



## Agenda Submittal

<b>Agenda #:</b>		<b>Status:</b>	Agenda Ready
<b>Type:</b>	CSC-Document	<b>Department:</b>	Civil Service Commission
<b>File #:</b>	CSC 18-0014	<b>Contact:</b>	Marc Fox, 784-2552
<b>Agenda date:</b>	5/9/2018	<b>Final action:</b>	
<b>Title:</b>	Receive a report on Civil Service Rule considerations involving hearing procedures and provide any additional direction		
<b>Governing body:</b>	Civil Service Commission		
<b>District:</b>			
<b>Attachments:</b>	1. A - Letter.pdf, 2. B - Section XIII Add_Delete		

Date	Ver.	Action By	Action	Result
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### HUMAN RESOURCES' RECOMMENDATION

Receive a report on Civil Service Rule considerations involving hearing procedures and receive further direction.

### SUMMARY

In August 2017, the Department of Human Resources presented the Commission with some ideas of the types of Rule changes the department was conceptualizing, and asked the Commission for any additional direction. The initial proposed revisions to the Civil Service Hearing procedures were presented to the Commission and the Unions were provided the opportunity to meet and confer on the proposed changes. After receiving and incorporating feedback received as of early March, the County Human Resources Department provided an update to the Commission on March 14, 2018. At that meeting, additional feedback was provided by Counsel and by the Civil Service Commission. At the April Civil Service Commission meeting, Commissioner Booe asked for the proposed hearing procedures to be placed on the Commission's agenda for the May meeting. The most recent version of the proposed rule changes are included in this report. Revisions made since the April meeting, are highlighted in gray.

### DISCUSSION

During the March 14, 2018 Civil Service Commission meeting, Human Resources staff presented the Commission with proposed revisions to the Civil Service Hearing procedures. Staff indicated the meet and confer process with the Unions was almost concluded, and presented a copy of the most recent version of the proposed hearing procedures.

At the March 14, 2018 meeting, the Civil Service Commission discussed the proposed revisions, had questions answered by Counsel, and made several recommendations for further modifications to the Rules. These changes included adding clarification regarding:

- the quantity/sets of copies to be provided by each party;
- proper identification of who the witnesses are, where they work etc.;
- ensuring that exhibits are sequentially numbered;
- the request for recusal of commissioners and establishing criteria as a basis for recusal;
- deadlines and days required for pre-trial motions to be submitted, including "Pitchess" motions;

- hearings are formal and the parties should treat the Commission as a hearing body

During the April 11, 2018 meeting, Commissioner Judi Booe, requested the proposed rule changes be added to the agenda for the May meeting, as the item had not been calendared for the April meeting. Ms. Booe, who was unable to be in attendance during the March meeting, had additional proposed edits she wished to have discussed.

Ms. Booe's proposed edits include adding the following text:

“The Solano County Civil Service Commission will make their ruling on each individual claim that the Claimant has charged. Each item would be discussed separately in a closed session and voted on separately by the Commissioners. (I.e. sexual harassment, age discrimination, sexual orientation issue, violating Civil Service rules, sex discriminations *[sic]*, etc.)

If more than one claim is made to the Commission in the Claimant's case, thy will be voted and reported on, separately in an open session to the Claimant.”

Pending the discussion and direction by the Commission, the proposed revisions to the hearing procedures will be again distributed to affected employee organizations so that they may be provided the opportunity to meet and confer.

#### **ALTERNATIVES**

The Civil Service Commission could request additional items be included in the proposed revisions, removal of items to be included, or ask Human Resources to disregard these efforts; however, the Human Resources Department is not recommending this as the proposed revisions reflect the wishes expressed by the Commission and address some concerns expressed by the Commission regarding previous hearing processes.

#### **OTHER AGENCY INVOLVEMENT**

None.