

FTR Log Notes

Description			
Civil Service Commission Special Session OPEN			
Date	1 /25/2012	Location	CSC Special Session Meeting
Time	Speaker	Note	
<u>9:01:31 AM</u>	Jay Salter	Item 1: Call to Order/Flag Salute/Roll Call 2-0-3 (President Nix, Commissioner Tappan, and Commissioner Bergman absent)	
<u>9:02:48 AM</u>	Jay Salter	Commented that it was nice to see this large crowd. Referred to Rita Neal re: direction.	
<u>9:02:57 AM</u>	Rita Neal	Just because you do not have a quorum (3 or more members present, according to CSC Rules) does not mean you cannot have a meeting. We just will not be able to take action on items on the agenda. You can accept Public Comment on items that are not on the agenda and have dicussion and give direction to staff; you simply cannot take any formal action.	
<u>9:04:05 AM</u>	Rita Neal	It is my understanding that there may be a desire to move the item that is on the agenda can befor today to another date so that action could be taken. Tami can agendize a notice for mtg at a later date.	
<u>9:04:39 AM</u>	Jay Salter	ref to Commission Sect'y Tami Douglas-Schatz	
<u>9:04:43 AM</u>	Tami Douglas-Schatz	no comments for Public Comment; happy to work with you re: however you want to proceed today.	
<u>9:05:00 AM</u>	Jay Salter	Item 2: Public Comment Period - being none, closed PC	
<u>9:05:36 AM</u>	Jay Salter	Proceed to a discussion re: agenda item and give Art an oppty to voice his views	
<u>9:05:56 AM</u>	Art Chapman	Described issue re: manner in which CSC conducts hearings. 1- option we have as commission as to how we treat witnesses re: closed hearing. will not discuss details, just bring out that those are one of the complaints that were raised in order address the way the commission conducts hearings. Explained the Q of witnesses by Comm occurs last with no oppty for parties to respond before witness is dismissed by csc. Issue raised: should we be given the option to ask Q's since we are asked and	
<u>9:08:46 AM</u>	Arthur Chapman	Asked Attorney - Ms. Neal re: how that works	
<u>9:09:10 AM</u>	Rita Neal	Comm Counsel, it varies among judges / styles. Some ask during court trial, not jury trial. but if they need issues clarified they will ask Q's. but then they give the case back to the parties to clarify and follow up on any Q's and try their cases.	
<u>9:10:10 AM</u>	Arthur Chapman	We should consider chging proc guidelines to permit Resp and Appell oppty to ask clarif Q's limited to those Q's and areas of inquiry in which Comm asks their Q's. Interested in comments.	
<u>9:10:48 AM</u>	Jay Salter	Thanked Comm Chapman and commented: have spent time thinking of this problem and wondering why we do not have a quorum when the item is to be addressed and would like to have all of the comm here before we go much further re: the agenda item that is before us.	
<u>9:12:15 AM</u>	Jay Salter	Before move to address that point, it is important that when we do get together, we focus on items that are addressed. items add to agenda: 4 motions that should be before the commission and will read on to the record, provided copies. Read motions into the record. (Ms. Neal clarified, not making a motion for action just add to the agenda when finally get together - JS: in the form of the 4 motions I have prepared , not take action, use as a means of clarifying the agenda when we finally get together. JS read his prepared document into the record after handing it out. (link to handout: Salter's 4 motions)	
<u>9:16:42 AM</u>	Jay Salter	Want to have attached to agenda for next meeting.	
<u>9:16:56 AM</u>	Arthur Chapman	I think these are important issues to discuss by the entire Commission. Also, re: the last motion. It was pointed out to me that we are members of the public until we stepped into this job. You are the only one on the Comm. who has direct experience in hearings. It would have been helpful to have had training in how the process works. We come in as novices and educated during the process. I don't think that serves the dept's as well.	
<u>9:18:20 AM</u>	Jay Salter	re-opened Pub Comment	

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<u>9:18:30 AM</u>	Mark McKibben	commented re: changes to curr procedural guidelines. If CSC is going to continue with current process of asking Q's, it is important to give it back to the Appel/ Resp. My personal preference is I would like to see a case be presented solely on what each side presents and have the Comm's role in in determining whether or not each side made its case; agree with having each side provided an oppty to address those Q's.
<u>9:19:36 AM</u>	Ken Tasseff	Take a moment to thank Comm Salter and Comm Chapman for being here, shows dedication. Recog this is a diff time in the history of the Commission. Thank you for your courage for being here. VP Salter thanked Mr. Tasseff for his comments today as well as last meeting.
<u>9:20:50 AM</u>	Susan Hoffman	Deputy Co Counsel - Commented - never seen such a well attended Comm Meeting; reps from SLOCEA, Admin, DH Rep's, HR Staff, the agenda today generated a lot of interest, and there may be someone here from the press.
<u>9:22:03 AM</u>	Susan Hoffman	Expr her appreciation for being here and described her personal experience conducting hearings.
<u>9:22:38 AM</u>	Art Chapman	Address the issue re: your direct involvement in conducting hearings on behalf of the departments. I make a prop that you and opposing counsel have oppty to ask Q's after CSC asks their Q's and how it affects how you handle your case.
<u>9:23:45 AM</u>	Susan Hoffman	In favor of turning Q back over to parties after the Commission is finished with their Q's. It would be beneficial for the parties to refocus on the issues; maybe streamline to have all Q's come through the President instead of each asking Q's of the witness.
<u>9:25:29 AM</u>	Rita Neal	Addressed Jay Salter, suggested address Susan re: the difficulty when a Q by a Commissioner / judge is not quite appropriate - asking President to ask it.
<u>9:26:00 AM</u>	Jay salter	How do you feel about objecting to Q's asked by the Commission?
<u>9:26:23 AM</u>	Susan Hoffman	It does put us in a difficult position...this is more informal setting than a courtroom and less exper with hearing procedures than a judge would have...it is a difficult position to object to the finder of facts Q if I as an advocate find objectionable; I like the training component in Comm Salter's motions. It would alleviate the problem of possibly offending or challenging the trier of fact in an open hearing as it is going on / or letting an inappropriate Q go unaddressed.
<u>9:27:57 AM</u>	Jay Salter	What if the Questioner invited you to question them?
<u>9:28:26 AM</u>	Susan Hoffman	that would be better.
<u>9:28:33 AM</u>	Janette Pell	GSA Director - don't come here often or take this lightly. Peaked interest and support idea of training; never do too much training, please keep this on the agenda.
<u>9:29:15 AM</u>	Kimm Daniels	SLOCEA Gen Mgr. re: Commission's Q's. Don't always have the oppty to ask all Q's despite best preparation; The Commission asks very insightful Q's. Described the importance of a fair and proper hearing and the Comm should have oppty to ask their Q's individually - not seen a Q repeated - then allow the parties final oppty to follow up.
<u>9:31:57 AM</u>	Jay Salter	Thanked the public for comments and closed pub comment, then ref to Rita Neal. Comm. Counsel
<u>9:32:11 AM</u>	Rita Neal	Can't take action; suggest give direction to let other Commissioners know that the mtg did occur today and listen to the tape before the next meeting in order to have the benefit of having that information.
<u>9:32:43 AM</u>	Art/ Rita/ Jay	Can Pres req that Sect'y contact other members for meeting dates. Poss open date prev sched for hearing Feb 6th.
<u>9:33:17 AM</u>	Tami Douglas-Schatz	All 5 Commissioners are avail Feb 6, 8 set aside for hearing. If/ when final settlement is signed, I can advise you via email; we may be able to set it for Feb. 6th. Also, the Comm has had business before hearings, and we could defer the beginning of the hearing until 10:30 or 11:00.
<u>9:34:16 AM</u>	Art Chapman	It would be a burden on the parties if lengthy, did not recommend since it is not a small item.
<u>9:34:30 AM</u>	Tami Douglas-Schatz	Agreed. Stated wait and see if get settlement, advise Commissioners if not move for Feb 6th - if not, will secure dates from you.
<u>9:34:45 AM</u>	Art Chapman	Moved to adjourn meeting; Jay Salter seconded motion to adjourn. All in favor. Adjourned.
<u>9:34:55 AM</u>		

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