

CIVIL SERVICE COMMISSION MINUTES

June 3, 2020

A meeting of the Civil Service Commission was held at 2:30 p.m., via Teleconference.

Present via Teleconference:

Dale Bailey
A.Y. Casillas
Bryan Fletcher
Ira Sharp
Peter B. Smith

Comprising a quorum of the Commission

Support Staff Present via Teleconference:

Todd Adams, Executive Officer
Gena Burns, Commission Legal Advisor

Approved
Civil Service Commission
September 2, 2020

**SAN DIEGO COUNTY CIVIL SERVICE COMMISSION
REGULAR MEETING MINUTES
JUNE 3, 2020**

1:30 p.m. CLOSED SESSION: Discussion of Personnel Matters
and Pending Litigation

2:30 p.m. OPEN SESSION: Via Teleconference

Notice pursuant to Government Code Section 54954.2.

**CLOSED SESSION AGENDA
Teleconference - Not open to public**

- A. Commissioner Smith: CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (GOV. CODE SEC. 54956.9(a)) **2020-001, 2020-003, 2020-004, and 2020-006**, Human Services Specialists, Health and Human Services Agency, appealing a classification review under Civil Service Rule XII.
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GOV. CODE SEC. 54957(b)) Title: Executive Officer.

**OPEN SESSION AGENDA
Teleconference**

ORDER OF BUSINESS

A. **ROLL CALL**

Present: Bailey, Casillas, Fletcher, Sharp, Smith

B. **APPROVAL OF MINUTES:** Regular meeting of February 5, 2020.

Motion by Commissioner Casillas to approve the minutes of February 5, 2020; seconded by Commissioner Bailey.

Motion carried with all Commissioners in favor.

C. **PUBLIC COMMENT**

None.

D. **AGENDA ITEM DISCUSSION**

None.

E. **FORMATION OF CONSENT AGENDA**

Item Nos. 1 - 10 and 12 - 19.

Motion by Commissioner Sharp to approve the Consent Agenda; seconded by Commissioner Bailey.

Motion carried with all Commissioners

F. **DISCUSSION ITEMS:**

Item No. 11 pulled for discussion.

AGENDA ITEMS

CONFIRMATION OF ASSIGNMENTS

1. Commissioner Casillas: Bradley M. Fields, Esq., on behalf of **2020-014P**, **2020-015P**, and **2020-016P**, Deputy Sheriff-Detentions/Courts Services, appealing the Citizens' Law Enforcement Review Board's sustained findings of misconduct.

Confirmed.

2. Commissioner Sharp: James J. Cunningham, Esq., on behalf of **2020-017**, Equipment Operator, appealing a Final Order of Suspension and Charges from the Department of Public Works.

3. Commissioner Bailey: **2020-018**, Crime Prevention Specialist, appealing an Order of Immediate Suspension by the Sheriff's Department.

Confirmed.

4. Commissioner Smith: Edward J. Southcott, Esq., on behalf of **2020-019P**, Deputy Sheriff-Court Services, appealing an Order of Termination and Charges by the Sheriff's Department.

Confirmed.

5. Commissioner Fletcher: James J. Cunningham, Esq., on behalf of **2020-020**, former Master Fleet Technician, appealing a Final Order of Removal and Charges from the Department of General Services.

Confirmed.

6. Commissioner Casillas: Edward J. Southcott, Esq., on behalf of **2020-021P**, Deputy Sheriff, appealing an Order of Reassignment and Charges from the Sheriff's Department.

Confirmed.

7. Commissioner Sharp: Greg Thedell, Advocacy Center Organizer, SEIU Local 221, on behalf of **2020-022**, Office Assistant, appealing a Final Order of Suspension from the Health and Human Services Agency.

Confirmed.

8. Commissioner Bailey: **2020-023**, former Human Resources Specialist, appealing a Final Order of Removal and Charges from the Department of Public Works.

Confirmed.

9. Commissioner Smith: Edward J. Southcott, Esq., on behalf of **2020-024P**, former Deputy Sheriff, appealing an Order of Termination and Charges from the Sheriff's Department.

Confirmed.

10. Commissioner Fletcher: Edward J. Southcott, Esq., on behalf of **2020-025P**, Deputy Sheriff-Detentions/Court Services, appealing an Order of Suspension and Charges from the Sheriff's Department.

CLASSIFICATION REVIEW

Findings

11. Commissioner Smith: **2020-001**, **2020-003**, **2020-004**, and **2020-006**, Human Services Specialists, Health and Human Services Agency, appealing a classification review under Civil Service Rule XII.

FINDINGS AND RECOMMENDATIONS:

Four employees appealed a Department of Human Resources classification review of their positions in the Health and Human Services Agency. Employees are each a Human Services Specialist ("HSS"), seeking reclassification to Human Services Control Specialist ("HSCS"). Employees are assigned to the Eligibility Operations Support/Helpdesk that supports eligibility staff. In this function, other County eligibility staff (typically other HSSs) will contact Employees if they have difficulty with the eligibility systems operations. Employees then troubleshoot system issues and errors to help resolve them.

The HSS job description is broad and is intended to cover a wide range of job functions and duties. Employees are assigned to the Eligibility Operations Support/Helpdesk Division. They support eligibility staff by resolving issues encountered in the eligibility systems.

HSCS's job duties consist of conducting reviews and audits of cases pursuant to State, Federal, and County policies and regulations to ensure that case workers are making the correct eligibility determinations. They are responsible for verifying information to ensure that those enrolled in government programs meet the requisite qualifications. HSCSs are given approximately 115 days to complete each audit.

Employees do not perform the same job duties as the HSCS classification because they are not auditing cases. While Employees demonstrated that many of their job duties fall within the "Special Assignments" section of the HSS job classification, this does not indicate that Employees are misclassified. Special Assignment job duties does not mean that those job duties are temporary or that the Employees cannot perform the job duties listed thereunder for a majority of time.

Employees have the burden of proof in a reclassification appeal. They have not met this burden. Employees have not proven that they have worked out of class in the HSCS position 50% of the time for the six (6) months preceding their application for reclassification. The HSCS conducts audits and reviews cases pursuant to federal, state, and County regulations whereas the Employees provide support to

end users and troubleshoot problems on the eligibility operations systems.

Based on the findings and conclusions set forth above, I hereby recommended that the request for reclassification be denied; and that the proposed decision shall become effective upon the date of approval by the Civil Service Commission.

Motion by Commissioner Smith to approve the Findings and Recommendations; seconded by Commissioner Bailey.

Motion carried with all Commissioners in favor.

SELECTION PROCESS

Findings

12. **2020-026**, Applicant, appealing the Department of Human Resources' removal of his name from the employment list of Deputy Sheriff Cadet-Detentions/Court Services.
13. **2020-027**, Applicant, appealing the Department of Human Resources' removal of his name from the employment list of Deputy Sheriff Cadet-Detentions/Court Services.
14. **2020-028**, Applicant, appealing the Department of Human Resources' removal of her name from the employment list of Deputy Sheriff Cadet-Detentions/Court Services.
15. **2020-029**, Applicant, appealing the Department of Human Resources' removal of her name from the employment list of Radio Trainee.
16. **2020-030**, Applicant, appealing the Department of Human Resources' removal of his name from the employment list of Sheriff's Emergency Services Dispatcher Trainee.

RECOMMENDATION: Ratify items 12-16. Appellants have been successful in the appellate process provided by Civil Service Rule 4.2.2 and their names have been returned to the employment lists.

Item Nos. 12 - 16 Ratified

OTHER MATTERS

Extension of Temporary Appointments

17. Health and Human Services Agency

5 Office Assistants: **2020-031, 2020-032, 2020-033, 2020-034**
and **2020-035**

1 Laboratory Assistant: **2020-036**

RECOMMENDATION: Ratify.

Item No. 17 Ratified

INFORMATION

18. **2020-005** and **2020-009**, Human Services Specialists, Health and Human Services Agency, withdrawing their appeal of a classification review under Civil Service Rule XII.
(Commissioner Smith)

19. **2019-073**, Departmental Payroll Specialist, withdrawing her appeal of a Final Order of Suspension from the County Library.

Item Nos. 18 & 19 Withdrawn

ADJOURNED: 2:43 p.m.

ASSISTANCE FOR THE DISABLED:

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