



County of Santa Cruz

PERSONNEL DEPARTMENT

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060-4073

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DANIA TORRES WONG, DIRECTOR

April 24, 2002

Agenda: May 7, 2002

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

CIVIL SERVICE RULE CHANGE

Dear Members of the Board:

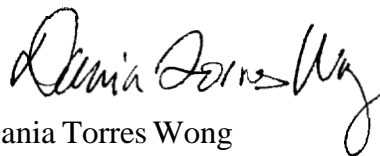
The Civil Service Commission approved a Civil Service Rule change and recommends it to the Board for concurrence to resolve a potential conflict that has arisen between the Civil Service Rules and federal law. Federal law, as implemented by Department of Transportation (DOT) regulations, mandates upon the County random drug testing for certain employees in the Public Works and Parks Departments who regularly drive in the course of their work. The regulations stipulate a set of requirements should an employee test positive for the first time on a mandated random test. These requirements include counseling and re-testing, a process that is not guaranteed to be completed within the thirty days the Civil Service Rules allow for an employee to be away from work.

The proposed change to the Civil Service Rules, shown in both the sections defining the authority and definition for time away from work, would provide that an employee who has been removed from his/her position under the federal law implemented by the Department of Transportation (DOT) regulations shall not return to work until he/she has had a reasonable time to satisfy all DOT requirements even if the requirements take more than 30 calendar days to complete. These changes are included in the attached resolution and are recommended by the Commission for your approval. This proposal was provided to SEIU Local 415 in writing in advance of the Commission action, and they have indicated they have no objections to this proposal.

Therefore, it is RECOMMENDED that your Board approve the attached resolution approving a change in the Civil Service Rules relating to time away from work to implement federal law.

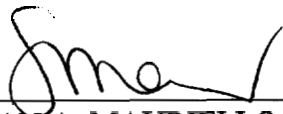
Very truly yours,

0138



Dania Torres Wong
Personnel Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

cc: Civil Service Commission
Directors of Parks and Public Works
SEIU, Local 415

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted:

RESOLUTION AMENDING PERSONNEL REGULATIONS

WHEREAS, the Civil Service Commission has adopted changes to the Civil Service Rules in relation to the federal law relating to random drug testing; and

WHEREAS, it is now desirable and necessary to amend said resolution to effect said changes; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Personnel Regulations 130 Section XIV/Disciplinary Actions and in the Policy On Disciplinary Actions/Stage III be amended as shown in "Attachment A" as written.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 2002, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS

Janet K. Beautz, Chairperson of the Board

ATTEST: _____
Clerk of the Board

Approved as to form:



Assistant County Counsel

cc: All Departments
Civil Service Commission

“Attachment A”

Proposed Changes To Civil Service Rules (actual additions are shown underlined and in bold):

Section 130, Page 46 (Section XIV/Disciplinary Actions):

- A. Authority. Employees may be dismissed, suspended by the appointing authority for a maximum of 30 calendar days or demoted as provide in the Civil Service Ordinance, except that an employee who has been removed from his/her position under the federal law implemented by the Department of Transportation (DOT) regulations shall not return to work until he/she has had a reasonable time to satisfy all DOT requirements even if the requirements take more than **30** calendar days to complete.

Section 130, Page 55 (Policy On Disciplinary Actions/Stage 111):

- A. Suspension. . . . The maximum period an appointing authority can impose is 30 calendar days, except that an employee who has been removed from his/her position under the federal law implemented by the Department of Transportation (DOT) regulations shall not return to work until he/she has had a reasonable time to satisfy all DOT requirements even if the requirements take more than **30** calendar days to complete. Suspensions are normally taken in cases involving . . .