

**City of Tacoma Civil Service Board
MEETING MINUTES**

Date and Time: August 14, 2019 at 5:00PM
Location: Tacoma Municipal Building, Council Chambers
Chair: Beckie Summers
Coordinator: Wendy Hobson

Call to Order:

The Civil Service Board special meeting was called to order in Council Chambers of the Tacoma Municipal Building at 5:00PM by Chair Summers. Board Members Hansen, Sexton, and Andrews were present.

Approval of Minutes:

Chair Summers called the meeting to order and advised we have only one matter before us which is the Motion to Reconsider in the Matter of Leroy Standifer. Chair Summers advised that the City was here and that Mr. Alexander Higgins was here to represent Mr. Standifer.

Chair Summers advised both parties that this was simply to determine jurisdiction and that we would not be hearing the complaint tonight; that the City would begin then Mr. Higgins would follow if he had any statements he'd like to share. .

Deputy City Attorney, Jean Homan introduced herself and expressed apologies from Ms. Comer who could not be here this evening.

Ms. Homan stated the City is asking this Board to reconsider its June 6th ruling granting jurisdiction on Lt. Standifer's complaint stating two very specific issues; one, a cover letter and resume in the captains testing process and two, any testing on a particular book which had been the subject of training that Lt. Standifer did not attend. Lt. Standifer's complaint is moot; there is really nothing for this board to consider. Both of the issues about which Lt. Standifer complains were addressed and alleviated prior to the testing process. Cover letters and resumes were not considered as part of this testing process, and the book of consideration was removed from the testing process. It is important to know that the testing process has been completed. Scores have been posted; candidates who completed this process were advised of their scores and of their opportunity to challenge the scoring or the ranking on the eligibility list. No one, including Lt. Standifer did so. Lt. Standifer's complaint focused on two particular Caucasian employees who he felt were being unfairly benefited by the inclusion of the book. Lt. Standifer ranked higher on the list than both of those Caucasian employees. There is really nothing for the Board to consider. The complaint is moot given that his concerns were addressed and alleviated prior to the testing process. The Human Resources Department under the code is the Subject Matter Expert to ensure partiality in the process and there has been no challenge to that in the way the tests were scored or ranked. We ask the Board to reconsider its prior decision and to decline jurisdiction.

Board Member Hansen asked if the Assistant Chief and someone else was involved with the selection of the book that was used in the interview process.

Ms. Homan indicated that what Lt. Standifer alleged in his complaint is that an Assistant Chief and an existing Captain selected the two Caucasian Lieutenants to attend the training that discussed this book.

Board Member Hansen then asked if those two individuals were the people that selected the officers to attend the training and were those two individuals removed from the process. Ms. Homan advised that HR administers this process so for a Captains oral board promotional process, they bring in command staff members from other law

enforcement agencies. The oral board does not consist of City of Tacoma command staff members; the two that were alleged to send others to training were not included in the oral boards at all

Board Member Hansen stated he assumed that they removed part of the questions related to the book from the interview process.

Ms. Homan responded stating the book was removed from the entire process prior to oral boards being held.

Chair Summers invited Mr. Higgins, Counsel to Lt. Standifer to speak.

Mr. Higgins stated that the Board correctly determined that it had jurisdiction over this matter and it should not reconsider that. Its mandate is very broad under the Tacoma City Charter. He cited 1.24.270 and read this aloud. He further stated the Board could take jurisdiction whether or not there is a test result being challenged, or a test process being challenged. Lt. Standifer's problem here isn't with the results of the test; he finished second out of a group of five; he doesn't need to be number one that is not what his complaint is about. His complaint is about the way that favoritism was shown by the way that command staff handpicking two people to go to a training where a book was the bible of the training; and then it came out as the only bullet point in the announcement. Mr. Standifer was also told orally hey, you could provide a cover letter and resume to kind of beef up your application. Lt. Standifer looked around and couldn't see where it said this anywhere in writing. Mr. Standifer's complaint about the unwritten and subjective criteria that is being applied to promotional criteria; and this Board has every right to look into that and tell the police department if you want to make criteria, make it in writing, make it objective; if you have books or materials that you are using, make that training available to everyone. I do want to respond to something Counsel said about the book was removed; sure the book was removed from the announcement, but we don't know whether there were questions about materials from the book were or were not on the oral exam. Lt. Standifer didn't go to the training so he doesn't know what all was in that book that may have made it on the test questions. The question might not say "on pageof the Leadership Challenge book what does it say; it could still have a question, the substance of which came from that book and was made available to two officers in particular, over everybody else who is a candidate.

Mr. Higgins closed stating we do know that outside people come and administer the questions; but some of the questions are developed by Assistant Chiefs and Captains. I can't sit here and tell you that I know those individuals provided questions for the oral exam because we don't know that should be a question that Board Member Hansen should be entitled to on the hearing to ask the police department "how are you doing this?" What about the two individuals who showed bias; are they allowed to write questions to be asked by the outsiders who come in and ask these questions on the oral exam? There are many questions here to be answered about how promotional processes are done here at the City of Tacoma. Lt. Standifer is not here to say he should be moved up; he didn't file an appeal to the results of the test. His complaint was filed before the test even occurred; he said this is wrong; the way this process was done; where people are told things and not told things; where there is favoritism shown. The City Charter gives this Board the obligation and the power to sit down and question the police department.

Mr. Higgins closed with the City basically admitted to wrongdoing; we've deprived you of jurisdiction here. This Board should look into that a little more to see if they did in fact fix it and more importantly what's their plan to fix it going forward; do they have one?

At 5:10PM, Chair Summers advised the Board will now go into Executive Session.

The Board returned from Executive Session at 5:42PM.

Chair Summers asked for a Motion from the Board.

Board Member Sexton motioned to grant the City's request; that the Board reconsider its prior decision and not exercise jurisdiction.

A VOICE VOTE WAS TAKEN: 3 AYES, 1 NAY, 0 ABS. THE MOTION TO RECONSIDER PASSED.

Chair Summers: To follow up we do not feel like we have jurisdiction over this particular complaint; the Civil Service Board thanks you for bringing this to our attention and we are not going to let this lie. We are going to investigate this; we have some HR experience up here on the Board and we do not feel that the test process was transparent in any way shape or form; it needs to be transparent and there do need to be issues addressed that are broader than the complaint brought before us. We will keep you informed in you would like to be.

Mr. Higgins stated that yes, they would like to be informed.

Chair Summers adjourned the meeting at 5:45PM.

ATTEST:



Wendy Hobson
Civil Service Board Coordinator



Beckie Summers, Chair