

SANTA CRUZ COUNTY
CIVIL SERVICE COMMISSION
Minutes for March 21, 2013 at 5:45 p.m.
701 Ocean Street, Room 500
Santa Cruz, California

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

Absent: None (one vacancy)

Staff present: Claire Schwartz, Personnel Analyst (filling in for Commission Secretary Ajita Patel)

1. Approved minutes of the meeting of January 17, 2013.
Motion/Second: Hoffman and Madrigal. Passed unanimously.
2. Changes or additions to the agenda:
Added March 15, 2013 letter from SEIU's attorney regarding item VI.c.
3. Oral Communications:
None
4. Secretary's Report:
One upcoming disciplinary hearing scheduled in May.
5. Old Business:
 - a. Commissioners accepted and directed staff to file the 2001 & 2012 Civil Service Commission Biennial Report.
 - b. Approved modification of Civil Service designation for Health Officer classification as proposed in staff correspondence from the Deputy Director of Personnel.
Motion/Second: Potro and Hoffman. Passed unanimously.
 - c. Discussion of SEIU's request for reconsideration of the Commission's decision not to hear employee Arthur Mier's appeal of his evaluation, as described in the SEIU correspondence dated January 24, 2013 and March 15, 2013. Staff distributed the March 15, 2013 letter from SEIU's attorney, which was received after the meeting materials had already been posted and distributed.

SEIU Shop Steward Jeffrey Smedberg spoke in support of the request, stating that the evaluation was not in accordance with merit employment principles, and argued that the Commission has a legal obligation to hear the appeal. He stated that the Union was not asking the Commission to issue a decision on the merits of the appeal, but only to set a hearing date and agree to hear it.

Various Commissioners stated that they do not believe the Commission has jurisdiction since this is not a disciplinary matter and no evidence has been presented to indicate this involves a widespread problem with evaluations but just one individual who disagrees with his evaluation. The Commissioners also noted that the Union had previously provided the Commission with materials showing that Mr. Mier's evaluation did include a development plan, contrary to the statement made in the March 15, 2013 letter from SEIU's attorney, which stated that there was no development plan.

Personnel Director Michael McDougall pointed out that several Labor/Management Committees exist to hear employee concerns about personnel processes, and Mr. Mier already had three appeals of his evaluation.

Thornton Koontz, attorney for the Commission, stated that while the Commission has general oversight of the evaluation process, it lacks jurisdiction of this matter because it was not raised in a timely manner.

Denied request for reconsideration.

Motion/Second: Leonard and Hoffman. Passed unanimously.

6. New Business:
None

7. Adopted Delegated Classification Report.
Motion/Second: Hoffman and Leonard. Passed unanimously.

8. Received and filed correspondence from Chair Neil Coonerty regarding the 2011 & 2012 Biennial Report.

9. Adjournment: 6:15 p.m.

10. Next meeting is scheduled for May 16, 2013 at 5:45 p.m.