

A Meeting of the Civil Service Commission (Act 78) was held Thursday, December 8, 2011, at Troy City Hall, 500 W. Big Beaver Road in the Lower Level Conference Room. Chairman/President McGinnis called the meeting to order at 7:34 AM.

#### **A. ROLL CALL:**

**PRESENT:** Chairman/President Donald E. McGinnis, Jr.  
Commissioner David Cannon

**ALSO PRESENT:** Lori Grigg Bluhm, City Attorney  
Peggy Sears, Human Resources Director  
M. Aileen Bittner, City Clerk  
Gary Mayer, Police Chief  
Gerard Scherlinck, Police Captain  
Keith Frye, Police Captain  
George Zielinski, Police Sergeant  
Robert Wolfe, Police Sergeant/TCOA President  
Michael Geise, Police Officer/TPOA President  
Jeanette Menig, Human Resources Specialist  
John J. Higgins, President – EMPCO  
Tony Haddad

#### **B. APPROVAL OF MINUTES:**

##### **1. Approval of Minutes of Thursday, September 22, 2011**

Resolution #CSC-2011-12-003  
Moved by Cannon  
Seconded by McGinnis

RESOLVED, That the Troy Civil Service Commission (Act 78) hereby **APPROVES** the Minutes of the Thursday, September 22, 2011 meeting as presented.

Yes: Cannon, McGinnis  
No: None

#### **MOTION CARRIED**

#### **C. PETITIONS AND COMMUNICATIONS:**

#### **D. REPORTS:**

The Commission received an attorney's letter requesting a hearing on behalf of Police Officer Todd Michael. Human Resource Director Sears promptly responded to this letter, highlighting the limited jurisdiction of the Act 78 Civil Service Commission. Under Article X of the Rules and Regulations of the Troy Civil Service Commission, jurisdiction is limited to the application of the merit principle or disciplinary actions resulting in discharge, suspension or

demotion, as set forth in Article X of the Rules and Regulations of the Troy Civil Service Commission. Although Officer Michael's attorney did not respond to Ms. Sears' letter or otherwise challenge the fact that the Act 78 Civil Service Commission did not have jurisdiction over the requested appeal, the information was included in the agenda packet to document the receipt of the correspondence. The report was NOTED AND FILED.

1. Letter to Civil Service Commission from Human Resources Director Sears Regarding Request for Appeal Hearing of Grievance Involving Officer Todd Michael

**Noted and Filed**

**E. OLD BUSINESS:** None

**F. NEW BUSINESS:**

In the agenda packet, the Act 78 Civil Service Commission received a letter from Sergeant Joseph Haddad, requesting a disqualification of EMPCO for the proposed Police Sergeant and Lieutenant evaluation process. Mr. Tony Haddad was present in the audience, as a representative of Troy Sergeant Joseph Haddad, who was out of the State. Prior to taking any action on this item, Chairman McGinnis inquired about a past guarantee from EMPCO that none of the evaluators would be associated or affiliated with the City of Troy or any of the candidates. EMPCO President John Higgins confirmed that any EMPCO evaluator would have "no previous prejudicial contact with any of the candidates from the Police Department." He explained that he could not guarantee that there was never any contact between evaluators and the candidates, since the law enforcement community is small, but that the evaluators would be independent and impartial. The Commission then invited Mr. Tony Haddad to speak on this item, on behalf of his son and also as a resident of the City. Mr. Haddad was concerned that the evaluators would not be impartial, based on past complaints made by his son against one of his former supervisors who also served as an evaluator for EMPCO. Mr. Haddad was also concerned about EMPCO being hired by the City. Mr. Haddad based this concern on his previous contact with the President of EMPCO, which was made in response to a letter that Mr. Haddad sent to several area police chiefs criticizing EMPCO for hiring this former Troy supervisor as an evaluator. Member Cannon disclosed prior military service with Sergeant Joseph Haddad, Mr. Tony Haddad's son, and asked all present if there were any objections to his voting on items F-1 and F-2. There were no objections to Member Cannon's participation on this item.

Member Cannon then stated his position that the concerns brought forward at this meeting did not disqualify EMPCO from completing the assessment process. Under the Rules, there is an avenue for redress if a candidate feels that there was bias in the evaluation process, and this happens only after the assessment has been done. Chairman McGinnis agreed, and added that the assurances EMPCO has offered for non-biased testing are sufficient.

Mr. Higgins of EMPCO also offered to meet with Mr. Haddad privately after the meeting adjourned to discuss his concerns.

1. **Approval of Qualifications, Posting and Test Battery for Police Sergeant and Police Lieutenant**

Resolution #CSC-2011-12-004

Moved by Cannon

Seconded by McGinnis

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the job qualifications, the posting, and the test battery for the recruitment of Police Sergeant and Police Lieutenant as **PRESENTED**.

Yes: McGinnis, Cannon

No: None

**MOTION CARRIED**

**2. Appointment of Civil Service Commission (Act 78) Member**

Member Cannon nominated John Steele for the neutral position currently vacant on the Commission. Member Cannon applauded Mr. Steele’s non-political community involvement, and believed that he was an impartial candidate that had no prior affiliation or prejudice. Chairman McGinnis seconded the nomination and reiterated that Mr. Steele fits all the criteria for the neutral position. The Commission members also concluded that all other requirements, including diverse membership in political parties, was also satisfied.

Resolution #CSC-2011-12-005

Moved by Cannon

Seconded by McGinnis

RESOLVED, That the Troy Civil Service Commission (Act 78) hereby **APPOINTS John Steele** to complete the unexpired term of the Civil Service Commission (Act 78) member ending on April 30, 2014.

Yes: Cannon, McGinnis

No: None

**MOTION CARRIED**

**PUBLIC COMMENT:**

Mr. Tony Haddad thanked the Commission for their service and for hearing his concerns.

Chief Mayer thanked the Commission for moving forward with the approval of the two items on the Agenda so the Police Department can begin rebuilding its command staff that was recently reduced. Chief Mayer applauded the past work done by EMPCO and praised Mr. Higgins for his work on behalf of the City of Troy.

**G. ADJOURNMENT:**

The Civil Service Commission (Act 78) meeting **ADJOURNED** at 8:10 AM.

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Donald E. McGinnis, Jr., Chairman

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Aileen Bittner, City Clerk