

## Attachment A

### COUNTY OF SANTA BARBARA



### CIVIL SERVICE COMMISSION

## ANNUAL REPORT 2017-2018

The Civil Service System is governed by the Civil Service Rules which ensure that employees are hired through a 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 Civil Service Commission, a quasi-judicial body established by referendum ordinance in 1971, is charged with administration of the Civil Service System. It consists of five appointed members, one from each supervisorial district, that serve four-year terms of office. It is sometimes challenging to find suitable appointees to volunteer to serve in this capacity, and the Civil Service Commission has struggled over the last two years to keep all seats filled. The Commission holds hearings on appeals of disciplinary actions as provided 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 advises the Board of Supervisors.

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

In Fiscal Year 2017-18 all meetings and hearings of the Civil Service Commission were held in the Basement Conference Room at the County Administration Building at 105 E. Anapamu St. in Santa Barbara. Due to conflicts with the Santa Barbara County Association of Governments meetings each month it is not possible to use the Board of Supervisors Conference Room on the 4<sup>th</sup> floor of the County Administration Building.

In previous years the Commission has worked diligently to revise and recommend revisions to the Civil Service Rules. Since the Rules are codified by a 1970 vote of the public, changes to the Rules are process dependent, and inclusive of labor union representatives and legal counsel. The Human Resources department has determined that working with a professional contractor specializing in Civil Service Rules updates is an appropriate course of action to update the Civil Service Rules for Santa Barbara County. This project is ongoing; therefore no revisions or recommended revisions were made by the Commission in FY 2017-18.

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### Appeals/Hearings FY 2017-18

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

An overview of FY 2017-18 Appeals and Hearings are below:

<b>APPEALS/HEARINGS FY 2017-2018</b>			
<b>Appellant/Department</b>	<b>Date</b>	<b>Issue/Rule</b>	<b>Disposition</b>
S. TERRIS v. SHERIFF'S DEPT.	07/01/2017	Suspension (1203, 1209 & 1213)	Case carried forward from fiscal year 2009/10.
	06/30/2018		Writ pending in Superior Court. <b>Case carries forward to next fiscal year.</b>
**R.H. v. PROBATION DEPT.	07/01/2017	**	Case carried forward from fiscal year 2015/16.
	06/30/2017		Writ pending in Superior Court.
	06/30/2018		<b>Case carries forward to next fiscal year.</b>
**R.K. v. SHERIFF'S DEPT.	07/01/2017	**	Case carried forward from prior fiscal year.
	09/29/2017		Administrative record filed in Superior Court.
	05/30/2018		Sheriff's Office Writ denied; R.K.'s Writ pending in Superior Court. <b>Case carries forward to next fiscal year.</b>
**C.J. v. SHERIFF'S DEPT.	12/14/2017	**	Attorneys for C.J. request to put case back on CSC agenda. (case had been removed from CSC calendar effective 05/18/17 due to pending criminal matters)
	02/15/2018		CSC receives progress report on case from Hearing Officer and County Counsel.
	03/15/2018		CSC set hearing dates. Continued to 04/19/18.
	04/19/2018		CSC set hearing dates.
	05/17/2018		Hearing dates confirmed for August 2018.
	06/30/2018		<b>Case carries forward to next fiscal year.</b>

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**Requests for Investigations FY 2017-18**

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 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 2017-18 Requests For Investigation are below:

<b>REQUESTS FOR INVESTIGATION FY 2017-2018</b>			
<b><i>Appellant/Department</i></b>	<b><i>Date</i></b>	<b><i>Issue/Rule</i></b>	<b><i>Disposition</i></b>
<i>A. VILLA v. HUMAN RESOURCES</i>	07/20/2017	Investigation (512)	Request for investigation. Protest of disqualification from taking Accountant I exam. Case continued to August.
	08/17/2017		Request for investigation granted and heard. CSC recommended that HR allow Mr. Villa to test for position.
	02/12/2018		NEW FILING: Request for investigation. Protest of disqualification from Accountant II recruitment.
	02/13/2018		<b>CSC reject letter of appeal dated 02/12/2018. Did not meet guidelines of Rule 512.</b>
<i>D. SIGISMONDI v. COUNTY EXECUTIVE OFFICE</i>	06/07/2018	Investigation (1305)	Request from applicant for an investigation into administration of personnel or conditions of employment.
	06/21/2018		CSC accepted the case for investigation & placed on agenda for July 19, 2018.
	06/30/2018		<b>Case carries forward to next fiscal year.</b>

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**Discrimination Complaints FY 2017-18**

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 2017-18 Discrimination Complaints are below:

<b>DISCRIMINATION COMPLAINTS FY 2017-2018</b>			
<b>Appellant/Department</b>	<b>Date</b>	<b>Issue/Rule</b>	<b>Disposition</b>
J. SEWELL v. GENERAL SERVICES DEPARTMENT	10/19/2017	Discrimination (508)	Matter placed on agenda at request of SEIU Local 620. <b>Case withdrawn as it had been settled.</b>
L. TRAGA v. HUMAN RESOURCES	04/23/2018	Investigation (1304)	Letter from applicant requesting investigation into delay of Equal Employment Opportunity Office (EEO) investigation regarding a Discrimination Complaint filed in February 2017. CSC requested a status report on the Report of Investigation. Continued to 06/21/2018.
	05/17/2018		Confirmation from HR that Report of Investigation was completed and the matter is closed unless appealed.
	06/21/2018		Request for Appeal of finding of Report of Investigation received. Consideration of Appeal set for July 19, 2018 meeting.
	06/30/2018		<b>Case carries forward to next fiscal year.</b>

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### Extra Help Appointments FY 2017-18

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.

An overview of FY 2017-18 Extra Help Appointment Extension Requests are below:

<b>EXTRA HELP APPOINTMENT EXTENSION REQUESTS FY 2017-2018</b>			
<b>DEPARTMENT</b>	<b>MONTH/YEAR</b>	<b># OF REQUESTS</b>	<b>POSITION TITLE</b>
<b>Auditor Controller</b>	March 2018	1	Financial Office Professional I
<b>Behavioral Wellness</b>	August 2017	3	Psychiatric Tech.; Psychiatric Nurse; Recreational Therapist
	October 2017	3	Admin. Office Pro.
	November 2017	1	Admin. Office Pro.
	February 2018	1	Psychiatric Technician
	March 2018	3	Transition Age Youth Case Manager; Recovery Assistant; Psych. Tech. II
	May 2018	1	Admin. Office Professional
	June 2018	6	Dept. Business Specialist; Recovery

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<b>EXTRA HELP APPOINTMENT EXTENSION REQUESTS FY 2017-2018</b>			
<b>DEPARTMENT</b>	<b>MONTH/YEAR</b>	<b># OF REQUESTS</b>	<b>POSITION TITLE</b>
			Assistant; Psycg. Tech. I
<b>Clerk/Recorder/Assessor</b>	June 2018	4	Admin. Office Pro. I; Admin. Office Pro. II
<b>County Administration</b>	March 2018	1	Petroleum Inspection Tech. II
<b>District Attorney</b>	October 2017	5	Legal Office Pro.; Computer Systems Specialist; Deputy District Attny.; Admin. Office Pro.
	November 2017	2	Deputy District Attorney
	January 2018	2	Deputy District Attorney
	February 2018	3	Deputy District Attorney; Legal Office Pro.
	April 2018	2	Legal Office Professional
	June 2018	1	Legal Office Professional Sr. Restricted
<b>Fire</b>	August 2017	19	Fire Control Crew
	October 2017	10	Fire Control Crew
	November 2017	2	Fire Control Crew
	January 2018	1	Mapping/GIS Technician
	February 2018	3	Mapping/GIS Tech.; Fire Control Crew
<b>General Services</b>	March 2018	1	Real Property Agent
<b>Human Resources</b>	March 2018	1	AEGB Grant Coordinator
	April 2018	1	Administrative Assistant
	May 2018	1	Admin. Office Pro. Sr. Restricted
<b>Parks-CSD</b>	July 2017	1	Assistant Naturalist
	February 2018	1	Park Ranger Trainee
	March 2018	1	Park Ranger Trainee
	April 2018	1	Park Maintenance Worker
	May 2018	1	Naturalist
<b>Public Defender</b>	July 2017	1	Legal Office Professional
<b>Public Health</b>	July 2017	4	Animal Shelter Attendant; Medical Assistant; Staff Nurse; Admin. Office Pro.
	August 2017	2	Admin. Office Pro.; Medical Assistant
	October 2017	2	Admin. Office Pro.; Health Ed. Assistant
	February 2018	3	Medical Assistant; Animal Shelter Attendant
	March 2018	1	Health Education Assistant
	April 2018	3	Health Education Assistant, Laboratory

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<b>EXTRA HELP APPOINTMENT EXTENSION REQUESTS FY 2017-2018</b>			
<b>DEPARTMENT</b>	<b>MONTH/YEAR</b>	<b># OF REQUESTS</b>	<b>POSITION TITLE</b>
			Assistant; Admin. Office Pro.
	May 2018	1	Admin. Office Pro. II
	June 2018	2	Animal Shelter Attendant
<b>Public Works</b>	August 2017	1	Financial Office Professional
	November 2017	1	Maintenance Worker Apprentice
	December 2017	1	Maintenance Worker Apprentice
	February 2018	3	Maintenance Worker Apprentice
	June 2018	2	Maintenance Worker Apprentice
<b>SBCERS</b>	July 2017	1	Administrative Office Professional
	April 2018	1	Administrative Office Professional
<b>Sheriff</b>	February 2018	1	Communications Dispatcher II
	June 2018	1	Administrative Office Professional II
<b>Total Extra Help Extension Requests 2017-18</b>		<b>113</b>	

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### Summaries

Below is a summary of the work of the Civil Service Commission for Fiscal Year 2017-18

Summary 2017-2018			
	Resolved	Pending	Notes
Hearings/ Appeals		4 total	Terris v. Sheriff's (2009/10) Writ of Mandamus Superior Court R.H. v. Probation (2015/16) Writ of Mandamus Superior Court R.K. v. Sheriff's (2015/16) Writ of Mandamus Superior Court C.J. v. Sheriff's (2015/16) CSC hearing August.
Requests for Investigation	1	1	Villa v. H.R. (2017/18) Reject letter of appeal. Sigismondi v. C.E.O. (2017/18) Carries to next fiscal year.
Discrimination Complaints	1	1	Sewell v. Gen. Serv. (2016/17) Case Settled. Traga v. H.R. (2017/18) Carries to next fiscal year.
Extra Help Appointment Extensions	113		There were a total of 113 ExH Extension Requests from 14 different departments.

Below is a three year summary of the work of the Civil Service Commission covering Fiscal Year 2014-15 through Fiscal Year 2017-18.

THREE YEAR SUMMARY 2014-15 THROUGH 2017-18				
TOPICS	CURRENT	FY 2016-17	FY 2015-16	FY 2014-15
New appeals filed	0	3	2	3
Request for rehearing	1	0	1	1
Appeals withdrawn	0	0	0	2
Removed with prejudice		1		1
Hearing days	0	5	2	1
Settlements without hearings	0	3	1	1
Discrimination complaints	2	1	2	None
Investigation requests	2	4	3	1
Unlawful reprisal action	None	None	None	None
Pending cases - carried forward to next year	4 1 (Investigation)	1 1 (Investigation)	3	3
Pending writs in superior court from prior years	3 (Terris, R.H. & R.K.)	2 (Terris & R.H.)	1 (Terris)	1 (Terris)
Petition for writ filed	0	1(R.K.)	1 (R.H.)	0



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**FISCAL ANALYSIS AND COMMISSIONER INFORMATION  
FY 2017-18**

<b>FISCAL YEAR 2017-18</b>		
<b><u>COMMISSIONER INFORMATION</u></b>		
First District	Mr. Richard C. Solomon	Chair – 7/01/2017 – 2/15/18
Second District	Ms. Judith Koper	Chair -- 2/15/18 -- present
Third District	Ms. Monica Steiner	Resigned – March 2017 Vacant seat
Fourth District	Mr. Ronald L. Nanning Mr. Matt Olson	Resigned – January 2018 Vacancy filled – February 2018
Fifth District	Mr. Alex Carrillo	
Commission Counsel: Mr. Czuleger		
Commission Secretary: Shen Rajan Stephanie Langsdorf		Retired: Dec. 1, 2017 Hired: Effective Dec. 4, 2017
<b><u>REGULAR MEETINGS</u></b>		<b><u>ABSENT</u></b>
July 2017		Koper
August 2017		All present
September 2017		No quorum – meeting cancelled
October 2017		Steiner
November 2017		All present
December 2017		No quorum-meeting cancelled
January 2018		No quorum-meeting cancelled
February 2018		Solomon
March 2018		Carrillo
April 2018		All present, D3 vacant
May 2018		All present, D3 vacant
June 2018		Olson, D3 vacant
<b><u>EXPENDITURES</u></b>		
<b><u>Amount</u></b>	<b><u>Description</u></b>	
\$ 69,657	Salaries and Benefits	
3,200	Commissioner per Diem	
1,075	Commissioner Mileage	
348	Telephone	
650	Services and Supplies (e.g. Duplicating, Reprographics, Postage, Office Supplies)	
Total: \$ 74,930		