

SUMMARY OF PROCEEDINGS

CIVIL SERVICE COMMISSION – COUNTY OF KERN 1115 Truxtun Avenue Bakersfield, California 93301

Regular Meeting
Monday, April 9, 2018
5:30 p.m.

PRESENT: Commissioners Agbalog, Burrow, and Price

ABSENT: Commissioner Rose

OTHERS: Brittany Bonilla, Devin Brown, Michael Goulart, Maria Murbach, Keri Pharris, Margo Raison, Mary Stewart, Brian Van Wyk, Brenda Villanueva, and others.

NOTE: Ag, Bu, Pri, and Ro are abbreviations for Commissioners Agbalog, Burrow, Price, and Rose. For example, Bu/Pri denotes Commissioner Burrow made the motion and Commissioner Price seconded the motion. The abbreviations “ab” means absent and “abd” abstained.

COMMISSIONER ACTION IS SHOWN IN CAPS AFTER EACH ITEM

At 5:27 p.m., President Price announced Commissioner Burrow was on his way and would wait a few minutes for his arrival.

Commissioner Burrow arrived at 5:35 p.m.

President Price called the meeting to order at 5:35 p.m.

PUBLIC SESSION

1. Public Presentations

Veronica Vasquez, Department of Human Services (DHS) employee, addressed the Commission with concerns about the recent recruitment and hiring of the Social Service Supervisor position at DHS. She presented her concerns to the Commission a few months ago. She submitted a petition, signed by DHS employees, about the inappropriate favoritism shown by managers towards their friends, which results in unfair hiring practices. She explained that she is ranked number two on the existing eligible list but that two people, who ranked lower and had less experience, were hired. The low morale at DHS continues because managers promote their friends into vacant positions even if they rank lower than other candidates do on the eligibility list. Ms. Vasquez provided copies of pictures showing the hiring Assistant Director with the recently promoted person, and explained that management disregards the experienced candidate and hires their friends instead. Ms. Vasquez asked the Commission to look into these hiring practices.

President Price asked Human Resources to respond.

Devin Brown, Chief Human Resources Officer, responded that CS Rule 1800 addresses the process for complaints based on discrimination. He encouraged Ms. Vasquez to contact Michael Goulart, Equal Opportunity Officer, who would be able to assist her in this process. Mr. Brown informed the Commission that he has not seen any evidence of discrimination. A new recruitment ran in March and it is consistent for HRD to open recruitments to make sure there is always an

available eligible list. It is not out of the ordinary that HRD would have opened a recruitment before the existing list expired.

President Price explained that if the Civil Service Rules are followed during the examination and certification process, then the hiring of a candidate on the certified list is a management decision.

Commissioner Burrow asked Mr. Brown to explain when three or seven eligible candidates are certified. Mr. Brown explained that if the recruitment is for a promotional opportunity, three eligible candidates are certified; if it is an open recruitment then the top seven eligible candidates are certified. In this case, it was a department promotional recruitment and the department received the top three names. Commissioner Burrow asked if the department could then hire any of the top three or seven names certified and Mr. Brown confirmed that was correct.

Commissioner Burrow stated that there is a problem if the unqualified candidates were placed on the certified list. However, if the candidates qualified and were placed on the certified list, the rules were followed. He asked Ms. Vasquez if she had started the discrimination complaint process discussed with her at her last appearance. Ms. Vasquez stated she had planned to start that process after submitting the petition at this meeting. Commissioner Burrow informed her that the Commission takes these matters seriously and it does not matter whether it is one person or a large number of people, there was no need to wait until she had the signed petition to begin the process. Commissioner Burrow stated that in order to ensure the process is followed, the Commission needs information and documentation of specific situations presented in a factual manner. Ms. Vasquez stated that, through the petition, they have now identified other employees with the same experience and they are in the process of documenting the information.

Commissioner Agbalog asked Mr. Brown or Mr. Van Wyk to outline the process for filing a complaint. Mr. Brown explained that Civil Service Rule 1800 outlines the process for complaints based on discrimination or harassment. The process is to file a complaint with the Kern County Equal Employment Opportunity Officer (EEOO) Michael Goulart. The complaint has to provide and set forth the facts in evidence supporting the complaint. Such complaints must be filed within 180 days of the occurrence. Once the complaint is filed, the EEOO initiates an informal investigation that is usually completed within thirty business days to attempt an informal resolution to the complaint. If it is unable to be informally resolved, a formal investigation is conducted and findings and recommendations are made by the EEOO to the Commission at a hearing to be scheduled.

President Price thanked Ms. Vasquez for bringing her concerns to the Commission.

Kathleen Neuman, DHS employee, addressed the Commission and stated that in September of 2016, exam No. 6774 for Program Specialist was given. The first time the exam was given there were some complaints afterwards. It was a two-part test, written and oral. There were discussions that during the written exam, some people had spell check available to them and some people did not. The exam was rescheduled and when they went back, the exam was supposed to be applicant limited. The top fourteen were to go to the oral exam. The top fourteen went on to the oral exam and did not get results for over four weeks. Then everyone else who had tested were given the oral exam, after that, they published the list. A couple of the positions

were filled and then the list was again called for a bilingual employee. There was only one bilingual employee on that list and this just raises concern. The Program Specialist exam was given again, exam No. 7121, in December of 2017. This time, it was changed from a written exam to a 100% oral exam. There was a Program Director for DHS on the panel who had previously supervised her. She was informed whether or not he remained on the panel or if he recused himself. She is asking for transparency for all the department promotions.

President Price thanked her and encouraged her to speak with Mr. Goulart, EEOO, if she felt she needed to file a complaint.

***CONSENT AGENDA**

***2. Approval of Minutes**

Regular Meeting on March 12, 2018; NO PUBLIC COMMENT; **APPROVED**; Ag/Bu – 3 ayes/1 ab (Ro)

***3. Examination Schedule:** The following examinations have been scheduled in accordance with Civil Service Rules and established procedures. NO PUBLIC COMMENT; **APPROVED**; Ag/Bu – 3 ayes/1 ab (Ro)

- 7182) Deputy Sheriff Trainee
- 7183) Contract Specialist – Countywide Promotional – General Services
- 7184) Behavioral Health Program Supervisor – Department Promotional – BHRS
- 7185) Behavioral Health Therapist Trainee
- 7186) Behavioral Health Recovery Specialist III
- 7187) Group Counselor I/II – Shift – Department of Human Services
- 7188) Social Service Supervisor I/II – Department Promotional – Department of Human Services
- 7189) Social Service Worker I/II (Department of Human Services)
- 7190) Office Service Technician – Bilingual
- 7191) Help Desk Technician I
- 7192) Senior Information Systems Specialist
- 7193) Senior Talent Recruiter
- 7194) Fiscal and Policy Analyst I/II
- 7195) Office Services Assistant – Part-time – Shift-California City/Tehachapi
- 7196) Office Services Technician – Shift – California City/Tehachapi
- 7197) Library Associate – Shift – California City/Tehachapi
- 7198) Road Maintenance Worker I
- 7199) Senior Nutrition Program Coordinator
- 7200) Fiscal Support Specialist – Countywide Promotional
- 7201) Contract Administration Assistant – Department Promotion – Public Works

4. New Specification(s): The following job specification(s) have been created and approved by the Chief Human Resources Officer and are submitted for the Commission's review in accordance with Civil Service Rule 204.21. **REVIEWED, RECEIVED, AND FILED**; Ag/Bu – 3 ayes/1 ab (Ro)

- a) Retirement Services Representative I, Item No. 2527
- b) Retirement Services Specialist, Item No. 2528
- c) Retirement Services Technician, Item No. 2529
- d) Retirement Services Manager, Item No. 2544

Devin Brown, Chief Human Resources Officer, provided a brief overview. No Public Comment.

5. **Revised Specification(s):** The following job specification(s) have been revised and approved by the Chief Human Resources Officer and are submitted for the Commission's review in accordance with Civil Service Rule 204.21; **REVIEWED, RECEIVED, AND FILED**; Bu/Ag – 3 ayes/1 ab(Ro)

- a) Retirement Services Representative II/III, Item No. 2525
- b) DNA Technical Lead Criminalist, Item No. 1639
- c) Sheriff's Dispatcher I/II, Items No. 3323 and 3321

Devin Brown, Chief Human Resources Officer, provided a brief overview. No Public Comment.

6. First Reading of Amendment to Rule 700 of the Civil Service Commission; **WAIVED READING; APPROVED**; Bu/Ag – 3 ayes/1 ab(Ro)
7. First Reading of Amendment to Rule 900 of the Civil Service Commission; **WAIVED READING; APPROVED**; Bu/Ag – 3 ayes/1 ab(Ro)
8. **BUDGET:** Commission Secretary to present Civil Service Commission Recommended Budget; **ADOPT RECOMMENDED BUDGET**; Bu/Ag – 3 ayes/1 ab (Ro)

Maria Murbach, Commission Secretary, provided a brief overview. No public Comment.

9. **Commission Secretary Monthly Report**

Mrs. Murbach provided a brief report about inquiries received in the Commission Office from County employees during the past month.

10. **Human Resources Division Items/Report:**

Mr. Brown reported that he and Keri Pharris, Deputy Chief Human Resources Officer, met with Mrs. Murbach and discussed some of the recent issues and complaints. The recruiting staff is present to ensure that if any particular recruitments are addressed either in the public section, or in the agenda, the recruiter is available to address any questions that may arise.

11. **Commission Member Presentations or Announcements:**

None

12. **Adjourn to Closed Session:** There were no Closed Session items.

CLOSED SESSION (Government Code § 54957)

13. President Price adjourned the meeting at 6:50 p.m. to the next Regular Meeting to be held on Monday May 14, 2018 at 5:30 p.m.