

Civil Service Commission

1055 MONTEREY STREET, SUITE D250 • SAN LUIS OBISPO, CALIFORNIA 93408 • 805.781.5959

**The San Luis Obispo County Civil Service Commission
Regular Session Meeting
Wednesday, January 27, 2010 @ 9:00 A.M.
1055 Monterey Street, Suite D-271, San Luis Obispo, CA**



MEMBERS OF THE COMMISSION
Robert Bergman, President
Arthur Chapman, Vice President
Patricia Gomez
Jay Salter
Bill Tappan

MINUTES

Present: President Robert Bergman, Commissioner Patricia Gomez, Commissioner Jay Salter, Commissioner Art Chapman

Staff: Commission Secretary Dori Duke, Commission Clerk Carol Hill

Counsel: Deputy County Counsel Shannon Matuszewicz

Absent: Commissioner Bill Tappan*

1. Call to Order

President Bergman called the meeting to order at 9:08 A.M. and led the flag salute.

2. Election of Officers

A motion was made by Commissioner Salter and seconded by Commissioner Gomez to elect Commissioner Chapman as Commission President; motion carried 4-0-1*. A motion was made by President Chapman and seconded by Commissioner Salter to elect Commissioner Gomez as Commission Vice President; motion carried 4-0-1*.

3. Public Comment Period

Members of the public wishing to address the Civil Service Commission on matters other than those scheduled below may do so when recognized by the President. Presentations are limited to three minutes per individual.

Supervisor James Patterson thanked Commissioner Bergman for his leadership as Commission President.

Supervisor Frank Mecham presented Commissioner Bergman a certificate of appreciation for his years of service as Commission President.

Being no further comment President Chapman closed the public comment period.

4. Minutes

December 16, 2009 Regular Meeting

A motion was made by Commissioner Bergman and seconded by Commissioner Gomez to approve the December 16, 2009 minutes as presented; motion carried 4-0-1*.

5. Reports

Commission President - Presentation

President Chapman read a resolution on behalf of the Commission recognizing Bob Bergman for his years of service as Commission President and thanked him for his leadership.

Civil Service Commission

Commission Subcommittees

No report.

Commission Counsel

Ms. Matuszewicz confirmed that the Commission will have both the closing and reply briefs on Appeal #08-122 February 12, 2010 and recommended setting a date for deliberations. The Commission set a special session meeting for Wednesday, February 17, 2010 at 9:00 A.M. contingent upon Commissioner Tappan's availability.

Commission Secretary

Ms. Douglas-Schatz informed the Commission that there will be an all day appeal hearing on Wednesday, March 24, 2010.

6. Previously approved specifications - Information only

Principal Auditor-Analyst (Formerly Principal Accountant-Auditor), Division Manager-Auditor-Controller, Assistant Auditor-Controller and Auditor-Analyst: Trainee, I, II, III

The Commission reviewed and accepted the above noted specifications.

7. Discussion of grievance / appeal process for probationary rejections

Ms. Douglas-Schatz asked for clarification on a ruling made by the Commission in August 2008 which stated that the Commission would hear probationary rejection appeals *only* if the employee was rejected for discriminatory reasons. Following discussion, the Commission confirmed that the only basis for a probationary employee to appeal to the Commission after rejection from probation is for discrimination as provided for in Rule 16.05, and that a probationary employee would not have standing to grieve a rejection pursuant to Rule 4.05. The Commission concurred that the Human Resources Director has the discretion to reject a probationary rejection appeal form that does not set forth specific facts demonstrating that the rejection was a result of discrimination. The Commission suggested Ms. Douglas-Schatz compile a summary of the type of facts that would be required to support a discrimination claim and to bring it to the next regular session meeting on February 24, 2010.

8. Closed Session (per Gov. Code 54957): Deliberation regarding Findings and Decision for Appeal #A09-05 dated September 2, 2009

The Commission adjourned into closed session to deliberate Findings and Decision for the above noted appeal. Upon reconvening into open session President Chapman read the conclusion of the decision and called for a motion. A motion was made by Commissioner Gomez and seconded by Commissioner Bergman to approve the Findings and Decision for Appeal #A09-05 as written. The motion carried 4-0-1*.

Roll Call Vote:

Commissioner Bergman	Yes	Commissioner Salter	Yes
Commissioner Gomez	Yes	President Chapman	Yes

9. Closed Session (per Gov. Code, 54957): Review of performance evaluation for Commission Secretary

The Commission adjourned into closed session to discuss the above mentioned matter. Upon reconvening into open session President Chapman reported that no action was taken and agendaized the item for February 17, 2010.

10. Closed Session (per Gov. Code, 54957): Appeal Hearing #A09-02 dated July 22, 2009

The Commission adjourned into closed session at 10:40 A.M. to hear the above mentioned appeal. The hearing concluded at 1:39 P.M. due to procedural matters and the hearing was continued to Thursday, February 4 at 10:00 A.M.

11. Adjournment

The meeting was adjourned at 1:39 P.M.

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