

Cromwell Fire District

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FIRE DISTRICT OFFICE
WATER DIVISION

FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE

BOARD OF COMMISSIONERS

Personnel Committee Meeting

Tuesday, January 11, 2022

5:30 PM

Coles Road Firehouse
105 Coles Road
Cromwell, CT

Present: Commissioners Robert Donohue (Chairman), Jason Hinnners, David Colligan and Mertie Terry. Also attending were the Executive Director Julius Neto and Fire Chief Jason Balletto.

- I. Call to Order. The meeting was called to order at 5:35 PM.
- II. Approval of Agenda. A motion was made by Commissioner Hinnners, seconded by Commissioner Colligan and unanimously approved to accept the agenda as submitted with the following additions: under New Business, Item B. adding, "& Full Time Job Posting" to the end of that item and adding an Item D. MOA, Cromwell Fire District and Local 4662 regarding part-time holiday pay.
- III. Public Comment. There were no public comments to report.
- IV. New Business
 - A. Discussion on Volunteer Recognition/Compensation Program. The Executive Director distributed a proposal outlining the Volunteer and Unscheduled Fire, EMT and Fire Police Programs. The document is strictly a proposal. The program was developed through the Chief's office. It has been edited by Assistant Chief Brade and Acting Assistant Chief Petrucelli. They were asked to put a document together as possible next steps to re-energize the volunteers. The document identifies some compensation and refocuses on tasks that need to be implemented for the unscheduled with some guidelines. Mr. Neto asked the Committee to take some time to review it and provide feedback for things that need to be changed or edited. They think that if they keep tweaking the staffing model with the volunteers they are finding and without violating the FLSA, they can provide some financial compensation at a conservative 10%. The Dept. of Labor requires that compensation not exceed 20%.

Commissioner Colligan had read the document and complimented the Chiefs for a fantastic job. He had a request to move the volunteer meeting from the third Monday night of the month to some other Monday night or other night agreeable with everyone so it does not conflict with the Fire Operations Committee meeting which is usually held on

the third Monday night of the month. Chief Balletto noted that the document is still in rough draft, and it would not be a problem to change the day of the volunteer meeting.

A motion was made by Commissioner Hinnners, seconded by Commissioner Colligan and unanimously approved to table the Volunteer Recognition/Compensation document until the next meeting.

- B. Discussion and Clarification on CPAT Requirements for Firefighters and Full-Time Job Posting. The Executive Director distributed copies of an excerpt of the Personnel Committee meeting minutes of November 21, 2019, in which the Personnel Committee voted to approve the new hiring procedure for firefighters to include a requirement of CPAT certification within one year prior to their start date. Mr. Neto noted that this is what the Department will be striving to. Up to this point the Fire Department has been hiring part-time firefighters without CPAT in their efforts to try to recruit part-timers.

The Fire Department needs clarification from the Personnel Committee that going forward any part-time or full-time new hire will be required to have CPAT. Part-timers that are currently with the Fire Department are not required to have CPAT. The Department will have to grandfather those up to the point that a clarification is made. Commissioner Colligan thought that the requirement would hinder the Department from getting part-time members, and they would not be able to use them. They got a legal opinion at that time. It was decided if a person wanted a full-time position, they needed CPAT.

Commissioners Colligan and Hinnners discussed the motion that was made at the November 21, 2019 meeting, and they believed that the motion was made with the intent to not hinder the Fire Department from hiring part-time people or keep part-time people. They believe they are going to tie their hands if they want every part-timer to have CPAT.

Chief Balletto distributed copies of a job posting for a full-time firefighter position. He tried to post it internally, but on the first day of posting there was a requirement that was not inserted into the document which was CPAT certification. The reason they did not include CPAT was because they identified a couple of issues with the recruitment process. In order to accommodate everyone's request, they added the CPAT requirement to the posting. If posted internally, the Chief will not be able to test internal candidates. Any part-timers applying for the position internally were not required to have CPAT at the time they were hired, so they are technically referred to as "incumbents." Due to this situation, the Chief had to redact the job posting and initiate discussions with both the District's attorneys and the Union's attorneys. The new job posting that the Chief also distributed will be going external only.

Commissioner Hinnners asked for some explanation about incumbents. The Chief explained that the IAFF rules define an incumbent as a part-time firefighter doing the same job duties as a full-time firefighter. The Chief reminded everyone that this process started prior to unionization. The moment the members became unionized, they had to follow the same rules as the IAFF as an incumbent. Part-time unionization is interfering with that part of the staffing model. They would be violating union rights to work in Cromwell.

Chief Balletto explained that if a part-time person applies for a full-time firefighter position they will be required to have CPAT certification. If they cannot pass CPAT, they will not be considered for the full-time position. However, as a part-time union member, the District would be violating their right to work in Cromwell as a union member who was not required to have CPAT when they were hired. Even though they cannot meet the minimum standards required by the IAFF and the IFC. This is being used nationwide. By going external with the posting, it will not prohibit the part-timers from applying. They just need to meet the standards of the external testing process.

Regarding the external job posting, points will be given for military status, and for any Town resident that meets certain criteria. Some of the criteria is being a Town resident for at least 3 years with documentation to support that. There is only a total of 5 points that can be accumulated.

After discussing the issue raised in the hiring process, and the issues with the job posting process, the Chief wanted to discuss what should be done going forward. Should they make it a requirement for CPAT for any of the part-time employees so this will not have to be addressed again? Can they possibly do something internally going forward? If the Personnel Committee decides not to require CPAT, they will not be able to go internal again. It will be impossible unless they are requiring CPAT. The Chief asked if they can try the external posting concept and see if it works for a trial period and maybe come back to it and rescind it if it is not working.

The Chief explained that once this issue of CPAT requirements came up, he had redacted the job posting for part-timers until the requirement issue can be resolved. There are five people that applied to the job posting prior to it being redacted. If a decision is made at this meeting, he would like to have an effective date of February 1, 2022.

The caveat to the job posting for part-timers is that one of the required pre-requisites is a valid CPAT certification not expired within one year from the date of hire or documentation of continuous (2 years or more) employment in a Career Fire Department with successful completion of the CFA or Local AHJ Recruit Firefighter program. The reason it is 2 years or more employment on the part-time posting and 3 years on the full-time posting is because it reads the same as the Local 4662 contract. If a person were to leave the Department after 2 years of service, they would owe the Fire Department money for training, gear, etc. For part-time employees, it does not matter because they are working in the Department part-time as a career firefighter. The language is the same in the job description as it was in 2019. It was approved by the Union and the Personnel Committee. The Chief suggested a trial period for a couple of months to see what happens because they have been operating this way.

Chief Balletto mentioned that to decrease liability, he would have to ramp up the physical requirement. If that is the case, the Chief will have to adopt 1582. They would have to create 2 significant physicals. One for the career personnel and one for any new employees coming in. The Chief added that before July he would like to sit down with the Health & Safety/Building Committee of the Union to discuss what will happen going forward with physicals on the career side. They will be governed by 1582 and the "al a carte" physicals as needed to meet requirements of OSHA and NFPA. Without having CPAT in place, the Department cannot guarantee if the individuals can actually do the job that is in place. If they do not go with CPAT, he will have to increase the physical process for those individuals only. It will be a financial burden as well. The Chief

stressed that they will not be able to test annually. They made the recommendation not to grandfather people in and put this into effect starting February 1. If they put this into practice, those people are considered incumbents and cannot be tested per the IAFF and the CPAT manual. The purpose is to determine if a person is physically fit to perform the job. There would need to be a wellness program, because people cannot be terminated.

The Chief pointed out that the Committee can either adopt this on February 1, 2022, which means that everyone hired before that date will be grandfathered in and do not have to meet the CPAT requirement. OR the Committee can make the decision not to adopt any of this and go back to the status quo, but they will not be able to post internally to hire or go through the promotional process to hire anyone internally unless they have a CPAT.

The Chief apologized as the bearer of bad news, but he does run into issues as he is trying to move the Department forward. He feels it is best that the Personnel Committee come to a decision and stick with it. There can be no more diversions from a process that is in place. The Chief is also concerned that the Department may not be able to recruit part-timers, but feels we should try to follow a consistent path.

Commissioner Colligan thinks that the Committee should proceed with what the Chief wants, but feels it should be reviewed quarterly for the next year. The area of concern is part-time recruitment. If there are issues with part-time hiring, he would think that the Personnel Committee would need to have discussions with the District's attorneys. Commissioner Colligan feels that if the Committee has the authority to make policy decisions, they should be able to ask questions as well. The Executive Director assured the Committee that staffing is monitored daily and will continue to be until they have come to some solutions.

To clarify the existing policy and the motion made by the Personnel Committee on November 21, 2019, a motion was made by Commissioner Colligan, seconded by Commissioner Hinnners and unanimously approved that effective February 1, 2022, all newly hired Cromwell Fire Department scheduled, part-time firefighters/EMT's, full-time firefighters/EMT's and new hires meet the CPAT requirement as part of their employment qualifications. (This does not apply to unscheduled single certifications, or volunteers.)

CPAT will not be required for volunteers. Only those that want to transition to the scheduled side of operations. Annual physicals will be the only thing required for volunteers.

A motion was made by Commissioner Hinnners, seconded by Commissioner Colligan and unanimously approved to accept the job postings as presented for Career Full-Time Firefighters and Part-Time Firefighters.

C. Discussion and Process for Performance and Annual Review of the Executive Director.

The Executive Director had put this on the agenda as a reminder because according to his contract, the Personnel Committee should be reviewing his job performance. Last year the Personnel Committee had referred this to the President for action.

A motion was made by Commissioner Hinnners, seconded by Commissioner Colligan and unanimously approved to direct the President of the Board to meet with the Executive

Director to follow the same format used for the 20/21 performance review. The outcome will be brought before the full Board of Commissioners for review.

- D. MOA Cromwell Fire District and Local 4662 - Part-Time Holiday Pay. A draft copy of the agreement was distributed for review. A copy is attached to the minutes on file in the Fire District Office. The language states that if a part-timer works a holiday, they will receive 8 hours of pay. However, if a person is a part-timer and works a 7:00 PM – 7 AM shift where the holiday begins at midnight, they are working 7:00 PM – 12:00 midnight before the actual holiday, and then 12:00 midnight to 7:00 AM on a holiday. The way the contract is interpreted, a person would get 8 hrs. holiday pay for the 7 hours worked on the holiday. The agreement stipulates with some examples how an individual will receive their regular pay for the amount of hours worked on a shift, and holiday pay for the amount of those hours that were considered part of the holiday.

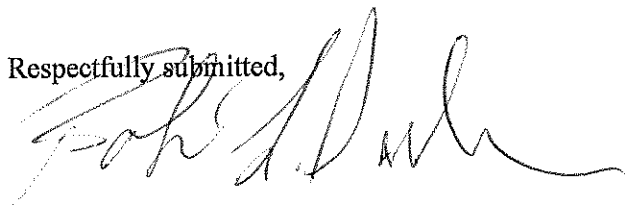
A motion was made by Commissioner Hinners, seconded by Commissioner Terry and unanimously approved to accept the MOU for holiday pay for part-time firefighters.

- V. Commissioners' Comments. There was a brief discussion about employees that need to work in the cold weather. Both Fire and Water Department personnel have been equipped with cold weather gear as noted by the Chief and the Executive Director. Fire personnel have been instructed to take time-outs in the apparatus to warm up if they can. The Chief has issued some recommendations. Officers should also make sure members are properly prepared for the weather.

Chief Balletto distributed copies of an announcement that the Fire Department will be sponsoring a free face mask and hand sanitizer giveaway on Saturday, January 29, 2022, from 10 AM to 2 PM, at the Coles Road firehouse while supplies last. It will be advertised on social media. He also distributed copies of a Fire Department newsletter that was worked on with his Administrative Assistant. This document was originally started by Chief Pendl. Chief Balletto is trying to bring it back to help communications in the Fire Department.

- VI. Adjournment. There being no further business, a motion was made by Commissioner Hinners, seconded by Commissioner Colligan and unanimously approved to adjourn the meeting at 6:48 PM.

Respectfully submitted,



Robert Donohue, Chairman

Nancy Deegan
Recording Secretary

