



LACEY CIVIL SERVICE COMMISSION
Meeting Minutes
02/03/2025
In Person and via Zoom

MEMBERS PRESENT:

Amanda Vey, Commission Chair
Mark Brown, Commissioner
Madeline White, Commissioner

STAFF PRESENT:

Leialani Su'e, Human Resources Director/Civil Service Examiner & Secretary
Robert Almada, Chief of Police
Robert Hollis, Deputy Chief of Police
Stephanie Newcomb, Lacey Police Officer Guild Union President
Izzy Uong, Human Resources Analyst

MEMBERS OF THE PUBLIC PRESENT:

None

CALL TO ORDER/ROLL CALL:

Civil Service Examiner Leialani Su'e, called to order the February 3, 2025, Civil Service Commission meeting. The meeting started at 12:15 pm.

Officer Election for the 2025 Commissioner Chair:

Civil Service Examiner Leialani Su'e opens the floor for the nomination of the 2025 Chair. Commissioner White nominates Commissioner Vey, second by Commissioner Brown.

Motion to elect Commissioner Amanda Vey as Chair.

Commissioner White moved to elect as Chair. Second by Commissioner Brown.

Commissioner Chair Vey passed unanimously by the Commission.

APPROVAL OF THE AGENDA:

Commission Chair Vey motioned to approve the February 3rd, 2025, agenda as published, was moved by Commission Mark Brown and seconded by Commissioner White and passed unanimously by the Commission.

APPROVAL OF THE MEETING MINUTES:

Commission Chair Amanda Vey motioned to approve the November 4th, 2024, meeting minutes as published, was moved by Commissioner Mark Brown, seconded by Commission Chair Vey and passed unanimously by the commission.

BUSINESS:

A. Command Staff Quarterly Report (Quarter 4 October-December 2024)

Police Chief Robert Almada reported that in this past quarterly period (October 1st 2024 – December 31st, 2024), there were 26 applications, of which there were 22 entry level applicants and 4 lateral applicants who entered into the recruitment cycle for Lacey Police Officer positions. Of the entry level applicants, four (4) were disqualified in the application stage, two (2) were disqualified in the oral board stage due to insufficient scoring, and 4 were disqualified in guardian process. Of the remaining applicants two (2) were disqualified by Chief interview, seven (7) withdrew their applications, and three (3) are in backgrounds. Of the lateral applicants, we failed three (3) at the oral board stage, and one (1) went to the eligible list. There is no discipline to report.

B. Land Acknowledgment

In response to the request on including the City of Lacey's Land Acknowledgment language in the beginning of the Civil Service Meetings; Commissioner Chair Vey stated the City of Lacey passed resolution 1137 and the information on this resolution was provided to her from Human Resources Director/Civil Service Examiner Leialani Su'e for research and review. After Commissioner Chair Evy's review and research, research which included members of the Chehalis Tribe and Nisqually Tribe, a motion by Commissioner White to begin using the Land Acknowledgment in Civil Service Meetings, second by Commissioner Brown, and unanimously passed by the Commission.

B. Reinstatement Language

Human Resources Director/Civil Service Examiner Leialani Su'e stated since the November meeting, research had been conducted with other cities to consider what was offered for reinstatement/rehire and comparing that with what was offered in a rehire process for two of our former employees. HR Director Su'e stated there would be nothing to present at that time due to an on-going discussion with the Police Officer Guild regarding this topic which needed to be resolved before we make any updated changes. HR Director Su'e will eventually bring these changes to the Civil Service Rule language to the Commission in the May meeting. Commissioner White asked if there has been an issue to how it is written out. HR Director Su'e referenced back to the November meeting which discussed the existing language on rehire in the Civil Service which only spoke the return of an officer in under 12 months as long as they are in good standing, and that there was no historical record or instances to recall upon for practice as well.

Chief Almada stated he believes that the issue is due to definition interpretation. Terms seemed to be used interchangeably throughout both the Civil Service Rules and City Administrative Policies. The Chief stated the need for clarity as far as definitions and also when people do decide to comeback – are they being rehired or reinstated, what does reinstatement mean, so everyone is treated equitably and fairly as they come in the door. Chief Almada and Deputy Chief Hollis shared a perspective of what reinstatement means, and state they admittedly have a bias towards this issue. Chief Almada acknowledges the work and research Director Su'e has had on this, adding that the two officers affected by this have filed a grievance to elevate this issue to reach a conclusion. Between discussions with the officer as well as going through the grievance process, the grievance has entered step two (2) – which is an ongoing conversation between Lacey Police Officer Guild Union President Stephanie Newcomb and Director Su'e. Chief Almada concludes he believes if you leave employment from the City of Lacey as a

commissioned officer, before the 12 months, and request to return, as the Chief he can agree if there is a vacancy and if the officer left on good standing.

Lacey Police Officer Guild President Stephanie Newcomb added to the discussion that in their 16 years at the City, there has never been full staffing in the Police Department. President Newcomb spoke to the Guild's Collective Bargaining Agreement (CBA) which does not specifically state that officers lose everything upon leaving. President Newcomb spoke to the timeline of officers to be road-ready – it takes a new hire 12 months and more, a lateral officer 5-6 months, a return to City officer 2-3 months. President Newcomb requests since the Guild's CBA has set accrual rates that the language is acknowledged and should be reassigned to officers upon their return for their service to the City. President Newcomb also requested to include for the record they were asking to mirror City Policy language on reinstatement, which provides full accruals if rehired. Last President Newcomb mentioned that currently there is an RCW which speaks to sick leave, and it is only fair to the officers that they can receive their earned vacation accruals as well. This is the crux of the grievance and has nothing to do with not wanting to equitable, equal, or fair – it is what these officers earned. Commissioner White asked if the officers get paid for their leave they had not used yet. President Newcomb responded that officers receive a cash out for their vacation, and their sick leave was not. Commissioner White asks Director Su'e if that is the case for both officers. Director Su'e explains if an officer retires there is a retirement sick leave buy back provision in the CBA that is applied but if officers leave to go work somewhere else – there is not. Director Su'e stated for non-reps there is no buyback clause of any kind for the sick leave. Director Su'e added a point of clarification to the City Policy mentioned by President Newcomb, reinstatement of full accruals for a non-rep employee is within 90-days of separation; the 12 months is with the sick leave, so the unused sick leave has a 12-month tag. Commissioner Brown asks if Director Su'e is reading from the Civil Service rules. Director Su'e explains the information on rehire comes from the Policy Manual for the non-represented employees. Commissioner Brown asks how do we reconcile then in this process that we are going through, so that there is no differential between policy and the Civil Service Rules. Director Su'e explains the first instance of a rehire in 2023, we reached out to the Guild because there were no examples or clear language in the Civil Service Rules, City Policy Manual, and the Collective Bargaining Agreements. Director Su'e points out as President Newcomb mentioned, there is nothing clear about a rehire and what to do in our current guidance documents. Director Su'e states that the City did reach out to our Union Guild about whether this topic was up for bargaining and it was determined that it was not. However, now we have come back to this topic as an opportunity to bargain as LPOG has active members who are involved.

Commissioner Brown clarifies with Chief Almada, if someone wants to comeback, whether the officer went to another agency or retired wants to be rehired within a 12month window, that you have the authority in consultation with the City Manager to onboard them. Chief Almada adds if someone separates from the City, whatever the reason – the officer decides to return and there is a vacancy and that the officer left in good standing, the Chief would consult with the City Manager and they would reinstate the officer.

Chief Almada stated the other issue is, the CBA says if you have so many years in service – this is your accrual rate. The CBA says this is the accrual rate but is trumped by the fact that you left – you go back to zero. Commissioner Brown asked whether these two employees had retired and then asked to be rehired. Chief Almada clarifies one retired and one left to another agency. Commissioner Brown continued to ask questions on why the Union had filed a grievance, and Chief Almada stated he was not comfortable going into the nuances of those grievances. Chief Almada stated the grievance was not

being brought forward to the Civil Service Commission, only that the rules once clarified would be brought up to the Commission.

Commissioner Brown asked whether the proposed change that we may be making only related to non-represented employees within a 12-month window, and Chief Almada explained what would be brought forward for review is for Commissioned employees only. Commissioner Brown asked of the 91 employees in the Police Department, how many of that is commissioned. Chief Almada explains 72. Commissioner Brown clarifies 71, and Chief Almada explains it is 71 plus one (1) which is a CJTC funded position.

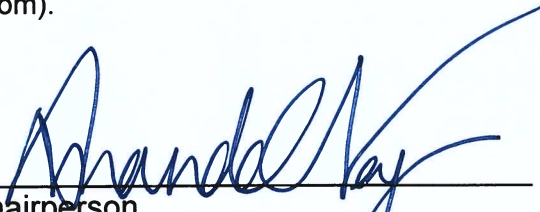
Commissioner Brown asks Director Su'e if we will see pieces of this in our next meeting. Director Su'e explains it is the hope to get this all worked out and put it into track change. Commissioner Brown further offers an observation in view of the historic challenge the City has had in recruiting and hiring new officers, that we would like to look at in the Civil Service Rules to give Chief Almada the maximum flexibility to negotiate with these rehired employees to be able to secure their reemployment with us. Director Su'e offered a point of clarification, that the City Manager is the final authority for all new employees and references as the Chief mentioned, he has to consult with the City Manager for final approval on rehire.


Commissioner Brown asks why then do we need to change the rules and Director Su'e explains the rules need to be clearer, to ensure that we are giving rehires the same things when coming back. Commissioner Vey requests the RCW from President Newcomb, who provides RCW 43.101.125. Chair Vey requests to Director Su'e a copy of the City Manual. Director Su'e confirms and will send a link to Chair Vey. Chair Vey stated that maybe in May the Commission may have something to look at and hopefully by August there is something we can vote on. Chair Vey asks if there are any more matters to bring to the Council.

Chair Vey moved to adjourn the meeting at 12:50 pm. Commissioner Brown asked if a motion was needed. Chair Vey stated no.


The meeting adjourned at 12:50 pm.

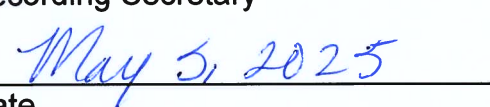
The next Commission Meeting will be held on May 5, 2025 @ 12:15pm (in person and virtually via Zoom).



Chairperson


Date



Recording Secretary


Date