

CIVIL SERVICE COMMISSION MINUTES

October 18, 2023

A meeting of the Civil Service Commission was held at 2:30 p.m., in-person in room 402-A at the County Administration Center; 1600 Pacific Hwy.; and via Videoconference/Teleconference.

Present:

P. Kay Coleman
Bryan J. Fletcher
Melissa Johnson
Will Rodriguez-Kennedy
Peter B. Smith

Absent: None

Comprising a quorum of the Commission

Support Staff Present:

Todd Adams, Executive Officer
Morgan Foley, Commission Legal Advisor.

Approved
Civil Service Commission
November 15, 2023

**SAN DIEGO COUNTY CIVIL SERVICE COMMISSION
REGULAR MEETING MINUTE
OCTOBER 18, 2023**

CLOSED SESSION: No Items for Discussion

2:30 p.m. OPEN SESSION: Attend in-person at the County Administration Center, 1600 Pacific Highway, 4th Floor, Room 402A, San Diego, California; or Videoconference/Teleconference.

Notice pursuant to Government Code Section 54954.2.

OPEN SESSION AGENDA

ORDER OF BUSINESS

A. ROLL CALL

Present: Coleman, Fletcher, Johnson, Rodriguez-Kennedy, Smith

Absent: None.

B. APPROVAL OF MINUTES: Regular meeting of August 16, 2023.

Motion by Commissioner Rodriguez-Kennedy to approve the minutes of August 16, 2023; seconded by Commissioner Coleman.

Motion carried with all Commissioners in favor.

C. NON-AGENDA PUBLIC COMMENT: None.

D. AGENDA ITEM DISCUSSION:

Item #5 has been pulled by the Employee and the Department.

E. FORMATION OF CONSENT AGENDA

Item #4 has been withdrawn.

Item #5 has been pulled for discussion.

Items 1-3 and 6-9 are available for approval on the consent agenda.

Motion by Commissioner Rodriguez-Kennedy to approve the Consent Agenda; seconded by Commissioner Fletcher.

Motion carried with all Commissioners in favor.

F. DISCUSSION ITEMS

Item No. 5 pulled for discussion.

AGENDA ITEMS

CONFIRMATION OF ASSIGNMENTS

1. Commissioner Smith: **2023-030**, former Sheriff's Detentions Licensed Vocational Nurse, appealing two Orders of Termination and Charges from the Sheriff's Department.

Confirmed.

2. Commissioner Johnson: David Fujimoto, Esq., on behalf of **2023-033**, former Occupational/Physical Therapist, appealing an Order of Demotion and Charges to Human Services Specialist from the Health and Human Services Agency.

Confirmed.

3. Commissioner Rodriguez-Kennedy: Christopher L. Ludmer, Esq., on behalf of **2023-031**, Public Defender Investigator II, and **2023-032**, Public Defender Investigator II, alleging discrimination by the Office of the Public Defender.

Confirmed.

4. Commissioner Fletcher: David Fujimoto, Esq., on behalf of **2023-034**, Protective Services Worker, appealing a Final Order of Suspension and Charges from the Health and Human Services Agency.

Withdrawn.

SEAL PERFORMANCE APPRAISAL

Request

5. **2023-035**, former Recordable Documents Specialist III, Office of the Assessor/Recorder/County Clerk, requesting the sealing of

a performance appraisal covering the period September 23, 2022, to March 23, 2023.

RECOMMENDATION: Deny Request

Employee 2023-035 stated why they feel their performance appraisal should be sealed due to being submitted late and it not being prepared according to Department of Human Recourse Policy 1003, including the supervisor's signature not being on the appraisal.

A former employee of the Assessor/Recorder/County Clerk spoke in support of sealing the appraisal stating that untimely performance appraisals are common in the department.

Jeanette Garcia, Sr. Departmental Resources Officer, speaking on behalf of the Assessor/Recorder/County Clerk, informed the Commission that the appraisal was not late but issued by the date required by the Civil Service Rules. She stated the department has a tracking system in place for routing and approving appraisals. She stated that the electronic appraisal could not be signed until after the employee reviews it because if it's signed, the appraisal cannot be modified based on discussions with the supervisor. Ms. Garcia stated the Employee is aware of this process and chose not to discuss the appraisal with her supervisor and, instead, appealed it. She also stated that some of the changes sought by the Employee were made to the appraisal during the appeal process.

Motion by Commissioner Smith to adopt staff's recommendation to deny Employee's request to seal the performance appraisal; seconded by Commissioner Rodriguez-Kennedy.

Motion carried with all Commissioners in favor.

SELECTION PROCESS

Findings

6. **2023-036**, Applicant, appealing the Department of Human Resources' removal of their name from the employment lists for Deputy Sheriff Cadet.

RECOMMENDATION: Ratify. Appellant has been successful in the appellate process provided by Civil Service Rule

4.2.2 and their name has been returned to the employment list.

Ratified.

EXTENSION OF TEMPORARY APPOINTMENTS

7. Department of Human Resources

1 Human Resources Analyst: **2023-037**

RECOMMENDATION: Ratify

Ratified.

8. Health and Human Services Agency

3 Office Assistants: **2023-038, 2023-039, and 2023-040**

RECOMMENDATION: Ratify

Ratified.

INFORMATION

9. **2023-016**, former Protective Services Worker, withdrawal of appeal of an Order of Removal and Charges from the Health and Human Services Agency. (Commissioner Smith)

Withdrawn.

ADJOURNED: 3:20 p.m.

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