

March 4, 2010

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:32 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair
Carolina M. Stark
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan

ALSO PRESENT: Michael Jones, Acting Chief, Milwaukee Fire Department; and Edward Flynn, Chief, Milwaukee Police Department.

The Director presented for adoption minutes of the Regular Meeting of February 18, 2010. He noted at the previous meeting the Board approved the Police Aide Eligible List, discussed the reappointment request of former Police Officer Melissa Ramskugler, and referred a request to hold an examination for the newly created rank of Police Lieutenant to the Department of Employee Relations. Commissioner Morgan moved approval of the minutes as presented, seconded by Commissioner Hein. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The Director returned to the Board a request from Acting Chief Michael Jones to amend Fire and Police Commission Rule V, Section 2, due to budget modifications, by adding the titles "Fire Education Specialist", "Fire Technical Service Manager", "Network Coordinator-Senior", and "Painter". Also by deleting the following titles "Administrative Assistant II", "Information Technology Specialist", "Information Technology Manager – MFD", and "Physician, Fire". Commissioner Hein moved approval of the request, seconded by Commissioner Lor. The motion carried unanimously.

2. NEW BUSINESS:

a) The Director presented a letter dated February 24, 2010, from Maria Monteagudo, Director of the Department of Employee Relations, regarding a 2001 Supplemental Order issued by the Department of Justice regarding priority appointments to the position of Firefighter in the Milwaukee Fire Department (MFD) from 2002 through 2005. Timothy Keeley, Human Resources Representative from the Department of Employee Relations (DER), spoke regarding the correspondence. The Supplemental Order concerns Firefighter examinations held in 1993, 1995, and 1999. As a result of the Supplemental Order, there were a number of priority appointments made to the position of Firefighter. The court order specifies that MFD members who were hired through priority appointments receive retroactive seniority based on when they would have been hired if the examination at the time had not been discriminatory. The Supplemental Order specifies that retroactive seniority should be used in all instances, except for consideration or eligibility for either promotion or time-in-grade requirements for purposes of completing any probationary period or eligibility for promotion. When it comes to MFD promotional exams, the actual start date should be used, not the retroactive seniority date. An audit was conducted of all MFD promotional exams since 2006, which is the earliest possible year a priority hire would be eligible to take a promotional exam, to make sure seniority credit was awarded properly. Based on the audit, three situations for three individuals were discovered to have used the retroactive start date, not the actual date. Once it was discovered, the impact was assessed and then corrected. The eligible lists that were affected were the 2007 Fire Lieutenant Eligible List, the 2007 Heavy Equipment Operator Eligible List, and the 2008 Heavy Equipment Operator Eligible List. All individuals on all the eligible lists were appointed; this is just a matter of determining the new ranks of the affected individuals. The impact was relatively minor, but six individuals would have been appointed on a different date had there not been an error. The difference in pay was computed, individuals who would have been appointed sooner will receive that pay, and all individuals who would have been appointed later will be able

to keep their pay. The six affected individuals have been contacted. DER will be working with MFD to adjust the way ranking is used internally in the Department. Presented for approval were the corrected 2007 Fire Lieutenant Eligible List, the 2007 Heavy Equipment Operator Eligible List, and the 2008 Heavy Equipment Operator Eligible List. The Director thanked Mr. Keeley for bringing the matter to the attention of the Board and for correcting the mistake for the affected MFD members. He reiterated that only six individuals were affected and the maximum amount of time any individual was affected was two months. It is a nominal change, but a necessary correction. Commissioner Stark moved approval of the Fire Lieutenant Eligible List dated December 6, 2007, which expired December 6, 2009, seconded by Commissioner Morgan. The motion carried unanimously. Commissioner Hein moved approval of the Heavy Equipment Operator Eligible List dated July 10, 2008, which expires July 10, 2010, seconded by Commissioner Lor. The motion carried unanimously. Commissioner Stark moved approval of the Heavy Equipment Operator Eligible List dated June 21, 2007, which expired June 21, 2009, seconded by Commissioner Hein. The motion carried unanimously.

b) The Director presented a letter dated February 15, 2010, from staff, wherein it is requested that Fire and Police Commission Rule XIII, Sections 3 and 4, be amended for clarification. The Director explained that the original rule change came about when a former Police Department member who was decertified by the Law Enforcement Standards Board (LESB) applied for reappointment. This proposed rule change conforms to LESB rules. The Chair laid the matter over to the next meeting.

3. COMMITTEE REPORTS:

a) Commissioner Lor presented a verbal report of the Committee on Testing and Recruiting, which met today. Currently there are 82 Police Aide candidates still in the process. They will be participating in the oral exam and writing sample exercise next week. Over 200 applications have been received for Seasonal Police Telecommunicator. The application deadline is tomorrow. July 26th is the projected start date for the next Firefighter recruit class. They will begin the Candidate Physical Ability Test (CPAT) training March 24th and 25th administered by the West Allis Fire Department. The CPAT test dates will be May 19th and 20th. The Milwaukee Fire Department will begin Emergency Medical Technician training this weekend. The Department of Employee Relations also presented a continuation of their annual review detailing their testing and recruiting efforts. Recruiting was discussed and also the possibility of creating a program with the Fire and Police Departments and Milwaukee Public Schools to get students interested in public safety occupations at an earlier age in order to have a diverse applicant pool for both departments.

4. EXAMINATIONS:

a) The Director presented for adoption an eligible list for the position of Lead Police Telecommunicator in the Police Department, consisting of five names. He read the names and noted the list would contain a correction to reflect the correct spelling of # 4 – Tina Torrescruz. Commissioner Hein moved approval of the list, seconded by Commissioner Morgan. The motion carried unanimously.

b) The Director presented for adoption an eligible list for the position of Electronic Technician in the Police Department, consisting of three names, which he read aloud. Commissioner Morgan moved approval of the list, seconded by Commissioner Lor. The motion carried unanimously.

c) The Director presented for adoption an eligible list for the position of Fire Technical Services Manager in the Fire Department, consisting of seven names. Commissioner Hein moved approval of the list, seconded by Commissioner Lor. The motion carried unanimously.

d) The Director presented for approval an examination announcement bulletin for the position of Heavy Equipment Operator in the Fire Department. Timothy Keeley spoke regarding clarifications made to the examination announcement bulletin regarding eligible leaves of absence and disciplines that count toward continuous service. The Director added that this is not a change from the requirements, just a clarification.

Commissioner Morgan moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

e) The Director announced that the Fire Education Specialist examination announcement bulletin had been removed from the agenda.

f) The Director presented a letter dated February 25, 2010, from Timothy Keeley, wherein he requests that the Firefighter Eligible List be amended to add the following names and ranks to the list in accordance with the Uniformed Services Employment and Reemployment Rights Act: #43A – Benjamin Pechacek; #203A – Justin Heinen; and #281A – Jeremy Williams. Commissioner Stark moved approval of the request, seconded by Commissioner Morgan. The motion carried unanimously.

g) The Director presented a letter dated February 24, 2010, from Acting Chief Michael Jones, wherein he notifies the Board that #50 – Kenneth Martinez requests to have his name removed from the Fire Lieutenant Eligible List. Commissioner Morgan moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

5. FIRE DEPARTMENT:

a) The Director presented two letters dated February 24, 2010, from Acting Chief Michael Jones, wherein he notifies the Board that he has granted Firefighter Anthony J. Guehlstorf an unpaid military leave of absence effective March 8, 2010, and Firefighter Sandra K. Williamson returned from an unpaid Family and Medical Leave Act leave, effective February 15, 2010.

6. POLICE DEPARTMENT:

a) The Director presented a letter dated February 24, 2010, from Chief Edward Flynn, wherein he nominates Identification Technician David Wagoner to the exempt position of Latent Print Examiner in the Police Department, to be effective March 21, 2010. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed on March 10, 2010.

b) The following appointment, as presented by Chief Flynn, was approved by the Board:

TO POLICE DISPATCHER, from eligible list established February 19, 2009, contingent upon successful completion of a medical examination and drug screening, effective March 8, 2010:

#28 – KIMBERLY M. HOBSON.

c) The Director presented a letter dated February 17, 2010, from Chief Flynn, wherein he notifies the Board that Police Sergeant Roosevelt Jenkins, Jr. has been discharged for violation of Department Rules and Regulations under Personnel Order 2010-33 dated February 17, 2010.

d) The Director presented a letter dated February 26, 2010, from Chief Flynn, wherein he notifies the Board that Office Assistant III Christine A. Gromacki has been discharged for violation of Department Rules and Regulations under Personnel Order 2010-45 dated February 26, 2010.

e) The Director presented a letter dated February 24, 2010, from Chief Flynn, wherein he requests a classification study of a new civilian position of Accountant I in the Budget and Finance Division. The Chair referred the request to the Department of Employee Relations for study and report.

7. PUBLIC COMMENT:

Al Jansen, Lieutenant, Milwaukee Fire Department, asked if the Board was still on track for the Fire Chief selection. The Director responded affirmatively, stating that a meeting of the Fire Chief Selection Committee will be held on March 10th, and a public meeting will be held the evening of March 24th with the final candidates.

Scott Charles, Board of Directors member of the Milwaukee Police Supervisors' Organization (MPSO), reiterated the MPSO's position regarding the newly created rank of Police Lieutenant. He quoted the Department of Employee Relations' job evaluation report which states on page 7, "Of particular note is the requirement by all jurisdictions that a member have supervisory responsibility as a Sergeant prior to being promoted to a higher rank." He stated the established promotional path is through the rank of Sergeant and only Sergeant, and that is the proper promotional path. The MPSO is comprised of two-thirds Sergeants and to not effectively represent its membership would be irresponsible. The MPSO looks forward to working cooperatively with the Milwaukee Police Department, the Fire and Police Commission, and the City of Milwaukee. Productive open meetings with Chief Flynn have already been held. The goal is to promote the most experienced, most qualified, and best supervisors through a new single rank structure, by way of the first line supervisor, which is Sergeant. The structure and promotional path will provide the citizenry of Milwaukee with the best possible leadership to reduce crime, fear, and disorder now and for years to come.

8. ADJOURNMENT:

Commissioner Stark moved to adjourn the meeting, seconded by Commissioner Morgan. The motion carried unanimously.

The meeting concluded at 5:55 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director

MGT:mk