



## **CIVIL SERVICE COMMISSION**

### **ANNUAL REPORT 2021-2022**

The Santa Barbara County Civil Service Rules exist to ensure that employees are hired through a neutral, impartial, merit-based competitive process. The Civil Service Rules provide guidance for the recruitment and appointment process, employee compensation, probationary periods, layoff provisions, and discipline and appeal procedures. The five-member Civil Service Commission, a quasi-judicial body established by referendum ordinance in 1971, administers the Civil Service System. Each supervisorial district appoints one member to the Commission to serve a four-year term of office. Commissioners can serve more than one term. The Commission meets on the third Thursday of each month; holds hearings on appeals of disciplinary actions as outlined by the Civil Service Rules; holds hearings on discrimination complaints; conducts investigations concerning the administration of personnel or conditions of employment; administers Extra Help Appointment Extension requests, makes recommendations on Civil Service Rules and makes recommendations to the Board of Supervisors.

In Fiscal Year 2021-22 all regular monthly meetings of the Civil Service Commission were held via Zoom video conference due the COVID-19 pandemic health-related and social distancing orders issued by California Governor Gavin Newsom and outlined in the State of Emergency and Executive Order N-25-20 and Assembly Bill 361. Beginning in May 2021 one Appeal/Hearing was held over seventeen (17) non-consecutive days, nine (9) of which were before June 30, 2021 in the previous fiscal year, and eight (8) were after July 1, 2021 in this fiscal year. The hearings were held in the Board of Supervisors Hearing Room and the Planning Commission Hearing Room in the County Administration Building at 105 E. Anapamu St. in Santa Barbara, to accommodate social distancing and other COVID-19 protocols.

This report is submitted yearly in accordance with Civil Service Rule 202 (c) and summarizes the work conducted by the Civil Service Commission (Commission).

The update to the Civil Service Rules for Santa Barbara County led by the Human Resources Department in collaboration with County Counsel is ongoing. The Rules were codified by a 1970 vote of the public, and any proposed changes are process dependent, and will be inclusive of the Commission, labor union representatives and legal counsel.

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### Appeals/Hearings FY 2021-22

The Appeals and Hearing Procedure is established by Civil Service Rule Thirteen as described below:

#### **RULE THIRTEEN**

#### **APPEAL AND HEARING PROCEDURE**

1301. General. All hearings and investigations authorized by the initiative ordinance shall be governed by the initiative ordinance and by rules of practice and procedure adopted by the Commission. It is the intent of these rules that the conduct of any hearing or investigation shall be as informal as possible, and any informality in any proceeding or in the manner of taking testimony shall not invalidate any order, decision or rule made, approved or confirmed, by the Commission. Employees shall be free from reprisals or other punitive actions for availing themselves of the appeal procedures.

The Civil Service Commission 1) has the responsibility to investigate the administration of personnel and conditions of employment; 2) is required to place on their agenda any Appeal filed by an employee that meets the requirements; and 3) has the discretion to appoint a Hearing Officer for each hearing.

An overview of FY 2021-22 Appeals and Hearings are below:

<b>APPEALS/HEARINGS FY 2021-2022</b>			
<b>Appellant/Department</b>	<b>Date</b>	<b>Issue/Rule</b>	<b>Disposition</b>
**R.K. v. SHERIFFS DEPT.	07/01/2021	**	Case carries forward from previous fiscal year. Hearing dates from previous fiscal year include May 3, 5, 6, June 2, 3, 4, 7, 11, & 14, 2021. Hearing dates for the current fiscal year include July 8, 9, 12, 14, 23 & 26.
	09/29/2021		Hearing day on Closing Briefs & questions from Commission.
	11/12/2021		Final Decision by Commission. Distributed updated version of Final Decision via e-mail to parties on 11/17/21.
	03/17/2022		Received Verified Petition of Writ of Mandate.
	06/30/2022		<b>Case carries forward to next fiscal year.</b>

NOTE: \*\*Indicates that limited information is presented on summaries concerning a peace officer.

### Requests for Investigations FY 2021-22

Requests for Investigations are defined by Civil Service Rule 1305 below:

**RULE 1305. INVESTIGATIONS.** An informal method by the Commission of inquiring into the administration of personnel or conditions of employment in County service. The Commission shall have the power to subpoena and require the attendance of witnesses and the production thereby of documents to the investigation. Such investigation shall be considered non-adversary, and witnesses shall not be required to testify under oath. The parties shall not be represented by counsel except that an employee organization representative may be present and participate in the investigation. Any findings, conclusions or recommendations may be reported to the Board of Supervisors and the Administrative Officer. Before the Commission considers a request for an investigation or grants such a request, it is recommended that the employee attempt to affect a resolution of the problem at the departmental level. Before the Commission grants such an investigation, the department(s) which is (are) affected shall be served with a request for investigation and with a written notice setting forth the date, time, and location where the Commission will hear the request or motion for an investigation. Service shall be made on the department head by mail no

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later than 15 days or personally delivered no later than 5 days before the date the Commission will consider the request on motion for investigation.

An overview of FY 2021-22 Requests For Investigation are below:

<b>REQUESTS FOR INVESTIGATION FY 2021-2022</b>			
<b><i>Appellant/Department</i></b>	<b><i>Date</i></b>	<b><i>Issue/Rule</i></b>	<b><i>Disposition</i></b>
C. O'KROLEY v. HUMAN RESOURCES DEPT.	03/17/2022	Investigation (1305 & 613)	Request investigation into the examination process for position of Planner I. Appellant had opportunity to present information. HR did investigate and did not find any fraud, bias or irregularity in the recruitment. Motion to deny request for investigation was carried 4-0. <b>Case closed.</b>

## Discrimination Complaints FY 2021-22

Discrimination Complaints are defined by Civil Service Rule 1304 below:

**RULE 1304. DISCRIMINATION COMPLAINTS.** Persons alleging discrimination under County Code Section 27-30 and Civil Service Rule Five shall have the right to challenge the alleged discrimination at a hearing before the Commission, but shall first file the complaint with the County Affirmative Action Officer, who shall perform an investigation and file a factual report with the Commission within ninety (90) days. Persons retain the right to pursue an appeal directly to the Civil Service Commission following the report from the County Affirmative Action Officer or in the event the County Affirmative Action Officer does not acknowledge the complaint within thirty (30) days or does not file a report within ninety (90) days. The Commission shall consider accepting the complaint at its next Commission meeting, and if accepted, a hearing shall be set within 20 calendar days. Rule 1303 shall govern the procedures for discrimination hearings by the Commission.

An overview of FY 2021-22 Discrimination Complaints are below:

<b>DISCRIMINATION COMPLAINTS FY 2021-2022</b>			
<b><i>Appellant/Department</i></b>	<b><i>Date</i></b>	<b><i>Issue/Rule</i></b>	<b><i>Disposition</i></b>

There were no Discrimination Complaints.

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### Other Commission Business FY 2021-22

Other Commission Business includes business brought to the Commission by Departments that are related to the Civil Service Rules such as proposed Rule changes and informational presentations.

An overview of FY 2021-22 Other Commission Business is below:

<b>OTHER COMMISSION BUSINESS 2021-2022</b>			
<b>Department</b>	<b>Date</b>	<b>Issue/Rule</b>	<b>Disposition</b>
HUMAN RESOURCES DEPT. Civil Service Personnel Ordinance Update	06/30/2021		<b>This is an ongoing project. Carries forward to next fiscal year.</b>

### Extra Help Appointments FY 2021-22

Extra Help Appointments are defined by Civil Service Rule 905 below:

**RULE 905. EXTRA HELP APPOINTMENT.** An extra help appointment is defined as an appointment made to a non-regular, non-permanent position established on a temporary basis to meet peak loads, unusual work situations, seasonal and recurrent work, intermittent assignments, or emergencies.

An extra help appointment is not a regular appointment and need not be made from an established eligible list except that appointments to positions covered by Local Agency Personnel Standards shall be made from eligible lists if appropriate lists are available. In the event an extra help position is subsequently converted to a regular position, only a continuing incumbent, whose original appointment was made from one of the ten highest standings on the appropriate eligible list, may be granted probationary status effective on the date of establishment of the regular position without further examination, except medical examination or evaluation as may be required by current personnel policies.

An extra help appointment shall require prior recommendation and/or approval of the Administrative Officer or Board of Supervisors, as appropriate. Such appointment, except emergency appointment, shall not exceed one thousand and forty hours in the twelve month period immediately following the first day of the first appointment of the incumbent, unless extended by prior approval of the Commission; however, an extra help appointment covered by Local Agency Personnel Standards shall not exceed twelve months.

Except in the case of emergency or when the nature of the assignment is such that it does not fall within an existing classification, the appointing authority shall be responsible for determining that the extra help appointee meets the minimum qualifications established for the class at the time of appointment. In the case of an extra help appointment to a position for which no appropriate classification exists, the appointing authority shall be responsible for determining that such appointee is qualified to perform the duties of the job.

In the case of a bona fide emergency, a person may be appointed on an extra help basis without regard to the minimum qualifications established for the class, and such appointment shall be reported to the Administrative Officer and Personnel Director within seventy-two hours of appointment and shall not exceed thirty working days unless extended by prior approval of the Administrative Officer.

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An overview of FY 2021-22 Extra Help Appointment Extension Requests are below:

<b>EXTRA HELP APPOINTMENT EXTENSION REQUESTS FY 2021-2022</b>			
<b>DEPARTMENT</b>	<b>MONTH/YEAR</b>	<b># OF REQUESTS</b>	<b>POSITION TITLE</b>
<b>Behavioral Wellness</b>	November 2021	1	ADMHS Rehab. Specialist
	March 2022	1	Mental Health Recovery Assistant
	May 2022	1	Peer Recovery Assistant
	June 2022	2	Recovery Assistant; Administrative Office Professional Sr.
<b>Clerk/Recorder/Assessor</b>	February 2022	2	Administrative Office Professional II; Administrative Office Professional I
<b>County Executive Office</b>	June 2022	1	Extra Help Special
<b>District Attorney</b>	September 2021	1	Deputy District Attorney I
	November 2021	1	Deputy District Attorney I
	January 2022	1	Legal Office Professional I
	March 2022	2	Legal Office Professional I; Deputy District Attorney I
	April 2022	1	Deputy District Attorney I
<b>Fire</b>	August 2021	31	Fire Control Crew; Fire Equipment Operator Assistant
	September 2021	12	Fuels Crew Worker; EMS Administrator; Fire Control Crew
	October 2021	7	Fire Control Crew; Fuels Crew Worker; Fire Equipment Operator Assistant
	November 2021	1	Fire Control Crew
	December 2021	2	Fuels Crew Worker; Fire Control Crew
	April 2022	4	Storekeeper; Fuels Crew Worker; Fire Control Crew
	May 2022	1	EMS Administrator
	June 2022	6	Fuels Crew Worker; Fire Control Worker; Storekeeper
<b>Human Resources</b>	November 2021	1	Admin. Office Professional Sr.
<b>Parks-CSD</b>	March 2022	1	Park Ranger Trainee
	April 2022	1	Park Ranger Trainee
	May 2022	2	Park Ranger Trainee-E
<b>Public Defender</b>	July 2021	2	Legal Office Professional I; Social Services Worker
	August 2021	2	Legal Office Professional I
	October 2021	2	Legal Officer Professional I; Rehabilitation Services Coordinator

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<b>EXTRA HELP APPOINTMENT EXTENSION REQUESTS FY 2021-2022</b>			
<b>DEPARTMENT</b>	<b>MONTH/YEAR</b>	<b># OF REQUESTS</b>	<b>POSITION TITLE</b>
	December 2021	1	Legal Office Professional I
	January 2022	1	Computer Systems Specialist
	March 2022	2	Legal Office Professional I.; Legal Office Professional
	April 2022	3	Legal Office Professional I & Sr.; Department Business Specialist I
	May 2022	1	Recovery Assistant
<b>Public Works</b>	July 2021	2	Admin. Office Professional; P.W. Program Specialist I
	September 2021	3	Maintenance Worker Apprentice; Admin. Office Professional I
	October 2021	1	Engineering Tech I
	December 2021	3	Maintenance Worker Apprentice; Urban Forest Maintenance Worker
	February 2022	2	Maintenance Worker Apprentice; Heavy Truck Driver
	March 2022	1	Financial Office Professional Sr.
	April 2022	1	Special Engineering Intern
	June 2022	2	Maintenance Worker Apprentice; Engineering Technician I
<b>Sheriff</b>	August 2021	1	Communications Dispatcher II
<b>Social Services</b>	September 2021	1	Social Services Case Aide
<b>Total Extra Help Extension Requests 2021-22</b>	114		

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### Summaries

Below is a summary of the work of the Civil Service Commission for Fiscal Year 2021-22

<b>Summary 2021-2022</b>			
	Resolved	Pending	Notes
Hearings/ Appeals	1	1	R.K. v. Sheriff (12/2020) Request for hearing accepted. (09/2021) Hearing complete. 11/17/2021 Final Decision delivered. 03/17/2022 Decision appealed to Superior Court. Case carries forward to next fiscal year.
Requests for Investigation	1	0	C. O’Kroley v. Human Resources (03/17/2022) Deny request for investigation. Resolved.
Discrimination Complaints	0	0	
Other Business	0	1	Civil Service Rules Update ongoing. Continues to next fiscal year.
Extra Help Extensions	114		There were a total of 114 Extra Help Extension Requests from 11 different departments.

Below is a four- year summary of the work of the Civil Service Commission covering Fiscal Year 2018-19 through Fiscal Year 2021-22.

<b>TOPICS</b>	<b>CURRENT</b>	<b>FY 2020-21</b>	<b>FY 2019-20</b>	<b>FY 2018-19</b>
New appeals filed	0	1(R.K.)	0	3
Request for rehearing	0	0	0	0
Hearing/Appeal (continued)	1(R.K.)	1 (R.H.)		
Appeals withdrawn/dismissed Removed with prejudice	0	1 (Traga)	0	1
Hearing days	8	9	0	1
Settlements without hearings	0	0	0	1
Discrimination complaints	0	1	0	1
Investigation requests	1	1	1	2
Pending cases - carried forward to next year	0	1 (R.K. v Sheriff)	2	3
Pending writs in superior court from prior years	0	1(R.H. 2020)	1 (R.H.)	2 (R.H. & R.K.)
Petition for writ filed	1 (R.K. v Sheriff)	0	0	0
Extra Help Extensions	114	110	114	104

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**FISCAL ANALYSIS AND COMMISSIONER INFORMATION  
FY 2020-21**

<b>FISCAL YEAR 2020-21</b>	
<b><u>COMMISSIONER INFORMATION</u></b>	
First District	Mr. R.W. Hap Ziegler
Second District	Ms. Judith Koper
Third District	Ms. Tamara Rowles
Fourth District	Vacant as of 7/2021
Fifth District	Mr. Alex Carrillo
Commission Counsel: Ms. Maria Novatt	
Commission Secretary: Ms. Stephanie Langsdorf (Extra Help) Mr. Travis Baxter	
<b><u>REGULAR MEETINGS</u></b>	<b><u>ABSENT</u></b>
July 2021	Carrillo absent
August 2021	All present
September 2021	All present
October 2021	All present
November 2021	All present
December 2021	All present
January 10, 2022 Special Meeting	Ziegler absent
January 2022	Koper absent
February 2022	All present
March 2022	All present
April 2022	All present
May 2022	All present
June 2022	Carrillo absent
<b><u>EXPENDITURES</u></b>	
<b><u>Amount</u></b>	<b><u>Description</u></b>
\$ 85,475	Salaries and Benefits
8,300	Commissioner per Diem
4,100	Extra Help
1,135	Commissioner Mileage
385	Telephone
420	Services and Supplies (e.g. Duplicating, Reprographics, Postage, Office Supplies)
Total: \$ 99,815	