

Civil Service Commission

COUNTY GOVERNMENT CENTER ♦ 1055 MONTEREY STREET, SUITE D-250 ♦ SAN LUIS OBISPO, CALIFORNIA 93408 ♦ 805.781.5959



January 19, 2012

MEMBERS OF THE COMMISSION

Jeannie Nix, President
Jay Salter, Vice President
William Tappan
Robert Bergman
Art Chapman

Michael Conger

Mr. Conger:

Thank you for your recent letter requesting that the Civil Service Commission consider adopting a "measure for the number of days it takes an appeal to reach hearing after being filed." The Commission shares your interest in conducting timely hearings for employees who have appealed a personnel action. We must balance the need to conduct timely hearings with the need to provide all parties the opportunity to coordinate their schedules and have sufficient time to prepare their cases.

Neither Government Code, Section 31108 nor the County Ordinance prescribe an absolute time frame for when hearings must be heard. County Ordinance, Section 2.40.120 (4) states that a hearing shall commence within 20 days from the filing of the appeal "whenever possible". Civil Service Rule 4.04(c) and Rule 4.05(a) support the 20 day goal, and gives latitude for extending the time to go to hearing. The Rule requires that the parties "promptly confirm" their availability with the Human Resource Director for a hearing. It also seeks to promote cooperation between the parties to select "mutually agreeable" alternative dates. The reasons for extensions of time beyond the 20 day goal are varied and are generally due to the appellant and respondent mutually agreeing on an extension. Other less common reasons for extensions of time include the appellant not being medically able to attend a hearing, or due to conflicts with other hearings that have been previously scheduled.

Civil Service Commission

Both the Commission and County Human Resources staff are committed to providing timely due process to employees who are appealing an employment action. The Commission is provided a copy of the initial appeal at every hearing and is aware of the time it takes each appeal to come before the Commission along with the reasons for any time extensions. We will continue to monitor these timeframes on an ongoing basis so that employees are afforded timely due process.

Sincerely,

President Jeannie Nix