

**The Town of East Haven, CT**  
**Civil Service Commission Minutes**  
**August 20, 2012, 7:00 pm, 250 Main Street**

A Special Meeting of the Civil Service Commission was held on Monday, August 20, 2012 in the Civil Service Office, Town Hall, 250 Main Street, East Haven, CT.

The meeting was called to order at 7:00 p.m.

Roll Call:	Mr. John Stacey	Present
	Ms. Linda Abbott	Present
	Mr. Albert Carocci	Present

**PUBLIC COMMENT**

There was no public comment.

**STAFF IN ATTENDANCE**

Frank Gentilesco-Assistant Director of Administration and Management  
Attorney Frank Kolb-Town Labor Attorney

**PUBLIC IN ATTENDANCE**

Arlene Hackbarth, Gene Ruocco

**OLD BUSINESS**

**PROPOSED PROMOTIONAL POLICY**

Chairman Stacey opened the discussion by requesting the Chief Examiner bring the Commission up to speed on the research and investigation she has done regarding this matter. The Chief Examiner stated she had contacted several other towns and cities with Civil Service Regulations and none of them had a policy in place such as this. She stated she contacted New Haven, Milford and Hamden and was told they fill promotional positions in accordance with the rule of three. The City of Bridgeport's website contains the Civil Service Rules and City Charter and neither of these documents contained such a provision. Attorney Kolb stated the language given to him by AFSME Representative Tom Fascio was from Bridgeport and stated the Union was in favor of this. The Chief Examiner stated that nothing like this proposal was online for Bridgeport and asked if Mr. Fascio could have gotten the language from a Town that does not follow Civil Service. Commissioner Abbott stated she also made

some calls and stated she was told promotions are filled by the rules. Attorney Kolb then stated that they are just asking the Commission to change the rules. The Chief Examiner asked if the Commission could change what was dictated by statute and also expressed her concern that if promotions were filed in this way, without test and with no criteria other than the opinion of a Department Head and final approval by the Mayor, could this be opening the door to possible claims of discrimination by employees? Both Mr. Gentilesco and Attorney Kolb stated they did not believe this policy would cause more claims to be made. Commissioner Carocci stated he did not think the Mayor should be involved in this. The Commission also discussed the repercussions of reversing the policies put in place after the NAACP Settlement and Decree. Discussion took place regarding the discriminatory practices of giving Town Employees preference by holding promotional exams and giving seniority points to Town Employees, practices ruled by Judge Dorsey to be discriminatory in nature and eliminated opportunities for minority applicants. Could this policy open the Town to liability and does it undo the progress that has been made?

Mr. Gentilesco stated he felt the system creates a mediocre workforce when there is no possibility to move up in grade level unless you score in the top three. Currently employees are only able to make lateral moves within grade level. Commissioner Abbott stated employees are moving up in grade level, how is that happening? Mr. Gentilesco stated that is by agreement of Town and Union. He also stated he felt the Supervisors in Town don't have the opportunity to act as supervisors due to the lack of provisions in the Union Contracts regarding discipline.

Mr. Ruocco asked if Mr. Gentilesco and Mr. Kolb were concerned at all about the possibility of opening the Town up to lawsuits by implementing this proposal and couldn't some of their concerns about discipline be handled thru the Union Contract. Attorney Kolb stated they could not.

Commissioner Carocci stated he would like the opportunity to discuss the matter further with the other Commission members to become more informed in the matter. Chairman Stacey stated he did not have any answers at this point that would allow this to move forward but he would like the matter on the next agenda for the Commission members to continue discussion. Mr. Gentilesco stated it is obvious nothing is going to

get done and if the Commission felt it could move forward with it in the future to let him know.

A MOTION was made by Ms. Abbott to adjourn the Meeting at 7:50 p.m.  
Mr. Stacey seconded.  
Vote: Unanimous.

Respectfully submitted,

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Andrea M. Liquori, Recording Secretary