

SHERIFF'S CIVIL SERVICE COMMISSION

MINUTES

April 29, 2020

Virtual Meeting using Zoom

CALL TO ORDER

Commissioner Robert Forbes called the meeting to order at 9:04 a.m., with Commissioner Timothy Thomas and Commissioner John Poppe in attendance.

REVIEW AND APPROVAL OF MINUTES OF DECEMBER 16, 2019

MOTION: Commissioner Poppe moved to approve the minutes of December 16, 2019 as written. Commissioner Thomas seconded the motion.

Motion carried.

1. RESOLUTION 100-2020 AMENDING HOUSE BILL 1750

- Chief Examiner was made aware in March of House Bill 1750 which allows the Rule of 3 to be changed to a Rule of 5. The Bill was passed in February and becomes effective on June 11, 2020.
- Chief Examiner, Carol Mackie, is asking the Commission to amend the Civil Service Rules with Resolution 100-2020 adopting the Rule of 5.

MOTION: Commissioner Poppe moved to approve Resolution 100-2020 and adopt the Rule of 5. Commissioner Thomas seconded the motion.

Motion carried.

2. REVIEW OF WPR PILOT

- Carol Mackie, explained the reasoning behind requesting the WPR as part of the promotion process, to give credit for work done in their current roles.
- Challenges to this process included the lack of strong evaluations for the candidates. Also, adding the WPR would need buy in from all parties involved.
- Past 2 years of evaluations would be required for deputies and 1 year for corrections officers. Also included would be any discipline or recognition from that time period.
- Sergeants would review on competencies based on the information provided.
- The WPR was facilitated by Public Safety who recommended adding a written statement on leadership from each candidate.
- Errors occurred in both the deputies and the corrections WPR process
 - Too much information was provided for the deputies, well outside of the 2-year window.

- Corrections Sergeants felt there was not enough information and went outside of the one-year window on their own.
 - Because of this, the WPR was given zero weight for the corrections officers.
- Chief Examiner had a follow up meeting with the Sergeants regarding the deputies WPR. They shared that information, including scores, was shared outside of the room.
- The WPR process needs to be re-evaluated to figure out the best way to give candidates credit for work done.
- Commissioner Forbes asked if candidates were aware of length of evaluation period that was allowed. Carol Mackie responded that it is 2 years for deputies and one year for corrections officers. This did not allow enough time and it was decided that the candidates could write a statement on leadership.
- Commissioner Forbes asked if yearly evaluations are done. Carol Mackie responded that they are done yearly now. But were not done consistently when the process for developing the WPR began. HR has made huge efforts to get to the point of the evaluations being done yearly and to be more relevant to the job. This is a Countywide problem.
- Commissioner Thomas asked if work is being done to revamp the evaluation process. Carol Mackie explained how improvements are being made to the evaluations. But that there is still a lot of work to be done.

3. NEW BUSINESS

- Next meeting scheduled for June 2nd at 9:00am. Commissioner's Chambers will be booked to allow for social distancing and a Zoom webinar will be planned in case the stay at home order is extended due to COVID-19.
- Commissioner Thomas asked if there was testing for antibodies available locally. Sheriff Simpson replied that there is testing available.

4. APPEAL OF CORRECTIONS SERGEANTS PROMOTION PROCESS

- Carol Mackie had provided the Commission, in advance, the letter of appeal from Officer William Izer, scoring documents from the testing, WPR, and Assessment Center, as well as the reviews that the applicants had done of the Assessment Center.
- Officer Izer stated that he felt that there were inconsistencies in the rating process at the Assessment Center and that he had never, in 20 years, seen half of the applicants fail. He also said that some of the questions were not included in the scoring of the written test.
- Carol Mackie explained the 25% rule in regards to the written test. Where as, if 25% of the applicants get the answer wrong to a particular question on the written test, that question is removed from consideration for scoring. This has been the practice for a while. She also stated that there have consistently been applicants who fail.

- Officer Izer stated that he felt that the Assessment Center was too objective and inconsistent. He felt that there are issues with the whole process.
- Officer William Mahn spoke on behalf of Officer Izer and stated that he agreed with Officer Izer. Officer Mahn also questioned the validity of the 25% rule.
- Carol Mackie again explained the whole process and stated that it is possible to fail one portion and still pass.
- Officers Izer and Mahn both stated that people who had passed before had failed this time.
- Michael Tayman, HR Analyst, shared what he saw at the out-briefing after the Assessment Center. He felt that the Assessors' process was fair. At the out-briefing, Michael questioned the accuracy of the scores and asked for explanation of the fails. The Assessors responded that they felt the scores were accurate and were able to tell why they scored that way. Officers Izer and Mahn stated that they did not agree with the scoring.
- Michael Tayman explained that the Assessors do not know the background of the candidates. They can only score based on a snapshot in time. Lack of leadership and ignoring issues were big issues that caused candidates to fail.
- Commissioner Thomas asked if the Assessment Center reflects current events. Nick Seibert from Public Safety responded that they do make an effort to reflect current events by taking a survey of task/job analysis to build the exercises to ensure that they reflect current events.
- Commissioner Forbes asked if the candidate review of the Assessment Center was optional and if all the candidates did it. Carol Mackie stated that it was and they all did it.
- Commissioner Forbes stated that Officer Izer's review of the Assessment Center was that it was fair. Officer Izer responded that his opinion changed upon reflection on the process. He did not feel there was consistency with the scoring.
- The Commissioners said that they had not all had a chance to completely review the response to the appeal from Public Safety.
- Sheriff Gary Simpson explained that KCSO is not involved in the developing of the test. It is developed and proctored by an outside source. The Sheriff's Office is not even made aware of who the candidates are. Sheriff Simpson also stated that these tests and the process have been tested and validated in court and the court approved the protocols. He felt that the candidates need to just move on.
- Commissioner Forbes asked if there was anything further that Officer Izer would like to add. Officer Izer declined.
- Carol Mackie announced that the meeting would now move to Executive Session and that the participants would be emailed to return to the webinar when the Executive Session had ended.
- Adjourned at 9:56am.

5. EXECUTIVE SESSION

- Executive Session 9:56-10:31am

6. MEETING RESUMES 10:39AM

- Officer Izer did not return to the meeting after the Executive Session. He notified Carol Mackie that he would not be back.
- Commissioner Forbes stated the documents were all reviewed and he does not see any defect in the process. He does not agree with the appeal.
- Commissioner Thomas concurred with Commissioner Forbes and denied the appeal.
- Commissioner Poppe said that he also saw no defect in the process.

MOTION: Commissioner Thomas moved to deny the appeal of Officer William Izer. Commissioner Poppe seconded the motion. There was no further discussion. Motion carried.

- Carol Mackie will write a summary of the appeal decision and notify Officer Izer.

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 10:43am.

ATTENDANCE

COMMISSION MEMBERS

Robert Forbes
Commissioner
Timothy Thomas
Commissioner
John Poppe
Commissioner

STAFF

Carol Mackie
Chief Examiner
Kathie Thoma
Civil Service

GUESTS

Gary Simpson
Sheriff's Office
Dave White
Sheriff's Office
Jacquelyn Aufderheide
Prosecutor
Jason Hedstrom
Sheriff's Office
John Gese
Sheriff's Office
Gerry Swayze
Sheriff's Office
Lissa Gundrum
Sheriff's Office
William Izer
Corrections
William Mahn
Corrections
Michael Tayman
Human Resources
Kate Cummings
Human Resources
Keri Sieckowski
Human Resources
Colleen Wilson
Public Safety
Nick Seibert
Public Safety

Carol Mackie, Chief Examiner

NOTE: These minutes are not verbatim.