

CIVIL SERVICE COMMISSION MINUTES

June 7, 2023

A meeting of the Civil Service Commission was held at 2:30 p.m., in-person in room 402-A at the County Administration Center; 1600 Pacific Hwy.; and via Videoconference/Teleconference.

Presents:

Bryan J. Fletcher
Melissa Johnson
Will Rodriguez-Kennedy
Peter B. Smith

Absent:

Ira Sharp

Comprising a quorum of the Commission

Support Staff Present:

Todd Adams, Executive Officer
Morgan Foley, Commission Legal Advisor

Approved
Civil Service Commission
July 19, 2023

**SAN DIEGO COUNTY CIVIL SERVICE COMMISSION
REGULAR MEETING MINUTES
JUNE 7, 2023**

- 1:30 p.m. CLOSED SESSION: Discussion of Personnel Matters and Pending Litigation
- 2:30 p.m. OPEN SESSION: Attend in-person at the County Administration Center, 1600 Pacific Highway, 4th Floor, Room 402A, San Diego, California; or Videoconference/Teleconference.
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Notice pursuant to Government Code Section 54954.2.

**CLOSED SESSION AGENDA
County Administration Center, Room 458**

Members of the public may be present at this location to hear the announcement of the closed session agenda.

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GOV. CODE SEC. 54957(b)) Title: Executive Officer.

**OPEN SESSION AGENDA
In Person and Videoconference/Teleconference**

ORDER OF BUSINESS

- A. **ROLL CALL**

Present: Fletcher, Johnson, Rodriguez-Kennedy, Smith

Absent: Sharp

- B. **APPROVAL OF MINUTES:** Regular meeting of May 3, 2023.

Motion by Commissioner Rodriguez-Kennedy to approve the minutes of May 3, 2023; seconded by Commissioner Fletcher.

Motion carried with all Commissioners present in favor.

- C. **NON-AGENDA PUBLIC COMMENT:**

None.

D. **AGENDA ITEM DISCUSSION:**

Agenda item #1 was pulled for discussion.

E. **FORMATION OF CONSENT AGENDA**

Item Nos. 2 & 3 formed the Consent Agenda.

Motion by Commissioner Rodriguez-Kennedy to approve the Consent Agenda; seconded by Commissioner Smith.

Motion carried with all Commissioners in favor.

F. **DISCUSSION ITEMS**

Item No. 1 pulled for discussion.

AGENDA ITEMS

SEAL PERFORMANCE APPRAISAL

Request

1. **2023-022**, Treasurer-Tax Collector Specialist, Treasurer-Tax Collector Department, requesting the sealing of a performance appraisal covering the period November 8, 2021, to May 7, 2022, in her previous position of Recordable Documents Specialist I in the Assessor/Recorder/County Clerk Department.

RECOMMENDATION: Grant Request

Employee (2023-022), ("Employee") is requesting that her performance appraisal ("PA") covering the period, November 8, 2021, to May 7, 2022, be sealed due to it being issued untimely. The Assessor/Recorder/County Clerk ("Department") concedes that the appraisal was issued late but asks the Commission to deny Employee's request as it believes "there is no evidence that Employee suffered the sort of harm that would justify sealing a performance appraisal."

Employee's rating period for her final Probation as a Recordable Documents Specialist I (RDS I) ended on May 7, 2022. Her performance appraisal should have been given to her by June 6, 2022. Employee states she was given her performance appraisal August 12, 2022, with no explanation as to what caused the delay.

Tara Kearns, Senior County Counsel, spoke on behalf of the department. The department apologized to the Commission for serving the Employee's PA late; however, they do not feel that this was a deficiency on the part of the Employee and in no way caused her harm.

Employee stated that this did cause her harm as she applied for a transfer position and this PA was not available to show the hiring team. Employee stated that her PA was 67 days late.

The department stated that they are aware of how late the employee's PA was and is working on correcting this issue going forward. As the Employee had no objection to the content of the PA, there would be no need to seal the PA based on timeliness.

The Employee stated that she does not object to the rating; however, the Department should be held accountable to the rules of the Commission. The department reprimands employees for not following rules, so why should they get away with not following the rules.

The Commission noted that that the department took 97 days to complete this PA. The department stated that this was correct.

The Commission stated that Employee's performance appraisal was positive and expressed that, if sealed, having a blank spot in the Employee's appraisal record may do her more harm than good. The Employee stated that she has transferred to another department and that this would not cause her any harm if sealed.

The Commission complimented the department on a well written appraisal and expressed that all performance appraisals should be written this good; however, if the Employee wants the appraisal sealed based on the significant Civil Service Rule violations, there will be no objection.

The Commission asked the Employee if she was sure that she wanted the appraisal sealed. The Employee stated, "yes".

Commissioner Rodriguez-Kennedy motioned to accept the staff recommendation to seal the employee's performance appraisal. Motion was seconded by Commissioner Smith.

Motion carried with all the Commissioners in favor.

SELECTION PROCESS

Findings

2. **2023-023**, Applicant, appealing the Department of Human Resources' removal of her name from the employment list for Correctional Deputy Probation Officer I.

RECOMMENDATION: Ratify. Appellant has been successful in the appellate Process Provided by Civil Service Rule 4.2.2 and their name has been returned to the employment list.

Ratified.

EXTENSION OF TEMPORARY APPOINTMENTS

3. Health and Human Services Agency

3 Office Assistants: **2023-024**, **2023-025** and **2023-026**

RECOMMENDATION: Ratify

Ratified.

ADJOURNED: 3:10 p.m.

ASSISTANCE FOR THE DISABLED: Agendas and records are available in alternative formats upon request. Contact the Civil Service Commission office at (619)531-5751 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Americans with Disabilities Coordinator at (619)531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 24 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.