

SANTA CRUZ COUNTY  
CIVIL SERVICE COMMISSION  
Minutes for January 17, 2013 at 5:45 p.m.  
701 Ocean Street, Room 500  
Santa Cruz, California

Present: Olivia Madrigal, Dina Hoffman and James Maxwell.  
Absent: Carmen Potro and Margaret Leonard.

Staff present: Ajita Patel, staff to the Commission.

1. Approved minutes of the meeting of November 15, 2012. Motion/Second: Maxwell and Madrigal.

AYES: 2  
NOES: 0  
ABSTAIN: 1 (Hoffman)  
ABSENT: 2 (Petro and Leonard)

2. Changes or additions to the agenda: None
3. Oral Communications: Debbie Narvaez, Executive Director with Service Employees International Union (SEIU) introduced herself and noted that SEIU will speak on Item b. under Old Business.
4. Secretary's report: Two upcoming disciplinary hearings. One in February and the other in April.
5. Old Business:
  - a. Ms. Patel reported that the Health Officer item requires a 4/5 vote and as we only had three Commissioners present the Commissioners could not act on this item. Staff will return at the next meeting for consideration.
  - b. SEIU representatives Debbie Narvaez, Veronica Rodriguez, and Jeffrey Smedberg spoke, on behalf of the employee Arthur Mier, in support of his request for an evaluation hearing.

The representatives relayed that the 2011 evaluation process was flawed, the evaluation protocols and accepted standards were not followed, clear standards and guidelines were not given, the Personnel Director designee review was based on a prior evaluation which is a flaw, there was no fairness, progressive discipline was not used, and the reference to an oral counseling was described in the evaluation and that should not be placed in the file.

The employee, Arthur Mier, also spoke. Mr. Mier relayed that he feels targeted because he received the evaluation within one week of notifying his supervisor that he was in the process of obtaining employment with the Department of Justice. Mr. Mier was very surprised when he received his evaluation, because his supervisor did not have regular meetings with him or share performance concerns prior to serving the evaluation. Mr. Mier believes that the standards and expectations are higher for him than others; and, as such he is treated differently by the Sheriff's Office. Mr. Mier feels his reputation has been damaged and he will not be able to transfer, promote, or find employment elsewhere because the personnel file includes documents with disparaging remarks.

Commissioners discussed the issues presented.

Commissioner Hoffman relayed that the Civil Service Rules are specific and permit appeals to the Commission for particular actions. She did not find that the Commission had jurisdiction over this particular employee action but the Commission does have procedural oversight. As such, she requested that Staff work with the Sheriff's Office to review their evaluating process. Commissioner Madrigal agreed with Commissioner Hoffman and additionally asked Staff to report back on the Sheriff's Office use of benchmark ratings, measurement tools, consistency, accountability, and oversight. Lastly, Commissioners confirmed that the employee received appeal avenues up to the Personnel Director which is considered a final review with no further appeal.

Motion to consider the matter reviewed and take no further action.  
Motion/Second: Hoffman and Maxwell.

AYES:	3
NOES:	0
ABSTAIN:	0
ABSENT:	2 (Potro and Leonard)

6. New Business:

a. Commissioners reviewed the Annual Report with no recommended changes. Motion/Second: Maxwell and Hoffman.

AYES:	3
NOES:	0
ABSTAIN:	0
ABSENT:	2 (Potro and Leonard)

b. Commissioners voted to keep the same Chair and Vice-Chair.

Motion/Second: Maxwell and Hoffman.

AYES: 3

NOES: 0

ABSTAIN: 0

ABSENT: 2 (Potro and Leonard)

7. Adopted Delegated Classification Report. Motion/Second: Hoffman and Maxwell.

AYES: 3

NOES: 0

ABSTAIN: 0

ABSENT: 2 (Potro and Leonard)

8. Received and filed correspondence: 2011 correspondence from Chair John Leopold reappointing Commissioner Potro, correspondence from Merit Systems Services dated December 5, 2012 and correspondence from the Personnel Department dated December 20, 2012.

9. Adjournment: 6:50 p.m.

10. Next meeting is scheduled for March 21, 2013 at 5:45 p.m.