

SUMMARY OF PROCEEDINGS

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

Regular Meeting

Monday, October 10, 2016

5:30pm

PRESENT: Commissioners Burrow, Price, Prince, and Rose

ABSENT: Commissioner Agbalog

OTHERS: Devin Brown, Kelly Levig, Brian Marshall, Maria Murbach, Mark Nations, Margo Raison, Derek Tisinger, Benny Wofford, and others

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

COMMISSIONER ACTION IS SHOWN IN CAPS AFTER EACH ITEM

President Rose called the meeting to order at 5:30 p.m.

PUBLIC SESSION

1. Public Presentations

NONE

*2. Approval of Minutes

Regular Meeting on September 12, 2016; **APPROVED**; Pri/Bu – 4 ayes/1 ab

*3. Examination Schedule: The following examinations have been scheduled in accordance with Civil Service Rules and established procedures. **APPROVED**; Pri/Bu – 4 ayes/1 ab

- 6769) Sheriff's Detentions Deputy Trainee
- 6770) Deputy Sheriff Trainee – Post Pellet B Examinees
- 6771) Supervising Child Support Officer
- 6772) Assistant Director of Public Health-DP
- 6773) Deputy Sheriff Trainee
- 6774) Human Services Program Specialist-DP-DHS
- 6775) Chief Deputy Sheriff-DP
- 6776) Chief Environmental Health Specialist
- 6777) Senior Animal Control officer-DP-Animal Services
- 6778) Sheriff Program Specialist
- 6779) Sewer Collection Systems Supervisor-DP-Kern
- 6780) Real Property Agent III-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; Devin Brown, Chief Human Resources Officer, heard; **APPROVED**; *Bu/Pri – 4 ayes/1 ab*

- a) Fire Prevention Inspector I and II, Items No. 1178 and 1179; **APPROVED**; *Bu/Pri – 4 ayes/1 ab*

Devin Brown, Chief Human Resources Officer, informed the Commission that this is a new classification. Currently, the Fire Department has a Fire Prevention Unit that represents the Department to make sure that new and existing construction meet the Fire Code. That section of the Fire Department is currently staffed by safety classifications such as Fire Captain, Fire Battalion Chief, and Fire Engineer. The Fire Department is facing some fiscal challenges this year and one of the proposed reductions is to hire non-safety employees to fulfill some functions in the fire department that are not required to be safety section employees. These two classifications are new to the County. Other counties and cities that provide fire prevention services have similar classifications.

President Rose asked Brian Marshall, Fire Chief, for more information on this new classification.

Chief Marshall explained that currently, the Fire Prevention Unit is made up of firefighters who provide fire inspections as well as technical expertise. However, the Fire Prevention Bureau will be a hybrid model and the fire inspection for the life safety will be done by civilians. This change will take some time and they will maintain a staff of regular firefighters who also provide the technical expertise of a fire moving through a building. There are other components of the Fire Prevention Bureau where they are doing standbys at fireworks, pyrotechnic displays, movie shoots, and wherever a technical expert is needed. The Fire Prevention Bureau will end up being a hybrid model of regular firefighters and civilians.

Vice President Burrow asked if there are other services, from either the State or the City, that also provide fire inspection within Kern County. If there are, he asked if they are delegated from the Fire Department's jurisdiction.

Chief Marshall explained that Bakersfield City is the largest jurisdiction and they actually have an all civilian fire inspection staff. They do the same type of jobs that County fire inspectors do. The Kern County Fire Department provides fire services which includes fire inspection services through its contracts. There are certain inspections that are done by the State Fire Marshall locally such as pipelines. For the unincorporated area and the contract cities that we protect, we are the Fire Inspection Bureau. It is a joint effort and everyone works together. If there is a complex issue, we may contact the State for help.

Commissioner Price wanted to clarify that the Fire Department is looking for areas where firefighters are not needed and using civilians instead. That there is a cost reduction by not using firefighters.

Chief Marshall confirmed this was correct and explained that it does cost a lot to train firefighters to do the fire prevention inspections. One of the advantages of doing this type of program is a long term commitment.

President Rose asked if there are other counties using this model. Chief Marshall reported that there are a wide variety of staffing models. Some fire departments consist of all civilians, some use all firefighters, and some are using this hybrid model which Kern County Fire Department has selected.

- b) Senior Patients' Rights Advocate, Item No. 3746; **APPROVED**; *Pr/Bu – 3 ayes/1 ab*

Mr. Brown reported that this item, and the next, are two classifications related to patients' rights that are housed with the Mental Health Department. This is to add a new classification titled Senior Patients' Rights Advocate. This new classification was developed in coordination with the Department of Mental Health Services to act as a lead level classification in the Patients' Rights Advocate series. The Senior will be responsible for supervising the activities of all subordinate staff within that unit. The position will provide greater system advocacy for mental health clients and will be able to address some of the more complex cases that they are facing. It is an SEIU represented position but they have not responded to the Human Resources Division's (HRD) request for their concurrence in over 30 days.

The next item is a proposed revised specification for the current Patients' Rights Advocate position. This was also developed in coordination with the Mental Health Department to revise the current specification to replace Mental Health with Behavioral Health. This classification is a standalone classification. It is not a flexible classification with the Senior position so there is no flexible promotion possibility. The revisions include a reorganization of the employment standards. SEIU is the representative for this position and no response was received to HRD's request for approval from SEIU. HRD recommends the Commission adopt the new specification for Senior Patients' Rights Advocate and the revisions to the Patients' Rights Advocate.

President Rose asked if a representative from Mental Health or from SEIU were present. No representatives from Mental Health or SEIU were present.

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; Devin Brown, Chief Human Resources Officer, heard; **APPROVED**; *Bu/Pr – 4 ayes/1 ab*

- a) Patients' Rights Advocate, Item No. 3745

6. First Reading of Amendment to Rule 100 of the Civil Service Commission; Mark Nations heard; **ITEM CONTINUED TO NOVEMBER 14, 2016 REGULAR CSC MEETING**; *Pr/Bu – 4 ayes/1 ab*

Mark Nations, Assistant County Counsel, informed the Commission that these amendments to the Civil Service Rules are revisions to reflect the changes that have been made in the County

Civil Service ordinance and the creation of the Human Resources Division, as well as certain recent changes within the HRD. Rule 100 are the definitions. Rule 2200 has come before the Commission recently.

Commissioner Price asked Mr. Nations about Rule 100, for 'Classification', it strikes through the word 'Commission' and replaces it with 'Board of Supervisors'. Please clarify. Mr. Nations explained that the Commission has a role in approving the revisions but that the Board makes the ultimate decision on classifications.

Commissioner Burrow asked if the Commission's role would change with the proposed revisions and Mr. Nations responded that the role would remain the same.

Commissioner Burrow asked about the definition for 'Demotion'. There is a change from one class to another with a lower pay range and wondered if there is a situation where the classification could be lowered yet the pay could remain the same. Mr. Brown explained that demotion is under the Commission's jurisdiction. It is more of a lateral transfer and they do look at the salary range for the position the employee currently occupies. If they are being demoted it would be to a salary range of a lower classification. There could be an overlap in salary ranges where an employee remains at the same actual monthly or bi-weekly salary but is in a range lower. It is usually up to the discretion of the appointing authority what step they would demote them to in the lower classification.

Commissioner Prince asked about the changes made to the 'Appointing Authority' section of the definitions in Rule 100. Specifically, where the word 'Commission' has a strike through. Mr. Brown explained that the word 'Commission' was removed due to the Director of Personnel no longer being the head of a department that reports to the Commission. The Commission is the appointing authority for the Commission Secretary. Mr. Nations explained that this change would include the Commission because they are a group of persons authorized by ordinance to make appointments. Commissioner Prince asked if it would make a difference if the word 'Commission' remained in the definition. Mr. Nations stated it would not make a difference and explained that the Appointing Authority is uniformly referred to the department that has hired someone and is either disciplining or dealing with them in some manner. The Commission has one employee and it seemed that it was not necessary to retain the word 'Commission'. However, if the Commission would like it to remain in the definition than it certainly can.

Commissioner Burrow asked about the 'Limited Term Appointment' and the 'Temporary Employee'. Both are basically eliminated and the 'Temporary Employee' was changed to 'Transfer'. He asked if they no longer exist within the County or if they exist outside the purview of the Commission. Mr. Brown explained the change was proposed in accordance with the Civil Service System. There are a number of types of positions that are automatically excluded by the Civil Service initiative ordinance from the Civil Service System specifically under 3.04020 (h). 'Temporary' employees and 'Extra Help' employees, which are referred to as 'Limited Term' in the Civil Service Rules, are excluded from the Civil Service System. There are County administrative policies and procedures that also specifically define those types of employment categories. 'Transfers' was included in the ordinance code as something that the Board had authority but the Civil Service ordinance clearly gives the Commission the rule and policy making authority when it comes to transfers within the County. That is the reason the proposed addition

of that language is included in the definition section because it was deleted from the ordinance code. Commissioner Burrow asked if the temporary and extra help employees are not bound by nor protected by the Civil Service Rules. Mr. Nations confirmed that is correct.

Commissioner Price mentioned he is concerned about the 'Classification Plan' and 'Reclassification' where the ordinance specifically says that the Commission shall prescribe rules and regulations and that it shouldn't be amended. He is skeptical of this specific change. Mr. Nations stated the Commission could postpone approval of this item to the next regular meeting where he could present further clarification specific to the changes. The Commission agreed to continue this item to the next regular meeting on November 14, 2016.

7. First Reading of Amendment to Rule 2200 of the Civil Service Commission; **WAIVED READING; APPROVED**; *Pr/Pri – 4 ayes/1 ab*

Mr. Brown explained that this rule change reflects the title change from Employee Relations Officer to Chief Human Resources Officer.

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

Mr. Brown reported that a couple of HRD staff members, including himself, attended the LinkedIn Talent Connect Conference in Las Vegas last week. They are in the process of reviewing all the tremendous information that they absorbed. He will prepare a discussion in November to enlighten the Commission on some of the interesting subject matters they learned and some of the changes that they will be making in response to the conference.

HRD is still in a semi restricted hiring freeze. The Board has directed the CAO to initiate some restrictive hiring practices. The County was already in a restricted hiring mode prior to the budget being adopted and continues in that current framework. HRD is still hiring for some positions that become vacant. The Board took significant action to order the deletion of a number of unfunded but vacant positions and some vacant funded positions. The CAO's office is working with the departments to complete this task.

President Rose asked if the number of people applying for the jobs posted on NeoGov has changed. Mr. Brown stated he has not done research to obtain that information. There is some concern about the cutbacks and budget talks, but hopefully it will not affect applicants seeking employment with the County. He has not seen a big decline recently but he did not have specifics.

Mr. Brown complimented HRD staff for their dedication and diligent work. During the month of September, they coordinated with the Sheriff's Department to run three recruitments for their two academies that are coming up next year. One is a Detentions Officer Training Academy and the other is a Sheriff Trainee Academy. HRD developed a creative way to expedite the process. They initiated a new technique by taking Sheriff's applicants who already had their POST Pellet B test scores, had received their test scores within the last 6 months, and ran a special recruitment for them. They were able to get over 100 applicants for that position and then, along with other staff from the Sheriff's Office, they held the physical agility test and oral examination. These were previously two separate components which were held on separate days, weeks

apart. Both of these tests were held on the same day and staff was able to take what previously took 12 weeks and shorten the timeframe down to 30 days. HRD staff was told that they made the impossible possible. It was a group effort. Mr. Brown reported that he timed the run for the Sheriff's agility test and it was really interesting to watch that process. HRD is simultaneously running a full recruitment for Deputy Sheriff for those who have not had their POST test score and they are looking to close that in early November.

9. Commission Member Presentations or Announcements:

President Rose thanked Mr. Nations for his outstanding presentation at the recent Ethics training.

- 10. Adjourn to Closed Session:** At 6:10 p.m., the Commission adjourned to closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of public employees and/or to hear complaints or charges brought against employees by another person or employee.

CLOSED SESSION (Government Code § 54957)

11. Public Employee – Discipline/Dismissal/Release
Deputy Probation Officer II (Probation) – Case No. 2016-0017; **ITEM POSTPONED TO NOVEMBER 14, 2016 REGULAR CSC MEETING; Pri/Bu – 4 ayes/1 ab**

Employee's representative was unable to attend and requested this item to be placed at the next regular meeting on November 14, 2016.

12. Public Employee – Discipline/Dismissal/Release
Hospital Business Office Supervisor (Kern Medical) – Case No. 2016-0018; Margo Raison heard; **DISMISSED DUE TO APPELLANT'S FAILURE TO APPEAR; Bu/Pr – 4 ayes/1 ab**
13. President Rose adjourned the meeting at 6:19 p.m. to the next Regular Meeting to be held on Monday, November 14, 2016 at 5:30 p.m.