

**MINUTES OF THE SOLANO COUNTY  
CIVIL SERVICE COMMISSION**

Regular Meeting  
Wednesday, May 9, 2018  
Board of Supervisors Chambers  
County Administration Center  
Fairfield, CA 94533

1.) Call to Order/Roll Call

Vice-President Booe called the meeting to order at 6:30 pm. Roll was called, and the following Commissioners were present: Commissioner Riley, Commissioner Burton, Commissioner Booe and Commissioner Petullo. President Neal was absent. Commission Staff present were Marc Fox, Director of Human Resources and Commission Secretary; JoAnn Parker, Deputy County Counsel; and Susan Vestal, Recording Secretary.

2.) Pledge of Allegiance

3.) Items from the Public

There were no items from the public. No speaker cards.

4.) Approval of Minutes of the Commission

A motion to approve the minutes of April 11, 2018 as presented was made by Commissioner Riley with a second by Commissioner Petullo. The motion carried 4/0.

5.) Communications:

There were no communications items.

6.) Information Items:

There were no information items.

7.) Additions to, or deletions from, the Agenda

There were no additions to or deletions from the agenda.

8.) Approval of the Agenda

A motion was made to approve the agenda by Commissioner Petullo with a second by Commissioner Burton. The motion carried 4/0.

SCHEDULED CALENDAR

**ITEM CSC 18-0013      Amend the classification plan by deleting unused classifications within bargaining unit 6 (Health and Social Services Supervisors) and unit 10 (Skilled Craft and Service Maintenance)**

Director of Human Resources Marc Fox explained that changes made to the County's classification system over time have led to classifications that go unused for long periods. Human Resources' staff is recommending that the classifications listed on Attachment A be removed from the current classifications as these are not likely to be used in the future. Mr. Fox also noted that both bargaining units affected by this change, units 6 and 10, have been given the opportunity to meet and confer however neither unit had concerns with the elimination. Mr. Fox also presented one technical correction, explaining that one of the classifications, Social Services Program Coordinator, is being removed from the list at this time; however, it may be presented in the future.

A motion to amend the classification plan as presented was made by Commissioner Riley. Commissioner Petullo seconded the motion. The motion was carried 4/0.

**ITEM CSC 18-0014      Receive a report on Civil Service Rule considerations involving hearing procedures and provide any additional direction.**

Assistant Director of Human Resources Jeannine Seher began her report by reviewing for the Commission an account of past meetings and discussions of recommended changes to the Civil Service Rules. Ms. Seher then explained that there are additional proposed revisions, based on input from the Commissioners and from Deputy County Counsel JoAnn Parker, to present for feedback from the Commissioners. Ms. Seher also offered a letter from Commissioner Booe which recommended additional changes and revisions.

Commissioner Riley asked for an update on the next steps and plan to move forward. Ms. Seher explained that she had intended to take the input from the Commissioners and update the Civil Service Rules in order to send it once again to the unions for their review. Ms. Seher further advised that after the unions have had an opportunity to meet and confer on these changes, the final version will be presented to the Commission for their final consideration and possible adoption, which she expected for the August 2018 meeting.

Commissioner Riley requested input from Ms. Parker regarding Commissioner Booe's suggestion; that during any hearings the Commission must vote on each item of a complaint separately rather than the entire complaint as a whole. After discussion, Ms. Parker clarified that the Commission can choose to make this decision on a case-by-case basis. The Commission agreed to modify the language to state that the Commission may make their ruling on each individual claim brought before the Commission.

In addition to discussion of new recommendations the Commission reviewed the suggested changes to Civil Service Commission Rules, Section XIII. Upon review of this section the following issues and modifications were discussed:

- Section 13.06 Rights of Employee, Item G:

Mr. Fox clarified that case law supports the subject of recusal in Civil Service Commissions is the same as a judge would have. Commissioner Riley asked if there is a definition of grounds for recusal however Ms. Parker shared that this is a nebulous area without a solid definition. Ms. Parker suggested that the Commission require any parties who feel that a Commissioner should recuse him or herself, should have to provide a clear and factual statement of their reason for this request. At that time, the Commissioner will need to determine their own ability to remain impartial and make their decision whether to remain part of the hearing. That decision then becomes part of the record of the hearing.

Commissioner Burton also asked for confirmation that any Commissioner who feels they cannot be impartial can and should then recuse themselves before the hearing begins. Ms. Parker confirmed this to be true.

- Section 13.14 – Exclusion of Witness:

Ms. Parker and Mr. Fox shared opinions regarding this section and who should be specifically excluded from the hearing. The Commission agreed that Mr. Fox and Ms. Parker should discuss this section outside of this meeting and reach an understanding of the language to be included.

- Section 13.16 – Hearing Procedure and Order of Presentation:

Ms. Seher explained that this section identifies the process for opening the hearing and is adding the need to include a response to any request for recusal or the choice of a Commissioner to be recused. Ms. Seher advised that she will modify this section to include the same information as included in the earlier discussion of recusal.

Ms. Seher offered that all the feedback would be incorporated into the Civil Service Rules and that the section regarding exclusion of witnesses will be presented to the Commissioners. At the same time, the modified Rules will be provided to the unions for their opportunity to meet.

A motion was made by Commissioner Petullo to present the revised Civil Service Rules to the unions, including the changes identified during this meeting. Commissioner Riley seconded the motion. The motion was carried 4/0.

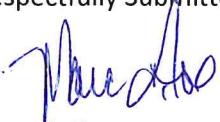
#### 9.) Commission/Staff Comments

There were no comments.

10.)Adjourn

Commissioner Booe adjourned the meeting at 7:32 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Marc A. Fox", is positioned above the printed name.

Marc A. Fox

Director of Human Resources