

Civil Service Commission

1055 MONTEREY STREET, SUITE D250 ♦ SAN LUIS OBISPO, CALIFORNIA 93408 ♦ (805) 781-5959

MEMBERS OF THE COMMISSION

Robert Bergman, President
Jeannie Nix, Vice President
Arthur Chapman
Jay Salter
Bill Tappan



**The San Luis Obispo County Civil Service Commission
Regular Session Meeting Action Minutes
Wednesday, December 12, 2007, 9:00 a.m.
County Government Center, 1055 Monterey Street, Suite D271, San Luis Obispo, CA**

MINUTES

Present: President Robert Bergman, Vice President Jeannie Nix, Commissioner Arthur Chapman, Commissioner William Tappan, Commissioner Jay Salter

Staff present: Dori Duke, Heather Gunderlock

Counsel: Shannon Matuszewicz

1. Call To Order:

President Bergman called the meeting to order at 9:01 a.m.

2. Public Comment Period:

President Bergman addressed the audience asking for anyone wishing to speak to the Commission during the public comment period on any matter that is not listed on today's agenda. Being no public comment, President Bergman closed the public comment period.

3. Minutes:

a. June 28, 2007 – Special Meeting

A motion to approve the regular meeting minutes from June 28, 2007 was made by Commissioner Tappan, seconded by Commissioner Salter. President Bergman asked for a roll call vote. The motion passed 3-0-2. Commissioners Nix and Chapman abstained since they were not present for the June 28, 2007 meeting.

Roll Call:

Vice President Nix	Abstained
Commissioner Salter	Yes
Commissioner Tappan	Yes
Commissioner Chapman	Abstained
President Bergman	Yes

Civil Service Commission

b. August 8, 2007 – Regular Meeting

President Bergman asked if the Commissioners had any corrections to the minutes. Mr. Tappan suggested a correction to page 3b(4); Ms. Gunderlock stated that she will make the correction. A motion to approve the regular meeting minutes as amended was made by Commissioner Chapman, seconded by Commissioner Nix. President Bergman asked for a roll call vote. The motion passed 5-0-0.

Roll Call:

Vice President Nix	Yes
Commissioner Salter	Yes
Commissioner Tappan	Yes
Commissioner Chapman	Yes
President Bergman	Yes

4. Reports

a. Commission President:

1. Consideration of November 8, 2007 letter from Probation Department employees requesting the Commission investigate discrimination allegations.

President Bergman requested the advice of Commission Counsel regarding the matter. Ms. Matuszewicz stated that the Commission has the authority to conduct an independent investigation, but that the HR Department has hired an independent investigator to investigate the discrimination allegations. Ms. Duke confirmed the investigation began in early November, at approximately the same time that the letter was dated, and therefore it is possible the Probation Department employees who authored the letter were unaware of the investigation at the time they sent it to Commissioners. President Bergman reported that the Commission had received a request for a copy of the letter from the media, but upon advice of Counsel, denied the request because of the investigation in progress. Ms. Matuszewicz advised the Commission that they could either conduct their own investigation into the allegations or could defer the request to the HR Department's investigative findings. She advised that if the Commission chose the latter, they could, at a later date, reconsider and conduct their own investigation. Mr. Tappan asked whom the HR Department hired; Ms. Duke responded that the investigator is Christine Maloney, Attorney-at-Law, who is well respected as an independent investigator and has conducted prior investigations for the County. Ms. Nix asked when the investigation would be concluded; Ms. Duke answered that although no definitive date for completion could be provided, the investigation was expected to continue for several more weeks. Ms. Nix expressed concern that the letter the Commissioners received was not reported on an official grievance form, asked if the complainants had filed a formal grievance and whether or not the appellants planned to bring the matter before the Commission for hearing. Ms. Duke responded that no formal grievance had been filed and that no hearing was planned at the time, which was confirmed by Kimberly Daniels, SLOCEA, who was present in the audience. Mr. Salter stated that it was his understanding that an investigation regarding the allegations had already occurred and had been completed in the Probation Department. Ms. Duke responded that there had been an investigation that related to the issue, but that the most recent allegations were broader and extended beyond the scope of any previous investigation. As such, the HR Department concluded that an additional comprehensive investigation was warranted, which would include a review of the relevance of any prior investigation.

Civil Service Commission

Ms. Nix asked if the complainants had taken action at a State level regarding the allegations. Ms. Duke responded that not having seen the letter herself, and without knowledge of the authors' identity, she could confirm only that there had been notification to the State from Probation employees and that HR would respond to the State inquiries.

Mr. Chapman asked if Commissioners would receive a report of the findings; Ms. Duke stated that they would not. Ms. Matuszewicz confirmed it would not be appropriate since the Commission did not conduct their own investigation. Ms. Duke and Ms. Matuszewicz provided clarification regarding the grievance and appeal process for an employee, should discipline be imposed as a result of the investigation.

President Bergman requested that Counsel draft a letter to the complainants stating that the Commission would not conduct a separate independent investigation at this time. He further stated his objection to the method the complainants used to communicate their allegations to the Commission. He stated that no formal grievance process was followed, nor were any of the complainants present to provide public comment at the meeting. Additionally, Mr. Bergman stated his objections to employees mailing letters to individual commissioners or to their attention in care of the HR Department rather than adhering to the formal grievance process, clearly available to County employees.

Subsequently, the Commission worked with Ms. Matuszewicz to draft language for the letter. President Bergman requested a motion to authorize him to sign the letter on behalf of the Commission. Motion was made by Mr. Chapman, second by Ms. Nix. The motion passed 5-0-0.

b. Commission Subcommittees:

No report.

c. Commission Counsel:

No report.

d. Commission Secretary:

1. Update regarding County budget situation and impact to Human Resources

Ms. Duke stated that in light of the County's financial situation, the County Administrative Office requested that all departments submit savings plan for fiscal year 07-08 that would reflect a 2.5 percent savings from general fund support. Ms. Duke reported that with the recent staff turnover, and resulting salary savings, the Human Resources Department is expected to meet the objective without adverse impact to service levels. Additionally, she stated that CAO approval was received for filling four of five vacant HR Department positions. The CAO did not approve filling one Administrative Assistant position in support of the HR Analyst Aide work group. Ms Duke explained that while this is a hardship, the Department is committed to finding ways to work around this resource reduction without impacting service levels. She informed the Commission that they would be updated regarding the 2008-09 budget impact at the January regular meeting.

Civil Service Commission

Ms. Duke responded to Commission questions regarding the RFP for a rules negotiator and stated that the Commission would be kept apprised of the status at future Commission meetings.

Lastly, Ms. Duke commented on plans for an upcoming January holiday party, to which the Commission will be invited and provided with specifics at a later date.

5. New Specifications

- a. Information Technology Project Manager I-II-III (Career Series/Information Technology)

The new specifications were approved at the November 14, 2007 regular meeting. The changes made by the Commission have been incorporated into the specification. The specification is presented for informational purposes only.

6. Specification Changes

- a. Network Engineer I/II/III (Information Technology/Countywide)
- b. Senior Network Engineer (Information Technology/Countywide)
- c. Software Engineer I/II/III (Information Technology/Countywide)
- d. Senior Software Engineer (Information Technology/Countywide)
- e. Systems Administrator I/II/III (Information Technology/Countywide)
- f. Senior Systems Administrator (Information Technology/Countywide)
- g. Technology Supervisor (Information Technology/Countywide)
- h. Information Technology Manager (Information Technology/Countywide)

The revised specifications were approved at the November 14, 2007 regular meeting. The changes made by the Commission have been incorporated into the specification. The specification is presented for informational purposes only.

7. Adjournment

Being no further business the meeting was adjourned at 9:51 a.m.

Note: These minutes reflect official action of the Civil Service Commission in open session. A digital record exists and will remain as the official, complete record of all proceedings by the Civil Service Commission.

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