

SUMMARY OF PROCEEDINGS

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

Regular Meeting

Monday, November 14, 2016

5:30pm

PRESENT: Commissioners Agbalog, Burrow, Price, Prince, and Rose

ABSENT: None

OTHERS: Bryan Alba, Devin Brown, Kelly Levig, Maria Murbach, Mark Nations, Margo Raison, 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

Housekeeping – Commission Secretary, informed the Commission that the microphones need to be muted in order for the sound not to be heard in the entry foyer between the two glass entry doors.

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 October 10, 2016; **APPROVED**; Bu/Ag – All ayes

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

- 6781) Auditor-Appraiser I
- 6782) Program Specialist I/II
- 6783) Appraisal Assistant
- 6784) Public Health Aide I/II
- 6785) Disposal Site Gate Attendant I-Public Works
- 6786) Information Systems Specialist II
- 6787) Senior Nutrition Program Coordinator
- 6788) Social Service Worker I/II-EK-DHS
- 6789) Human Services Resource Family Specialist
- 6790) Legal Secretary
- 6791) Environmental Health Specialist-In Training

- 6792) Environmental Health Specialist I/II/III
- 6793) Animal Control Officer
- 6794) Probation Program Specialist
- 6795) real Property Agent I
- 6796) Office Services Specialist-Bilingual
- 6797) Public Health Program Specialist-DP-Public Health
- 6798) Senior Legal Process Technician-DP-Sheriff
- 6799) Maintenance Worker I/II
- 6800) Program Coordinator-DP-Employers' Training Resource
- 6801) Business Manager

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; **REVIEWED, RECEIVED, AND FILED**; *Ag/Pri – All ayes*

- a) Assistant Registrar of Voters, Item No. 3256
- b) Chief Deputy Registrar of Voters, Item No. 3257

Devin Brown, Chief Human Resources Officer, provided a brief overview of each item.

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; No public comment; **REVIEWED, RECEIVED, AND FILED**;

- a) Fiscal and Policy Analyst I/II/III, Items No. 0796, 0795, and 0793; *Ag/Pr – All ayes*
- b) Deputy Public Defender I/II/III/IV/V, Items No. 1260, 1254, 1248, 1242, and 1240; *Ag/Pr – All ayes*
- c) Human Resources Analyst, Item No. 2328; *Ag/Bu – All ayes*

Mr. Brown provided a brief overview of each item.

Commissioner Burrow asked if there was an estimated impact that reducing the education requirement would make or if there is a scoring system in place which gives weight to education. Mr. Brown explained that he recently attended a conference that pointed out the applicant pool shrinks significantly with these types of stringent requirements. Commissioner Burrow would like a report in the next 6 to 9 months on the impact this has or if it has opened up a greater pool and brought more qualified people to the County.

Commissioner Agbalog commended staff for bringing this item forward with these revisions because Kern County's population includes those who suffer from an above average rate of unemployment and there is a population that suffers from a tremendous amount of obstacles to obtain higher education. Revising the specifications to allow for those people who are concurrently working and going to school or those who may not have the college degree but may have many years of service experience, is a very good thing. It is a very wise move to increase the applicant pool and grant opportunities to people who otherwise may not have them.

Commissioner Prince agreed but his concern is that with the degree requirement, the salary range was also part of that equation. He noted that the education requirement is lowered but the salary remains the same and asked if there is any reason why it was not reduced. Mr. Brown explained that the duties of the job are not changing and still correlate to that higher salary level. It is mainly the duties that the incumbent employee will be required to follow and perform that is a large portion in determination for the salary range.

President Rose asked, if new employees will know and understand that they have to get the degree in order to move up the career ladder. Mr. Brown confirmed they will be indicating that clearly to the applicants. He reported that the senior analyst position still has the degree requirement and HRD encourages all staff to continue to seek the degree. President Rose would also like to receive some data results in 6 to 9 months. Mr. Brown will provide the information as soon as it is available.

6. First Reading of New Rule 1736 of the Civil Service Commission; Mark Nations heard; No public comment; **WAIVED READING**

Mark Nations, County Counsel, provided a brief overview of the new rule.

7. Second Reading of Amendment to Rule 100 of the Civil Service Commission; **WAIVED READING; APPROVED & ADOPTED**; *Pr/Bu – 4 ayes/1 nay*

Mr. Nations provided a brief overview of the memo which answers some questions raised at the last meeting.

Commissioner Price stated that, under *classification* and *classification plan*, the definition does not denote the Commission at all, it denotes approval by the Board. Mr. Nations explained that the classification plan is tied to compensation and the plan itself is approved by the Board. Commissioner Price stated that there is no language mentioning the Commission under *classification plan*, it specifically talks about specifications which are specifically mentioned under the purview of the Commission in the Ordinance. Mr. Nations explained that the Commission has no role in approving the classification plan. The Commission's role is to approve specifications, and they are part of a larger plan that is approved by the Board.

Commissioner Prince, referred to the specifications, Rule 204.21, and asked why does the Commission need a motion to approve to review and file. Mr. Nations explained that the rule provides that if there is a dispute about the proposed specification, then the Commission's job is to approve the specification. If there is no dispute, Rule 204.21 provides the Commission's job is to review them. The Commission is voting to review, receive, and file. For example, if someone had come forward and objected to one of the proposed revisions then the duty would have shifted from reviewing the specification to approving it.

Commissioner Price stated that the Ordinance specifically talks about classification specifications, it specifically mentions the Civil Service Commission of the County. He is challenged by the final phrase under *classification plan*, which is the class specifications and the rules for administration of the plan. If all this is approved by the Board, why is there a second part to the Ordinance specifically mentioning the Commission, that it needs its approval to set

those specifications. Mr. Nations explained that the Ordinance provides that classes are established by the Board. The Commission has no authority to establish a class for a position because classes are tied to compensation and the Commission has nothing to say about compensation. The Commission does however, have the right to review and in some cases approve specifications or revisions to specifications. Specifications are part of an overall classification plan that is approved by the Board.

8. Second Reading of Amendment to Rule 2200 of the Civil Service Commission; Mark Nations heard; No public comment; **WAIVED READING; APPROVED & ADOPTED**; *Pri/Bu – All ayes*
9. Civil Service Commission Annual Report; Maria Murbach heard; No public comment; **APPROVED; DIRECTED SECRETARY TO SUBMIT REPORT TO THE BOARD OF SUPERVISORS**; *Pri/Pr – All ayes*

Maria Murbach, Commission Secretary, provided a brief overview of the Civil Service Commission Annual Report. President Rose thanked Ms. Murbach for the report.

10. Human Resources Division Items/Report:

Mr. Brown reported that HRD conducted a pilot project of two online examinations using the Biddle software to help determine whether or not the county should invest in that software. The Program Specialist examination was conducted completely online. Candidates and applicants for that position had the opportunity to take that test at their leisure wherever they had internet access. The test was 1 ½ hours long and they had a very good success rate. 195 applicants took the examination and HRD is very pleased with the end result. They received several positive comments and the only issue that came up was regarding County employees who were testing for this position. They asked whether they would be allowed to take this examination at their desk or find some other place within their department and utilize a computer. Employees typically take these examinations onsite at HRD. HRD staff is working with departments to resolve minor issues related to employees taking the test. The other test was a completely proctored examination inside their testing facility. A smaller group of just over 30 individuals took the exam for the Appraisal Assistant position and it was very successful. HRD is looking to pilot one more exam in the near future.

Commissioner Prince asked about the type of verification in place to confirm that the person taking the exam is the same person who is applying. Mr. Brown explained that an email is sent to the applicant and they also notify the candidate that they may be asked to come in and take a verified test at HRD location. Currently, there is no guarantee that the applicant is the person at home taking the test however, there is a finite time in which the exam must be taken. These issues will be taken into consideration when deciding the weight of the examination.

Commissioner Agbalog asked if custom testing means that each applicant gets a different test or if it means a customized test is given to all applicants who want to take it online. Mr. Brown explained that a custom test is a test that is created by HRD and not one of the battery of tests that Biddle offers as a stock product. Biddle offers HRD the opportunity to create a custom test with their software system. Commissioner Agbalog asked, if a test is customized, would it be beneficial to change the order of the questions on each exam so that they would not match. Or

perhaps ask a custom tailored question and, at a later date, ask the candidate to come in and expand on their answer. If they did not take the original exam, they would not be able to expand on that answer. If enough red flags were raised, then the individual could be asked to come in and take an exam in HRD and if they receive a multitude of exams with the same answer, they would be able to tell if someone had circulated the exam. He requested HRD to inform the Commission of new protocols regarding the examination process. President Rose asked if there is a safety in place so that at the end of the exam it cannot be copied. Also, if there was any consideration given to the fact that someone could use their phone to take pictures of the exam questions and then pass those around. Mr. Brown informed the Commission about some of the protective measures in place. Candidates must move through the exam consistently and are not able to spend too much time on each question without risking the opportunity to finish the exam on time and obtain a qualifying score.

11. Commission Member Presentations or Announcements:

None

- 12. Adjourn to Closed Session:** At 6:47 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)

13. Public Employee – Discipline/Dismissal/Release
Deputy Sheriff (Sheriff's Office) – Case No. 2016-0012; **HEARING DATES SET FOR APRIL 3, 4, 6, 18, 20, 27, MAY 15 AND 18, 2017**
14. President Rose adjourned the meeting at 7:00 p.m. to the next Regular Meeting to be held on Monday, December 12, 2016 at 5:30 p.m.