

Civil Service Commission Minutes

Thursday, January 21, 2010

The Civil Service Commission held a quarterly meeting on Thursday, January 21, 2010 in the Board of Supervisors' Chambers, 701 Ocean Street, Santa Cruz, California.

ORDER OF BUSINESS

1. Call to Order: Commissioner Maxwell called the meeting to order in the absence of Vice Chair Taren and resigned Commissioner/Chair Gordon.
2. Attendance: Commissioners present: Commissioners James Maxwell, Olivia Madrigal and Carmen Potro. Absent Chair Jack Gordon (retired), and Commissioner Bob Taren. Staff present: Michael J. McDougall, Personnel Director, Ajita Patel, Deputy Director, and Laurie Hill, staff to the Commission.
3. Approval of Minutes: Moved by Commissioner Madrigal, seconded by Commissioner Potro, the meeting minutes for November 19, 2009 were approved (3-0-2).
4. Additions to the Agenda: There were none.
5. Oral Communications: There were none.
6. Secretary Report: Two appeal hearings to calendar.
7. Old Business: Review draft Annual Report for 2009. The Annual Report is requested by the Board of Supervisors for submittal in January. Secretary Hill reviewed the draft report content and asked for assistance in the categories of accomplishment and priorities for next year. Commissioner Maxwell suggested that the Commission review the frequency of meetings in April. Commissioner Potro suggested that the topic of the Whistleblower Program be placed on the list as a future goal. Commissioner Maxwell asked whether the Board of Supervisors were addressing this. Hill said that the Commission presented a letter to the Board regarding their procedural and structural concerns about the program. Hill said that the Board thanked the Commission for their comments and said that they would consider the comments the next time that they review the Whistleblower Program. She added that an annual report of Whistleblower activity is typically presented to the Board by the Auditors Office in March of each year. Commissioner Potro asked how to access information about the program. Hill said that the program is on the County Website. Commissioner Potro asked for a comparison of the old Whistleblower policy compared to the present version. McDougall offered and Commissioner Maxwell concurred, that this information be brought back to the Commission. Nancy Elliott, SEIU member, stated that she felt the issue began with the misuse of provisional appointments as a pathway to permanent appointments and that the design of the Whistleblower Program was to primarily address fiscal malfeasance. She said lack of confidentiality discouraged complaints. The visibility of the program has improved. McDougall said that he was aware that the scope of the Whistleblower Program is clearly beyond fiscal matters and that personnel matters are addressed. Paul Johnston, Personnel Commissioner for the school district, suggested that the program remain a part of the goals. The Whistleblower Program will be added to the Annual Report as a future goal as recommended by Commissioner Potro and the item will be on the next Commission meeting. Commissioner Madrigal added that the annual report should be changed to reflect her attendance at the appeal hearing on the 7th and 9th.
8. New Business: Elect Commission Chair and Vice Chair for 2010. Commissioner Maxwell nominated Bob Taren as Chair, and Commissioner Madrigal seconded. Commissioner Taren was elected 3-0-2. Commissioner Potro nominated Commissioner Maxwell, with a second from Commissioner Madrigal. Commissioner Maxwell was elected Vice Chair 3-0-2.

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9. Reports:

- a. Adopted Delegated Classification Actions: Commissioner Maxwell asked about the Health Services positions, Health Client Benefit Representative, and Therapist for Physically Disabled. Both positions are grant funded for a limited time. Commissioner Madrigal moved, Commissioner Potro seconded, to adopt report: 3-0-2.
- b. Received Employment Services Division Workload Report: Observed that we received more applications in 2008 than '09, likely due to fewer recruitments and that fewer people took exams.
- c. Receive Provisional Appointment Report: McDougall said that this report was added to track the reduction of the use of provisional appointments. Jim Heaney, SEIU Shop Steward, said that they were interested in ending the misuse of provisional appointments, not the overall use and that they preferred provisional appointment over extra help. Nick Steinmeier, SEIU, connected their interest in the Whistleblower Hotline to the use of provisional appointments and then read the program definition from the website, focusing on the financial side, and emphasizing that employees need an avenue to report other kinds of abuse. Commissioner Maxwell said that provisional appointments could be misused under the existing policies. McDougall offered several other avenues to report misuse through the Union, Personnel Department, the grievance process, and the Civil Service Commission in addition to the Whistleblower Program. Commissioner Potro asked about the consequence of not approving the provisional appointment and would like the report to include what the position does.
- d. Receive Civil Service Commission 2010 schedule of meetings. We are focusing on the third Wednesday as probable hearing dates.

10. Received Correspondence Item: Accepted, with regret, the letter of resignation tendered November 30, 2009, from Commissioner Jack Gordon. The record was read into the record. A recognition reception for Gordon is scheduled for April 15, 2010.

11. Adjourned at Next meeting calendared for February 18, 2010.

Respectfully submitted,

Laurie Hill, Staff to the Commission