

AGENDA
FIRE MERIT COMMISSION
Monday, October 11, 2021
3:30 P.M.

Council Chambers

Municipal Building, 229 S. Second Street, Elkhart, IN 46516

<https://coei.webex.com/coei/j.php?MTID=m3452e734bda3f0e624ccc87c0d25c99f>

MEETING NUMBER (Access Code): 2310 862 3893

MEETING PASSWORD: Fire21

JOIN BY PHONE: 1-415-655-0001

- 1. Call to Order**
- 2. Roll call**
- 3. Approve Agenda**
- 4. Approve Minutes- September 13, 2021**
- 5. Fire Department**
 - **Approval of Amendment to the Fire Merit Commission Rules Policy 1304 Promotional Process (tabled)**
 - **Disciplinary Notice- Firefighter Andrew Gray**
- 6. IAFF Local 338**
 - **Promotional Process Discussion**
- 7. Public Participation**
- 8. Adjournment**

FIRE MERIT COMMISSION
Monday, September 13, 2021

President Jim Rodino called a regular meeting of the Fire Merit Commission (FMC) to order at 3:30 p.m., Monday, September 13, 2021. Clerk Nancy Wilson called the role. Commissioners Jim Rodino, Mandy Leazenby, Cary Miller, and Doug Bowlby attended in-person. Rev. Stuart was absent. In observance of 9-11, the Commissioners faced the flag and took a moment of silence.

1. AGENDA

On motion by Mandy Leazenby, seconded by Doug Bowlby and carried 4-0, the agenda was approved as presented.

2. MINUTES June 14, 2021

On motion by Cary Miller, seconded by Mandy Leazenby and carried 4-0, the minutes from June 14, 2021 were adopted.

3. FIRE DEPARTMENT

Chief Edgerton presented disciplinary notices for recruit Firefighters J. DeWitt, E. Escobedo, C. Fullmer, and B. LeClaire. They were issued written reprimands for unsatisfactory work quality. They have all gotten a lot better and completed the recruit class. They are now on shift.

Chief Edgerton discussed the promotional process and the hiring process with the commissioners.

4. PUBLIC PARTICIPATION

Jim Rodino asked if there was any public participation or comments on the web. Nancy said that 11 people were watching and there were no comments.

5. ADJOURNMENT

On motion by Doug Bowlby, seconded by Mandy Leazenby and carried 4-0, the City of Elkhart, Indiana Fire Merit Commission was adjourned 4:00 p.m.

_____ Jim Rodino, President

Attest: _____ Cary Miller, Secretary

Promotional Process

1304.1 PROMOTIONAL PROCESS

A. The promotable ranks within the Elkhart Fire Department consist of **five ranks**:

- Rank 1: Firefighter
- Rank 2: Master Firefighter and Driver/Operator (EMS and Fire)
- Rank 3: EMS Lieutenant, Suppression Lieutenant, Suppression Captain, EMS Captain, and Inspector/Investigator
- Rank 4: Assistant Battalion Chief
- Rank 5: Battalion Chief
- ~~Division Chief of Training~~
- ~~Division Chief of Bureau~~
- ~~Division Chief of EMS~~

B. The Fire Chief and Chief of Operations are appointed by the Mayor of Elkhart.

C. Each position shall be described in a written position classification (job description) on file at the Elkhart Fire Department headquarters.

D. Each position has prerequisites of educational standards and years of experience that must be met before the promotional process is started.

E. The promotional prerequisites are as follow:

- Master Firefighter
 - i. Indiana Certified as NFPA Firefighter 1/11
 - ii. Indiana State Licensed/Certified for EMT Basic or above
- Suppression Driver/Operator
 - i. Completed four (4) years of service as a career firefighter with a department.
 - ii. Obtain Indiana State Driver/Operator certification prior to promotion application deadline.
 - iii. Active status Indiana or Michigan Driver's License.
 - iv. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.
 - v. ~~Be in good standing without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
 - vi. Complete the promotional testing process for said position.
- EMS Driver/Operator
 - i. Completed two (2) years of service as a career firefighter with a department.
 - ii. Active status Indiana or Michigan Driver's License.
 - iii. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.

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iv. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~

v. Placed on eligibility list by the Elkhart Fire Department seniority list.

- **Suppression Lieutenant**

i. Completed six (6) years of service as a career firefighter with a department.

ii. ~~Have served in good standings as an Elkhart Fire Department Suppression Driver/Operator.~~ Successful completion of the Indiana State Certification for Driver/Operator by promotion application deadline.

iii. Obtain Indiana Fire Officer I and Instructor I by promotion application deadline.

iv. Active status Indiana or Michigan Driver's License.

v. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.

vi. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~

vii. Complete the promotional testing process for said position.

- **EMS Lieutenant**

i. Completed six (6) years of service as a career firefighter with a department with a minimum of two (2) years as an Indiana State licensed/certified Paramedic, that has been cleared to perform alone as a Paramedic by the Elkhart County Medical Director.

ii. Obtain Indiana Fire Officer I and Instructor I by promotion application deadline.

iii. Active status Indiana or Michigan Driver's License.

iv. Have served in good standings as an Elkhart Fire Department EMS Driver/Operator.

v. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.

vi. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~

vii. Complete the promotional testing process for said position.

- **EMS Captain**

i. Completed ten (10) years of service as a career firefighter with a department.

ii. Hold a valid Paramedic License issued by the state of Indiana

iii. Must be clear and affiliated with current providing hospital.

iv. Have served in good standings as an Elkhart Fire Department EMS lieutenant for a minimum of two years.

v. Obtain Indiana Officer II within one year from time of promotion.

vi. Active status Indiana or Michigan Driver's License.

vii. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.

viii. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~

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- ix. Complete the promotional testing process for said position.

- **Suppression Captain**

- i. Completed ten (10) years of service as a career firefighter with a department.
- ii. Have served in good standings as an Elkhart Fire Department Suppression Lieutenant for a minimum of two years.
- iii. Obtain Indiana Fire Officer II within one year from time of promotion.
- iv. Active status Indiana or Michigan Driver's License.
- v. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.
- vi. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
- vii. Complete the promotional testing process for said position.

- **Inspector/Investigator**

- i. ~~Completed eight (8) years of service as a career firefighter with the fire department.~~
- ii. Have served in good standings at the minimum level of **Master Firefighter Lieutenant** with the Elkhart Fire Department.
- iii. Obtain Indiana Fire Inspector I, II, and Fire Investigator I, by promotion application deadline.
- iv. Active status Indiana or Michigan Driver's License.
- v. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.
- vi. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
- vii. Complete the promotional testing process for said position.

- **Assistant Battalion Chief**

- i. Completed twelve (12) years of service as a career firefighter with a department.
- ii. Have served in good standings at the minimum level of Captain with the Elkhart Fire Department for a minimum of two years.
- iii. Obtain Indiana Fire Officer II by promotion application deadline.
- iv. Active status Indiana or Michigan Driver's License.
- v. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.
- vi. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
- vii. Complete the promotional testing process for said position.

- **Battalion Chief**

- i. Completed ~~fifteen~~ **twelve** (12) years of service as a career firefighter with a department.

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- ii. Have served in good standings at the position of Assistant Battalion Chief, or higher with the Elkhart Fire Department for a minimum of two years.
- iii. Obtain Indiana Fire Officer II by promotion application deadline.
- iv. Active status Indiana or Michigan Driver's License.
- v. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.
- vi. ~~Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
- vii. Complete the promotional testing process for said position.

- ~~Division Chief of Bureau~~

- ~~i. Completed twelve (12) years of service as a career firefighter with a department.~~
- ~~ii. Have served in good standings at the minimum level of Inspector/Investigator with the Elkhart Fire Department for a minimum of two (2) years in such position.~~
- ~~iii. Hold Indiana Inspector I/II and Investigator I certifications.~~
- ~~iv. Obtain Indiana Fire Officer II within one year from time of promotion.~~
- ~~v. Active status Indiana or Michigan Driver's License.~~
- ~~vi. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.~~
- ~~vii. Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
- ~~viii. Complete the promotional testing process for said position.~~

- ~~Division Chief of Training~~

- ~~i. Completed twelve (12) years of service as a career firefighter with a department.~~
- ~~ii. Have served in good standings at the minimum level of Captain with the Elkhart Fire Department for a minimum of two years.~~
- ~~iii. Indiana Fire Officer II, current Instructor II/III, Driver/Operator, Investigator I, and Inspector II/III certifications.~~
- ~~iv. Active status Indiana or Michigan Driver's License.~~
- ~~v. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.~~
- ~~vi. Be in good standings without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
- ~~vii. Complete the promotional testing process for said position.~~

- ~~Division Chief of EMS~~

- ~~i. Completed fifteen (15) years of service as a career firefighter with a department.~~
- ~~ii. Obtained Indiana Fire Officer II by application for promotion deadline.~~
- ~~iii. Obtain Indiana Fire Instructor II/III by application for promotion deadline.~~
- ~~iv. Current Indiana licensed Paramedic, and has held Paramedic license/certification for a minimum of ten (10) years.~~

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- ~~v. Active status Indiana or Michigan Driver's License.~~
- ~~vi. Successful completion of a department Emergency Vehicle Operations course within twelve months of the promotion application deadline.~~
- ~~vii. Be in good standing without receiving any disciplinary suspension within twelve months prior to the application deadline.~~
- ~~viii. Complete the promotional testing process for said position.~~

F. The Commission hereby recognizes and approves any eligibility lists established by the 2016 promotional process. The Commission upon recommendation by the Fire Chief shall appoint any person from those eligibility lists to the applicable rank. These eligibility lists shall expire two (2) years from the date each list was established, and the selection process described herein for establishing each eligibility list shall be applicable.

1304.2 PROMOTIONAL TESTING PROCESS

A. The Chief of Training will submit a request to conduct a promotional exam process to the Merit Commission when deemed necessary, after the previous eligibility list for said rank is exhausted, or has reached the two (2) year eligibility date.

B. The promotional process will consist of:

- Written exam
- Practical/Assessment
- Interview/Evaluation
- Performance Record Review

C. The application deadline for promotion will be set ten (10) days prior to the first exam date.

Qualifying firefighters must submit their application for promotion by 5:00 pm of the application deadline date.

D. The firefighter is responsible for attaching all and any certifications applicable to the position, to their application. The application shall include a professional resume for the desired position.

E. All applications must be submitted in writing to the Chief of Training, by the application deadline. Email applications are not accepted.

F. An information packet will be provided to the firefighter, upon submission of their application for promotion. The packet will include, but is not limited to; details about the process, a copy of the policy governing the test, contact personal (if applicable), additional information and/or directions.

G. In the event the Chief of Training is testing for any position, the Chief of Operations will conduct the examination process.

H. Notification of the process with specific times and locations for the exams for the written and practical (assessment) portions of the promotional exam process will be published by email and posted at each fire station, thirty (30) days prior to the written exam. Two exam sessions will be provided, however firefighter's will be allowed to sit for a promotional exam, while on-duty if they have submitted such request in writing to the Chief of Training, ten (10) business days prior to

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the exam. The firefighter must meet all established qualifications in order to submit application.

Assigned study material will be applied to the published notification.

I. Assigned study material will be made available at each fire station, and must remain at the designated station.

J. Firefighters must register for the written and practical exam dates, by the application deadline.

K. Any firefighter who is late for any phase of the promotional process, without prior approval from the Chief of Training, will be eliminated from the process.

L. Any firefighter who reveals any information regarding any phase of the process is subject to elimination from the remainder of the process and is subject to disciplinary action.

M. The written exam will be issued by the Chief of Training, and graded by a shift Instructor that is not sitting for the promotional process. The firefighter's name shall be excluded from the individual who is grading the exam. All scores will be submitted to the Chief of Training.

N. The practical (assessment) exam is comprised of position related tasks and duties. Conducted and evaluated by the Chief of Training, and the Chief of Operations or designee.

O. The Chief of Training will set the dates for the interview/evaluation portion of the promotional process. A firefighter must submit in writing to the Chief of Training, a request to complete the interview while on-duty, when the firefighter confirms their date of interview.

P. The Chief of Operations will establish a validation committee consisting of:

- One Merit Commissioner.
- One IAFF Local #338 board member or appointee by the Union board.

Q. The validation committee will have access to review the testing process, and shall sign off on as reviewing the tests and scores, upon completion of each portion of the exam process. All exam documents and testing material will be placed in a secure location where only the Chief of Training and validation committee have access. Signature with date and time must be recorded any time the material has been accessed by the Chief of Training and/or the validation committee.

R. The weight of each component of the promotion process consists of:

- Written Exam (40%)
- Practical/Assessment exam (40%)
- Interview/Evaluation (10%)
- Performance record (10%)

S. Points included for the performance record are established in the fire department's policies, with scores reviewed over the past two years.

- Scoring will include
 - i. Additional certifications for the specific position
 - ii. Seniority
 - iii. Discipline received
 - iv. Attendance

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T. The Chief of Training will provide a list of all scores to the Fire Chief's office, in order for the Fire Chief to create the promotional list, ranking personnel on the respective list in order of their accumulative scores on all rating factors.

U. The Fire Chief shall submit the promotional list to the Merit Commission, certifying the list for;

- Two years from certification date, or
- Upon exhausting the promotional list.

V. The Fire Chief shall inform the Merit Commission a vacancy that occurs in any of the described promotional ranks. The Merit Commission shall certify to the Fire Chief the member with the highest score for the specific rank. The Merit Commission on recommendation of the Fire Chief shall promote the member to fill the vacant position.



Rod Roberson
Mayor

Shaun Edgerton
Fire Chief

Rodney Dale
Assistant Fire Chief

Kristi Sommer
Assistant Fire Chief

Bette Howard
Administrative Assistant

Jamie Kochanowski
Administrative Assistant

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October 06, 2021

Fire Merit Commission
229 S. Second St.
Elkhart, In 46516

RE: FF Andrew Gray
Disciplinary Action

Commissioners,

Due to the violation of policy listed below, Firefighter Andrew Gay was issued a suspension of five (5) days.

Violation: 302.01 (F) Conduct Unbecoming an Officer

Action: Suspension

Respectfully submitted,


Shaun Edgerton
Fire Chief

Cc: Personnel File