

Civil Service Commission Minutes
Thursday, January 17, 2008

The Civil Service Commission held a quarterly meeting on Thursday, January 17, 2008 in the Board of Supervisors' Chambers, 701 Ocean Street, Santa Cruz, California.

ORDER OF BUSINESS

1. Call to Order: Chair Barsi called the meeting to order at 5: 50 p.m.
2. Attendance: Commissioners present: Chair Barsi, Vice Chair Judy Jones, Patricia Fink, Robert Taren and Jack Gordon. Present: Thornton Kontz, Commission Attorney, Laurie Hill, Staff to the Commission, Ajita Patel, Acting Personnel Director, and Personnel Analysts Terri Cobbs, Christa Schleiner, Kim Begley, and Nisha Patel.
3. Approval of Minutes: The minutes of the October 18, 2007 meeting were approved 5-0.
4. Oral Communications: Nancy Elliot, SEIU Local 521, reported the opening of the recruitment for Personnel Director and observed that the County Code calls for the Civil Service Commission to participate in the selection process.
5. Secretary Report: Secretary Hill reported that the recruitment for Personnel Director opened on January 14, 2007, after the deadline for Commission agenda materials. The County Administrator's Office is managing the recruitment and the application deadline is February 22. Chair Barsi wanted the Commission to be a part of the process. Commissioner Jones offered that she was the Commission's representative during the selection of the last Personnel Director. Acting Director, Ajita Patel, said that the County Code and the Civil Service Rules outline the process for recruitment and examinations. The County Administrator well aware of the Commission's required input and would welcome it as in years past. Commissioner Taren moved, and Commissioner Fink seconded that the Secretary prepare a letter to the County Administrator formalizing their request to participate in the selection process. The Commission selected Commissioner Jones as their representative and Commissioner Gordon as her alternate.

The Human Resources Agency has changed its name to Human Services Department. Leadership Academy started this month. The Commission continued a hearing originally scheduled for February 20 to March 19. Chair Barsi requested a waiver from the parties for the delayed hearing date.

6. Old Business:
 - a. Status of the ad hoc committee on Civil Service oversight, job specifications, job reclassification and the Whistleblower Hotline. Commissioner Taren said he received information from the Auditor's office regarding the Whistleblower program. He expressed concern regarding the process that referred a complaint back to a department from which the complaint generated and that such process could have a chilling effect on

the complainant. He said an independent agency or department should investigate such complaints.

Jim Heaney said he was also concerned about the lack of protection for complainants. He referenced the letter from Personnel addressing SEIU's concerns and distributed at the January Commission meeting, that it appeared to be the Personnel Department reporting on themselves. He also referred to the audit conducted by Cooperative Personnel Services (CPS) and said it was his understanding that this audit focused on the Human Resources Agency and Child Support. He maintained that even perceptions of conflicts of interest are a concern and that an independent body should investigate such matters.

Victoria Rodriguez said that the memo did not address their concerns and still hopes to talk to Commission in a confidential manner.

Nancy Elliott said that she had just received the letter and audit referenced above and intended to follow at a later date with a detailed response. She also talked to Gary Burkett, from CPS, who said that he reviewed Human Resources and Child Support. She is concerned about provisional appointments in hiring and promotional opportunities and wants to work with Ad Hoc committee to address these concerns. SEIU also filed information with the Grand Jury.

Commissioner Taren said that he met with Barsi, reviewed Whistleblower information from the Auditor's office, and had concerns regarding confidentiality and Brown Act. He said that they agreed that they should improve the Commission's website and consider having someone else investigate concerns within a department. Nancy Elliott added that the delegation of provisional hiring decisions should be reviewed, citing her concerns regarding the provisional hiring of a managers' roommate and the provisional hiring of the former Personnel Director's husband.

Chair Barsi said he was interested in the procedural concerns of the Whistleblower program, recruitment testing and provisional hires. Commissioner Jones reinforced that the Whistleblower program was a good focus.

Commissioner Gordon asked Thornton Kontz, Commission Counsel, how they can maintain confidentiality in these Personnel matters. Mr. Kontz said that confidentiality was part of the problem with the ad hoc committee as they do have Brown Act requirements. He said the employees do need somewhere, similar to the Whistleblower program, to bring their concerns but that the Commission was not the best body for these complaints under its current charter. Gordon suggested that it was similar to a police auditor – an independent body that reports directly to the Board. Barsi considered drafting a letter to the Board regarding the concerns. Barsi closed by saying that he felt the Ad Hoc committee could look at the provisional employee rules with the help of the Union.

b. Secretary Hill reported the Board's approval of the Commission's request for a twelve month probationary period for the Sheriff's Department Latent Print Trainee and Latent Print Examiner.

c. The discussion of amendments to the Civil Service rules regarding hearings will be postponed until sometime after the appointment of a new Personnel Director.

d. Secretary Hill said the new Commission website is up and the meeting agendas and minutes will be posted. In response to questions, she said that the email requests go directly to the Secretary, and the Commissioners clarified that was how they wanted it to work.

7. New Business

a. Elections: Commissioner Jones nominated Commissioner Fink as Chair, seconded by Commissioner Gordon. Fink was elected as Chair 4-0-1 and she presided over the remainder of the meeting. Commissioner Jones nominated Commissioner Gordon for Vice Chair, seconded by Commissioner Barsi. Gordon was elected Vice Chair 4-0-1.

b. Consider draft commendation for departing Personnel Director. There was some discussion regarding timing and precedent for such recognition. Commissioner Jones moved to draft a commendation. The motion failed for lack of a second.

8. Reports

a. Annual Report 2007: Commissioner Taren moved, and Commissioner Jones seconded to approve the draft annual report with an added goal to continue the work of the Ad Hoc Committee to address concerns raised by Service Employees International Union. Approved: 5-0.

b. Commission received the Discipline report.

c. Commission adopted the Delegated Classification report. 5-0

d. Commission received the Employment Services Division Report.

e. Commission received the 2008 Meeting Schedule

9. Received Correspondence

a. Board of Supervisor approval of the 12- month probationary period for the Latent Print Examiner and the Latent Print Examiner Trainee.

b. Reappointment of Michael Barsi to the Commission.

10. Adjournment: There being no other business or public comment, the quarterly meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Laurie Hill, Staff to the Commission