaining Agreement, the parties agreed to the following promotional criteria on a trial basis through June 30, 2025. The language below is taken directly from the Tentative Agreement signed by the parties and ratified by City Council on September 12, 2022:

“The City and Union agree to utilize a new promotional process on a trial basis, as set forth below, to take effect upon ratification and terminating on June 30, 2025 unless the parties mutually agree to extend beyond June 30, 2025. Upon termination of the new promotional process set forth herein, the promotion provisions as set forth in Article XXVI shall automatically and immediately be restored. While the provisions of this Letter of Agreement are in effect, they supercede any conflicting provisions of Article XXVI.


- An assessment center conducted by an outside agency will count 50% toward the overall test score, followed by an oral board which will count 50% toward the overall test score. The maximum points on the assessment center: $100 \times 50\% = 50$ points maximum. The maximum points on the oral board: $100 \times 50\% = 50$ points maximum. The sum of the two is the overall test score.
- The oral board panels shall be comprised as follows -
 - a) Lieutenant: Fire Chief and two (2) MHFD Captains.
 - b) Captain: Fire Chief, Human Resources Director, and Senior MHFD Captain or a Fire Chief from another jurisdiction.
- Upon completion of the entire Assessment Center and oral board processes, individual scores shall be provided.
- Seniority points shall be awarded as additional points on the basis of 0.25 point for each full year since date of hire, up to a maximum of five (5) points for twenty (20) years of service. The overall test score + seniority points = total score.

- In order to be placed on the promotional eligibility list, the applicant must have a total score of at least 70. Successful candidates will be placed on the promotional eligibility list in the order of the total scores, with the top scoring candidate listed first.
- The top candidate shall be promoted first, and the remaining names on the list shall be eligible for future promotions. Eligibility lists shall remain in effect for two years from date of certification by the Civil Service Commission or until the list is exhausted, whichever comes first; this applies notwithstanding termination of the trial period.
- The provisions of this Letter of Agreement apply to all vacancies which arise after the date of ratification, and all flow-through vacancies resulting from same, even if the trial period terminates before those vacancies are actually filled.”

Therefore, we respectfully request that the Commission approve EMPCO to conduct the Assessment Center for both Fire Captain and Fire Lieutenant exams for 50% of the overall test score, and approve the new mutually agreed upon testing procedure to include oral boards as outlined above for the remaining 50% of the overall test score.

Thank you for your time and consideration. I look forward to meeting with you on August 8th.

Sincerely,



Amy J. Mischak
Human Resources Director

attachment

c: Brent LeMerise, Police Chief
Greg Lelito, Fire Chief
David Koehler, Command Officers Union President
Dave Thayer, Police Officers Union (FOP) President
Ray Gilson, MHFFA President
Recruitment File