

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Board of Supervisors		(2) MEETING DATE July 25, 2006		(3) CONTACT/PHONE Shirley Bianchi, District 2 Supervisor (805) 781-5011	
(4) SUBJECT Request to approve a letter to the Tribune regarding the County's hiring process.					
(5) SUMMARY OF REQUEST At its July 18, 2006 meeting, the Board agreed to prepare an informational response to the Tribune's recent editorial regarding the County's hiring process. The Board also agreed to form a committee to review civil service rules to determine what recommendations might be made to enhance our ability to recruit and retain qualified employees. Staff will prepare a report with recommendations for carrying out that review process and present it to the Board in August.					
(6) RECOMMENDED ACTION It is recommended that the Board approve the letter to the Tribune regarding the County's hiring processes.					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> YES <input type="checkbox"/> N/A NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): The committee review process and participants will be addressed when the Board considers a staff report on this matter in August.					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) 1st, 2nd, 3rd, 4th, 5th, <u>All</u>			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Board Business (Time Est. _____)			(16) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input checked="" type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

F-1
(7.25.06)

(19) ADMINISTRATIVE OFFICE REVIEW

BOARD OF SUPERVISORS



COUNTY GOVERNMENT CENTER, 1055 Monterey, Room D430 • SAN LUIS OBISPO, CALIFORNIA 93408
(805) 781-5450 • FAX: (805) 781-1350

July 25, 2006

The Tribune News
3825 S. Higuera
San Luis Obispo, CA 93401

This Viewpoint is in response to The Tribune's Editorial, 7/16, "Air out county's hiring process." Since that editorial suggested that civil service hiring "guidelines" are not being adhered to we believe that assertion requires a response.

Public support for the creation of civil service systems emerged as a result of the so-called "spoils system" that was rampant in the late 1800's. Jobs were given to unqualified individuals in exchange for political favors or support. The heart of the Pendleton Act of 1883 was a belief that the public deserved a qualified, efficient workforce and job should be awarded based on competence, not campaign contributions.

Many analyses have been done of civil service systems. In 1995, both the Little Hoover Commission and California's Legislative Analyst Office (LAO) prepared comprehensive reports and recommendations. Although these reports are dated, many of the concepts and issues addressed are still relevant. In discussing principles for updating the civil service system, the LAO was clear...."The public comes first....Every other principle underlying the design of a good civil service system should tie back to this one." The Hoover report contained recommendations for updating the state civil service system to address unintended consequences. At the conclusion of their report, the Little Hoover Commission stated "success depends on inspiring the best in people, not tolerating the worst. Success depends on innovation, flexibility and cooperation". We couldn't agree more.

In general, civil service systems encourage the promotion of existing employees. The San Luis Obispo County Civil Service Commission long ago adopted a rule that says "whenever practicable and in the best interest of the County, vacant positions in the classified service shall be filled through promotion of employees working at lower levels in the County organization". Respectable people can and will have differences of opinion over what "whenever practicable" and "in the best interest of the County" mean. That's an honest debate. Similarly, you may not agree with a practice that results in people who work outside County government – or even employees in other County departments – not being eligible to compete for certain jobs. But it's a longstanding and common practice in civil service systems.

F-1
2

There are many good reasons for encouraging the promotion of existing employees. The County has many talented, hard-working employees and it behooves us to capitalize on that talent to provide the highest quality public services. When county jobs are “reclassified” to higher level, higher paying positions, employees that held the lower level jobs can, and frequently do, end up being placed in the higher level job using what civil service rules call a “non-competitive appointment”. The unions can also feel very strongly about opening up jobs to people who don’t already work in the department or for the County. A representative from the County’s largest union, the San Luis Obispo County Employees Association, recently said it is “demotivating, when people with no history with the department, no loyalty to the department and none of the local knowledge are promoted over insiders”.

The Board of Supervisors values both internal candidates as well as public applicants. A mix of both creates the best potential for a strong, diverse workforce. Department heads make the decision about whether the recruitment will be limited to internal candidates or open to the public.

Like many other rules, civil service rules can be ambiguous. For good reason, the Civil Service Commission has ordered that its rules “be liberally construed”. In the recent debate involving the reorganization of the County Personnel Department, a proposal was developed based on interpretation of the rules and the longstanding practice of promoting internal staff. The civil service commission can decide if the proposal complies with its rules and past practice. But to suggest that there is an impropriety in the process is simply wrong.

The reorganization County Administrator David Edge proposed to the Board (in the 2006-07 budget) included moving the risk management division of his office and consolidating it with the Personnel Department to form a new department called Human Resources. This reorganization proposal did not just pop up on the horizon. Personnel Director Richard Greek and CAO Edge started discussing it several years ago, briefing the Board on their proposal along the way. The proposal was delayed to allow Mr. Greek to focus on some special projects. The process for appointing a person to serve as deputy director of this new department had not even been initiated when the Civil Service Commission began an investigation. As a result, if a grievance is filed with the Commission, there may be a question as to whether they can objectively consider the matter.

The Board of Supervisors makes decisions about how departments are organized. When two departments or divisions are combined to form a new department, it’s reasonable to consider employees who previously worked for those two divisions or departments to be “internal candidates”. Furthermore, because of the County’s track record of promoting internal candidates, there is absolutely nothing inappropriate about limiting the candidate pool for the position in question to eligible internal candidates. Again, it is up to the Civil Service Commission to decide if hiring practices comply with their rules. However, it is disturbing that an investigation into this matter was launched – and persons were judged to be “guilty” – before recruitment had even been initiated. It is certainly our hope that the very capable and committed County employee involved in this situation is afforded the same opportunities that others before her have been granted.

F-3

David Edge has done much to prepare the County for the challenges we face, including creating an Employee University to provide County staff with opportunities to build new skills and knowledge. He is keenly aware that in the next 5-10 years, many County employees will be retiring. And when they walk out the door, they will take with them a huge amount of knowledge and experience. The generation behind the "baby boomers" is smaller in numbers. Local housing costs will prohibit many of them from taking jobs here. All that adds up to the need for us to heed the advice in the Hoover report. We need to be innovative, flexible and cooperative. We need to honor the intent of the voters in creating a civil service system in SLO County and be open to changes that might be needed to address the challenges of developing a qualified 21st century workforce.

Thank you for the opportunity to comment on this obviously very complex issue.

Sincerely,

Harry Ovitt, 1st District Supervisor

Shirley Bianchi, 2nd District Supervisor

Jerry Lenthall, 3rd District Supervisor

Khatchik H. "Katcho" Achadjian, 4th District Supervisor

James R. Patterson, 5th District Supervisor

EA