

**SPECIAL MEETING AGENDA
TOWN OF EAST HARTFORD PERSONNEL APPEALS BOARD**

Upon the Call of Chair Shaun Jones, a Special Meeting of the Town of East Hartford Personnel Appeals Board will be held:

Wednesday, October 13, 2021, 5:30 PM

Pursuant to Governor Lamont's Executive Order 7B, the Special Meeting will be held virtually via Microsoft Teams:

Members of the public may attend the meeting by utilizing the below call-in number:

Call-In Phone Number: 1-929-235-8441

Phone Conference ID: 519 583 932#

MEETING AGENDA

1. Call to order
2. Approval of minutes of the August 23, 2021 meeting
3. Communications
 - a. Appeal submitted on September 15, 2021, by Ofc. Jason Guerrero, of the Amended Eligibility List for Police Sergeant released on September 1, 2021
 - b. Appeal submitted on September 20, 2021, by Ofc. Frank Thomas, of the Police Sergeant Oral Board Examination of May 29, 2019
4. Discussion
5. Adjournment

Distribution:

Personnel Appeals Board Members:

Shaun Jones, Chair

Godfred T. Ansah

Richard Bates

Rosamond White, Alternate

Town of East Hartford:

Mayor Marcia A. Leclerc

Scott R. Chadwick – Corporation Counsel

Richard P. Gentile – Assistant Corporation Counsel

Theresa Buchanan – Director of Human Resources

Scott M. Sansom – Chief of Police

Mack Hawkins – Deputy Chief of Police

Union Representation:

Officer Nicholas Palladino – East Hartford Police Officers Association, Acting President

Appellants:

Police Officer Jason Guerrero

Police Officer Frank Thomas

Supplementary Counsel for the Town of East Hartford:

Floyd J. Dugas, Esq.

c/o Berchem Moses PC, 75 Broad Street, Milford, CT 06460 or 1221 Post Road East, Westport, CT 06880

Supplementary Counsel for the Appellants:

Stephen F. McEleney, Esq.

c/o McEleney & McGrail, LLC, 112 Spencer Street, Suite 3A, Manchester, CT 06040.

HOW TO JOIN THE MEETING

- 1) Select the “Click here to join the meeting” link below. You will be prompted to either continue within your web browser or open the meeting on the Microsoft Teams application (if installed).

Join on your computer or mobile app

[Click here to join the meeting](#)

- 2) You can phone in using the call in number and Conference ID below:

CALL IN NUMBER: 1-929-235-8441

CONFERENCE ID:

Robert J. Park

2021 SEP 15 AM 8:37

To: The Personnel Appeals Board/Town Clerk

TOWN CLERK
EAST HARTFORD

I am requesting to contest/appeal the ranking order of the Amended Eligibility List for Police Sergeant that was released on September 1, 2021. The Amended list shows the date of the list established as of September 2, 2021.

The Town of East Hartford is violating the following:

East Hartford Police Officer's Union Contract

ARTICLE XXI Section 2 (a) states, all promotions shall be by examination. There shall be a written and an oral test. Scoring will consist of fifty-five points for written exam, forty points for oral exam and up to, but not in excess of 5 points for service.

Section 2 (c) states, members shall be entitled to service credits on the basis of $\frac{1}{2}$ of 1 point for each full year of service, provided however, that a total of 5 points shall represent the maximum service points allowed under this.

Section 8) All promotions above the rank of Police Officer shall be made in accordance with the Town's Personnel Rules and Merit System.

Town of East Hartford Personnel Rules and Merit System

SECTION 20.1 (a) Candidates must attain the minimum rating on each part of the test in order to be placed on the eligibility list. The final rating of the competitor shall be determined by averaging the rating of each part of the exam in accordance with the weights established for each part of the examination.

Article Section 24.1 (b) Promotional Lists of the Town's Rules and Merit System states, After each promotional exam, the Human Resources shall prepare and keep available a promotional eligible list of persons successfully passing the examination **arranged in order of final weighted ratings received.**

In my email sent on September 2, 2021 to the Human Resources Director, Theresa Buchanan, I questioned the Amended Eligibility List which shows that I was ranked #7 on the list of 7. I requested my final weighted score as required per the contract and merit system. The final weighted score should consist of the following: written (55%), Oral score (40%) and my seniority points (5%).

The Director responded "Your written score was 90.38% and oral was 60%. Because you essentially failed the oral, the seniority percent was not calculated". In addition, a separate email states the following, " You were added to the list per the PAB. Nothing was declared to change your grade differently than what you earned. Your scores remained the same but per the PAB, you have been added to the list." The original correspondences can be provided.

I explained in an email to the Director that I've been a Police Officer in East Hartford for 16 years and that I have earned those seniority points. Her personal decision to not include my seniority points is a clear violation. I explained that she would have to utilize the written, oral and seniority points with the proper weighting to be in accordance with the Police Union Contract and Personnel Rules and Merit System. The original correspondences can be provided.

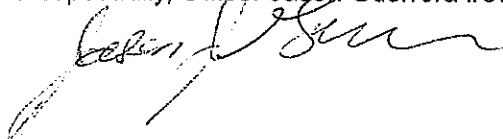
The Director responded that she believes her earlier email explains her position.

The PAB ruled in my favor and affirmed my appeal. The PAB made the decision to add me to the eligibility list and stated for Human Resources to make the final ranking order. In order for Human Resources to be in compliance with their own rules and merit system and the Police Department contract, they would need to correctly add my written score, oral score, and seniority points utilizing the proper weighting for a final score. Human resources would then have to use the correct score to update the eligibility list with the proper ranking.

I've sent several emails to the Director asking what my final weighted score is and she has not answered my requests.

Due to the violations of the Town Personnel Rules, Merit System, and the East Hartford Police Union's contract as well as the lack of transparency leaves me no choice but to appeal this Amended Police Sergeant Eligibility List.

Respectfully, Officer Jason Guerrero #307

A handwritten signature in black ink, appearing to read "Jason Guerrero", written over a horizontal line.

September 20, 2021

To: Personnel Appeals Board, Town Clerk

I am requesting to appeal the Police Sergeant Oral Board Examination conducted on 5/29/19.

Other officers have already filed appeals of this Oral Board on the grounds of inconsistent scoring, inability to view one's personal score, and other inconsistencies. After several Town Council sessions pertaining to the validity of these Oral Board interviews, the Oral Board was found to be unfair. During one of these sessions it was voted that Officer Guerrera (#307) won his appeal.

After Officer Guerrera won his appeal, the eligibility list for sergeant was appropriately amended to include the additional officers that had passed the written examination irrespective of their results on the tainted Oral Board interviews.

I am among the officers who passed the objective written examination but failed the Oral Board that has been arbitrated as unfair.

For unknown or undeclared reasons, the current sergeant eligibility list has not been publicized. This lack of transparency is in accordance with the inconsistencies that have been present (and appealed) throughout the testing process. I am disappointed that the department has not, in the immediate aftermath of these judgments, made it a point to immediately publicize all developments regarding this situation as was expected from the start and has been done in the past. However, there has been talk throughout the department over the past week or so that alleges that my name is no longer on the current sergeant eligibility list. I do not have the ability to confirm this rumor that pertains to my own career and future with the department because the list has not been made available for the officers to review.

Officer Guerrera won his appeal in fairness, therefore since I have been in the exact same situation as him from the start, I can only conclude that if I am truly not on the current sergeant eligibility list, it must be simply because I did not formally appeal the examination like he did. Based on this new information that I must file an appeal in order to have an injustice rectified for me in the same manner as it has already been rectified for others in the same position, I am contacting you now to formally appeal the Police Sergeant Oral Board Examination of 5/29/19, and I trust that you will extend the same rectification to me as you have to my peers in the same circumstance.

Thank you for your time and consideration.

Respectfully,

Officer Frank S. Thomas (#296)

A handwritten signature in blue ink, appearing to read "F. Thomas", with the number "#296" written next to it.

TOWN CLERK
EAST HARTFORD

2021 SEP 20 PM 2:08

A handwritten signature in blue ink, appearing to read "Robert J. Cook".