

## CIVIL SERVICE BOARD MEETING MINUTES

Date: September 8, 2011

OPEN SESSION 5:30 p.m.

City Hall, One Frank H. Ogawa Plaza, Hearing Room 2

**BOARD MEMBERS PRESENT:** 4 - Chairperson, Wendall Mitchell

Board Member Dee Dee Brantley Board Member Alex Drexel Board Member Michael Siegel

**BOARD MEMBERS ABSENT:** 3 - Vice-Chairperson, Winnie Anderson

Board Member Judith Bodenhausen Board Member Michelle Hatchell

**STAFF PRESENT:** Kip Walsh, HR Manager – Recruitment & Classification

Tracy Chriss, City Attorney

The Civil Service Board convened at 5:30 p.m. with Chairperson Wendall Mitchell presiding.

#### **OPEN SESSION AGENDA**

## ROLL CALL

## 1) CONSENT CALENDAR

A request was made by Sequonite Buggs of Service Employees International Union Local 1021 to move item 1b to New Business to allow for discussion on the item.

- a) Approval of Classification Specification: Tax Auditor III
- b) Approval of Classification Specifications: Treasury Analyst I; Treasury Analyst II; Treasury Analyst III (Formerly Treasury Analyst) Moved to New Business
- c) Approval of Classification Specification: Firefighter Paramedic
- d) Approval of Classification Specification: Deputy Chief of Police

A motion was made by Member Brantley, seconded by Member Drexel to approve the amendments of classification specifications as presented for items 1a, 1c, and 1d. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

## 2) OLD BUSINESS:

a) Approval of August 11, 2011 Civil Service Board Meeting Minutes

A motion was made by Member Drexel, seconded by Member Brantley to approve the minutes as presented for the August 11, 2011 Civil Service Board Meeting. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

b) Civil Service Board Meeting Date for November 2011

Discussion: Staff notified the Board that the City had scheduled a Mandatory Business Shutdown day for November 10, 2011, which would have been the date of the Board's regular meeting in November. Staff recommended that the Board reschedule its meeting in November to Thursday, November 17, 2011 at 5:30 p.m. in Hearing Room 2 and advised that the availability of the meeting room had been confirmed.

A motion was made by Member Drexel, seconded by Member Brantley to schedule the Board's November meeting to Thursday, November 17, 2011 at 5:30 p.m. in Hearing Room 2 at City Hall. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

c) Determination of Schedule of Outstanding Board Items

A motion was made by Member Drexel, seconded by Member Brantley to schedule the review of the hearing officer's findings in the Appeal of Discipline for Sgt. Thurston Slade to Closed Session for the November 17, 2011 meeting. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

# 3) NEW BUSINESS:

Item 1b regarding approval of classification specifications for Treasury Analyst I, Treasury Analyst II, and Treasury Analyst III (formerly Treasury Analyst) was taken as the first item of New Business.

**Discussion:** Kip Walsh introduced the item stating that the Department of Human Resources Management (DHRM) had worked with the Treasury Manager to develop a classification series for work being performed in the Treasury Division of the Finance and Management Agency. Once the draft classification specifications were developed, DHRM met and conferred with members of the International Federation of Professional and Technical Engineers Local 21 to discuss the draft specifications because all of the new classifications were assigned to Local 21 bargaining units. Local 21 had no objections to the classification specifications and staff then put them forward as a consent item for the Civil Service Board agenda.

Sequonite Buggs of Service Employees International Union (SEIU) Local 1021 stated that SEIU believed DHRM should have met and conferred with their representatives to discuss the proposed classifications because the duties involved overlapped with the duties of classifications represented by SEIU. By developing classifications that are unique to the Treasury Division, Ms. Buggs asserted, it would limit promotional opportunities for SEIU members.

Following a brief discussion by the Board members, Kip Walsh stated that DHRM would be willing to meet with SEIU to discuss the proposed classifications to get a better understanding of SEIU's concerns.

A motion was made by Member Siegel, seconded by Member Drexel to continue the discussion of the Board's approval of the classification specifications for Treasury Analyst I, Treasury Analyst II, and Treasury Analyst III (formerly Treasury Analyst) to the next regular meeting to allow DHRM and SEIU to meet to review the proposed specifications. The motion carried by the following vote:

**Votes:** Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

a) Report of Temporary Employees (TCSE/ELDE) to Civil Service Board **Discussion:** Kip Walsh, HR Manager of Recruitment & Classification presented a report to the Board indicating the number of temporary employees currently employed in the City and highlighting instances where those assignments were out of compliance with the Civil Service Rules. Board Chair Mitchell requested that staff work with the City Administration to ensure that all temporary assignments be brought into alignment

with the Civil Service Rules and that there be a concerted effort to correct existing non-compliance.

A motion was made by Member Siegel, seconded by Member Brantley to accept the report and encouraging staff to work with departments to correct occurrences of non-compliance. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

Speakers: Jeff Levin, Representative, IFPTE Local 21

b) Discussion to determine if the Civil Service Board will refer the Appeal of Probationary Release of Alan McFarland, Communications Dispatcher, to an outside hearing officer.

A motion was made by Member Brantley, seconded by Member Siegel to refer the Appeal of Probationary Release of Alan McFarland, Communications Dispatcher, to an outside hearing officer; and recommending that the parties employ the methodology described in Section 15.4.2 of the SEIU Local 1021 MOU governing hearing officers. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

Speakers: Deborah Bialosky, Attorney for the City

c) Discussion to determine if the Civil Service Board will refer the Appeal of Medical Separation of Construction Inspector, Paul Crum, to an outside hearing officer.

A motion was made by Member Drexel, seconded by Member Siegel to refer the Appeal of Separation of Construction Inspector, Paul Crum, to an outside hearing officer; and recommending that the parties employ the methodology described in Section 15.4.2 of the SEIU Local 1021 MOU governing hearing officers. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member Hatchell

Speakers: Deborah Bialosky, Attorney for the City

d) Discussion to determine the Board's jurisdiction in the Appeal of Discipline of Firefighter, Ronald Curtis

**Discussion:** Mr. Ron Curtis presented his argument in favor of confirming the Board's jurisdiction in his appeal; Ms. Deborah Bialosky presented the City's argument against. The Board considered the materials presented and consulted the MOU for IAFF Local 55. After a lengthy discussion, Board Chair Mitchell offered Mr. Curtis the option of continuing the discussion to the next meeting, or the Board could vote on the question of jurisdiction. Mr. Curtis requested that if the Board continued the discussion, that the City not be permitted to present any additional documents for the Board's consideration. Ms. Bialosky requested that she be allowed to brief the Board on other matters related to arguments presented by Mr. Curtis in his comments. The Board Chair then advised Mr. Curtis that both he and the City representative would have the opportunity to present additional materials if the item were continued to the next meeting. Staff stated that the next meeting would be held on October 13, 2011 and that the deadline for submitting materials would be October 6, 2011.

- 1) A motion was made by Member Siegel to confirm the Board's jurisdiction in the Appeal of Discipline of Firefighter, Ronald Curtis. There being no second, the motion failed.
- 2) A motion was made by Member Drexel, seconded by Chairperson Mitchell to continue the discussion of the Board's jurisdiction in the Appeal of Discipline of Firefighter, Ronald Curtis; and to allow both sides to submit additional, relevant materials for the Board's consideration. The motion carried by the following vote:

Votes: Board Member Ayes: 4 - Member Mitchell, Member Brantley, Member Drexel, and

Member Siegel

Board Member Noes: None Board Member Abstentions: None

Board Members Absent: 3- Member Anderson, Member Bodenhausen, Member

Hatchell

Speakers:

Ronald Curtis, Firefighter

Deborah Bialosky, Attorney for the City

e) Director's Report: Update of Port Issues

Staff notified the Board that a report would be submitted to the Board at a future date.

## **OPEN FORUM**

#### No speakers.

# **ADJOURNMENT**

There being no further business, and upon the motion made by Board Member Bodenhausen, seconded by Board Member Anderson, the Civil Service Board adjourned the meeting at 7:54 p.m.