

**COUNTY OF SANTA BARBARA
CIVIL SERVICE COMMISSION
MINUTES**

The regular monthly meeting of the Civil Service Commission was held on **Thursday, October 20, 2011, at 9:30 a.m.** Location: Board Conference Room, Fourth floor, County Administration Building, 105 East Anapamu Street, Santa Barbara, CA. 93101.

I. ROLL CALL Present: Chair Federman; Vice Chair Royster; Commissioners Binion, Solomon and Nanning. Counsel to the Commission Gustavo Lavayen; Commission Secretary Shen Rajan.

II. APPROVAL OF MINUTES MSC (Solomon/Binion) to approve the meeting minutes of September 15, 2011, as submitted.

III. PUBLIC COMMENT/ANNOUNCEMENTS – Deputy County Counsel, Ms. Tuttle, re-confirmed that the Hillman hearing, which was scheduled to follow at the conclusion of today’s meeting, has been taken off calendar as the case has been resolved.

IV. EXTRA HELP EXTENSION REQUESTS

A. DISTRICT ATTORNEY

A. MARIN
LEGAL OFFICE PROF. II
Hired: 11/15/10; ext. 05/14/12

JoAnn Slattery represented the department. She informed the Commission that this recruitment will open shortly and they plan to hire Mr. Marin from a certified list as he has gained the necessary experience. MSC (Solomon/Nanning) to approve the request as submitted.

B. PROBATION DEPT.

B. GARCIA
JUV. INSTITUTIONS OFFICER
Hired: 05/17/10; ext. 05/16/12
J. LONGORIA
JUV. INSTITUTIONS OFFICER
Hired: 03/21/11; ext. 03/20/12
PEREZ, C
JUV. INSTITUTIONS OFFICER
Hired: 02/23/09; ext. 02/22/12

Matt Schreiner represented the department. He explained that the extensions were requested as the department was in the process of conducting background checks on potential new hires but were continuing to use extra help employees in the interim. MSC (Solomon/Binion) to approve all requests as submitted.

IV. EXTRA HELP (CONT.)

C. COUNTY CLK-REC/ASSESSOR

E. TOSCAN
ADMIN. OFFICE PROF.
Hired: 03/22/10; ext. 03/21/12

Dana Bentley represented the department. She stated that Ms. Toscan was working on some special projects in the Recorder's office. MSC (Nanning/Binion) to approve the extension as submitted.

D. PUBLIC HEALTH DEPT.

LOPEZ, A
MEDICAL ASSISTANT
Hired: 04/04/11; ext. 04/03/12
HERMOSILLO, J
ADMIN. OFFICE PROF. I
Hired: 01/24/11; ext. 01/23/12
VASQUEZ, M
ADMIN. OFFICE PROF. I
Hired: 03/08/11; ext. 07/07/12
SMITH, P
ADMIN. OFFICE PROF. I
03/22/11; ext. 03/21/12

Kelly Lazurus represented the department. Three of the extensions were requested to help with covering for employees who were out on leave of absences. One employee had been reassigned to a new position that was grant supported. The position and grant funding for that position would be re-evaluated again in March.
MSC (Solomon/Royster) to approve all the requests as submitted.

E. SOCIAL SERVICES DEPT.

LEIDALL, D
DEPT. BUSINESS SPECIALIST
Hired: 05/21/11; ext. 05/01/12

Mr. Eddie Alanis represented the department. Mr. Alanis introduced the new Human Resources manager, Devin Drake. Mr. Alanis informed the Commissioners that Mr. Drake would be representing the department at future Civil Service meetings. In reference to the request, Mr. Alanis said that they were in the process of opening the recruitment for the position and were hoping to hire Mr. Leidall on a permanent basis from the certified list. MSC (Solomon/Binion) to approve the request as submitted.

F. ALCOHOL, DRUG & MENTAL HEALTH DEPT.

TAKAOKA, D
ADMHS REC. ASSISTANT
Hired: 03/14/11; ext. 03/13/12

Maya Barraza represented the department. An extension was requested for Mr. Takaoka, who was helping in the psychiatric health unit with food safety as well as assisting with making their rounds. This was a help to the department in reducing their overtime costs. Commissioner Solomon asked that the department consider making this a permanent position as the duties were mandated and the department should consider this in their budget.

Mr. George Green, representative for SEIU Local 620, also mentioned that from the union's perspective, using extra help to reduce overtime costs was not appropriate; the department should have a budgeted position. Ms. Barraza said that the recent State audits had stipulated these new requirements. She hoped the funding would be resolved for the next fiscal year so they could fill this position on a permanent basis. MSC (Royster/Solomon) to approve the extension as submitted.

V. APPEALS/HEARINGS

- A. H. GUERRERO v. PUBLIC HEALTH DEPARTMENT
 - A. GUERRA v. GENERAL SERVICES DEPARTMENT
 - V. DODGE v. GENERAL SERVICES DEPARTMENT
 - C. MUNOZ v. GENERAL SERVICES DEPARTMENT
 - M. SANDOVAL v. PROBATION DEPARTMENT
- (Rules 1104, 1105, 1106 & 1109 - Appeal of Layoff)

Amended list provided by Robin Barber, representative for SEIU Local 620, on behalf of members in their bargaining unit. Appeal requested because, allegedly, prescribed layoff procedures were not followed.

Ms. Barber, SEIU Local 620 representative, said that she had provided the Commissioners with information on the employees who were improperly impacted by the application of Rule 1105 and the layoff process. Commissioner Solomon asked if it was based on factual issues or on the interpretation of the rules. Ms. Barber said that both issues were relevant.

Ms. Tuttle said that the County had followed proper layoff procedures. She stated that the process has been consistent in its application in determining the layoff order and placing employees on a re-employment list benefits the employees.

Commissioners agree to grant a hearing on the case. Motion made by Commissioner Solomon to accept the matter for a hearing. Motion was seconded by Commissioner Nanning. A hearing officer will be appointed and the case will be continued to the November meeting.

VI. REQUEST FOR INVESTIGATION – NONE

VII. DISCRIMINATION COMPLAINTS

- L. TRAGA v. ALCOHOL, DRUG AND MENTAL HEALTH DEPARTMENT
(Rule 1304)

Receive initial progress report from Hearing Officer, Mr. Flores, and schedule a hearing date.

Ms. Tuttle informed the Commissioners that she had spoken to Mr. Woods, of SEIU Local 620, who is representing Ms. Traga. He was anticipating that the hearing be scheduled for November 17, following the Commissions' regular meeting next month. Commissioners agreed to set the hearing to for November 17, 2011, subject to hearing officer, Mr. Flores' availability. Commissioner Solomon made a motion to set the hearing for November 17; motion was seconded by Commissioner Nanning. Commissioner Binion said that she will not be available for the November meeting.

VIII. COMMISSION OFFICE BUSINESS

A. Review draft of the Civil Service Commission Annual Report for 2010-2011.

Commissioner Solomon questioned two old cases reflected on the reports that have been carried over from year to year. He asked that the Secretary, in conjunction with County Counsel, update the status on both cases. Commission Counsel, Mr. Lavayen, suggested that J.H. be listed on next month's agenda and the Commissioners can make a motion to dismiss the case. Commissioners asked that the changes be made prior to the report being presented to the Board of Supervisors.

B. Obtain the Civil Service Commission's input regarding the assignment of Equal Employment Office (EEO) function. Mr. Pisano will update the Commission on a recent discussion by the Board of Supervisors when contemplating moving the function from Human Resources to County Counsel and receive the Commission's input regarding the assignment of the function to County Counsel, Human Resources, the County Executive Office, or some other option.

Mr. Pisano stated that Human Resources, in a recent restructuring recommendation to the Board of Supervisors, had suggested that the EEO function be placed within County Counsel's office. The Board has requested that staff conduct a survey of the placement of the EEO office within other organizations as well as come before the Commission and garner their input regarding the organizational placement of this office.

- Commissioners were unanimous about not having this function placed within County Counsel's office. Consensus was that employees could feel intimidated and that this would create the perception of a conflict of interest since County Counsel also defends the County against EEO claims.
- Commissioner's discussed hiring an independent body, or ombudsman, on a part time or as needed basis. Commissioner Solomon favored this option as this would be an independent and autonomous position that could potentially assist in other, non-EEO- related, employee issues. This was also seen as a cost saving measure in today's economy as the services would be used on an as needed basis.

- An observation was made that things seemed to be working well now, and there was some discussion around not hiring an EEO manager and continuing the current staffing structure.
- Commissioner Nanning commented that the process had worked well a few years ago when there was an EEO manager heading the office.
- Most of the Commissioners were in consensus about hiring an EEO manager and having the position under the organizational jurisdiction of the County Executive Office. They thought this would provide the manager an appropriate level of independence and autonomy. Commissioners were also in agreement that the EEO manager conduct their investigations independent of County Counsel.

IX. ADJOURNMENT

There being no further business to discuss, Commissioner Solomon made a motion to adjourn; motion was seconded by Commission Binion. The meeting adjourned at 10:30 a.m.

Respectfully submitted,

Shen Rajan
Secretary to the Commission