

Civil Service Commission Annual Report

Fiscal Year 2004–05





Civil Service Commission

Annual Report FY 2004–05

Civil Service Commission

Linda F. Richardson
PRESIDENT

Thomas T. Ng
VICE PRESIDENT

Alicia D. Becerril
COMMISSIONER

Donald A. Casper
COMMISSIONER

Morgan R. Gorrone
COMMISSIONER

Commission Staff

Kate Favetti
EXECUTIVE OFFICER

Anita Sanchez
ASSISTANT EXECUTIVE OFFICER

Yvette Gamble
SENIOR PERSONNEL ANALYST

Sandra Eng
SENIOR PERSONNEL ANALYST
(Effective December 19, 2005)

Elizabeth García
ADMINISTRATIVE ASSISTANT

Lizzette Henríquez
RULES, PERSONNEL & OFFICE COORDINATOR

Gloria Sheppard
APPEALS COORDINATOR

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May 19, 2006

The Honorable Gavin Newsom
Mayor of the City and County of San Francisco
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Mayor Newsom:

The California Supreme Court unanimously ruled on May 18, 2006, that the certification rule applicable to promotions in the Uniformed Ranks of the San Francisco Fire Department, specifically, Rule 313, is reasonably related to the goal of ensuring compliance with antidiscrimination laws and thus is not subject to binding arbitration. In affirming the validity of the rule, the Supreme Court reversed the Court of Appeal's judgment ordering the City into binding arbitration.

It is with great pleasure that the Civil Service Commission submits its Annual Report for Fiscal Year 2004-05.

This was the year of new challenges particularly in the area of Civil Service Reform. I was honored to be appointed along with Commissioner Donald A. Casper to the Mayor's Advisory Panel on Civil Service Reform to modernize the City's merit system rules and policies, at the same time, maintaining flexibility and integrity in public employment. The Commission has been successful by focusing on new opportunities and merit system improvements to carry out its mission through important accomplishments, specifically:

Established new directions in civil service to address City departments need for flexibility in personnel management at the same time maintaining integrity in the merit system through: participation on the Mayor's Civil Service Reform Advisory Panel, holding hearings and adopting of proposed amendments to Civil Service Commission Rules to implement Position-Based Testing—an expedited examination, selection and appointment process that includes referral and certification rules with the goal to provide a permanent civil service eligible list within 60 days from the posting of a job announcement and expedited and fair appeal and hearing procedures. In adopting the new rules, the Civil Service Commission restated its longstanding policy to eliminate reliance on temporary and provisional appointments.

The Commission also updated its Policy on Disclosure and Review of Criminal History Records and delegated to the Human Resources Director the authority and responsibility for adopting procedures for the collection, review, evaluation and security of criminal records.

Improved “good government practices” and merit system accountability; through hearings conducted through the full operation of the Commission's Inspection Service, the Civil Service Commission ruled on inspection service requests including the hiring, selection, separation, and classification of employees at the Office of the Assessor-Recorder since January 8, 2003 and the hiring, selection and layoff of 7514 Laborers at the Department of Public Works.

Improved managerial and supervisory accountability in employee performance through Civil Service Commission rulings on the Inspection Service Request resulting in improvements and greater oversight in the hiring process.

Adopted new Rules on the hiring process for the Uniformed Ranks of the San Francisco Police Department through public hearings to address implementation of the Certification Rules applicable to the Q-60 Lieutenant eligible list and informational meetings with interested members of the Uniformed Ranks of the San Francisco Police Department. The Civil Service Commission adopted the Rule of Five Scores for the first 14 hiring requisitions. Thereafter, a statistically valid grouping with a confidence level of 1.96 and a sliding band of 129 points shall be used starting with Rank 19.

Open and accountable decision-making through increased public comment opportunities. Rule changes are adopted through an open, public process utilizing hearings where department heads, the Human Resources Director, the Executive Officer, employee organization representatives, employees, and interested members of the public may propose changes to the Rules.

Timely and relevant hearings conducted at 24 Regular meetings and 24 Special Meetings. A total of 60 appeals were resolved from 60 appeals that were filed and 58 active appeals carried forward from the previous fiscal year.

Appeals considered and heard on examinations, eligible lists, classification actions, discrimination complaints, and future employment restrictions. In addition to hearing appeals, the Commission conducted its business of approving the scope of services for personal services contracts, approval of Rule amendments, receiving and discussing reports on provisional, exempt employment and class consolidation.

Outreach and departmental support through training workshops on the merit system at both central locations and on-site workshops. The workshops provide “hands on” exercises and support departmental human resources and personnel activities. The training workshop topics cover Eligible Lists and Certification of Eligibles, Probationary Periods, Appeals and Staff Reports on merit system and separation matters, Personal Services Contracts, and Executive Overview on the Merit System. Participants include departmental managers and staff, human resources professionals and support staff, city attorneys, and employee organization representatives.

The Charter provides the Commission with Wage Setting Responsibilities. This fiscal year the Commission:

- Set the salaries for Elected Officials and Members of the Board of Supervisors with Charter guidelines to conduct salary surveys and use of the Consumer Price Index;
- Certified the rates of pay for Police Officers, Firefighters and Registered Nurses; and,
- Certified the prevailing rate of wages for various Crafts and Kinds of Labor paid in private employment, workers on public works and improvement projects, workers performing janitorial services, public off-street parking lots, garages, or storage facilities for automobiles, workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects and motion picture services for shows on property owned by the City and County of San Francisco and any individual performing moving services.

The quality of life in our great City is enhanced through the vital services provided by our City and County employees. The Civil Service Commission strives to ensure an environment that is conducive to achieving the highest quality performance in carrying out the City’s mission and needs. On behalf of the members of the Civil Service Commission, I commend the staff for their excellent work in this fiscally challenging year and am pleased to forward the Commission’s Fiscal Year 2004-05 Annual Report.

Respectfully submitted,



LINDA FADEKE RICHARDSON
CIVIL SERVICE COMMISSION President

May 19, 2006

The Honorable Civil Service Commission
25 Van Ness Avenue, Suite 720
San Francisco, ca 94102

Dear Commissioners:

This year's Annual Report focuses on the accomplishments of the Civil Service Commission and its department during Fiscal Year 2004-05 and highlights the important role the Civil Service Commission plays in creating a fair and equitable employment structure for the City and County of San Francisco.

This year, the Commission conducted important hearings and adopted new Rule amendments on applications, examinations, eligible lists, and certification of eligibles affecting the Uniformed Ranks of the Police Department. The Civil Service Commission also adopted Rule amendments on temporary out-of-class assignments following the completion of meet and confer conducted by Civil Service Commission staff.

The Civil Service Commission Inspection Service continues to be fully operational. This Charter mandated program provides a review of the operation of the merit system and responds to merit system issues presented by applicants, employees, employee organization representatives, advocates, and members of the public. Staff, under the direction of the Civil Service Commission, conducted a comprehensive and thorough investigation of the hiring, selection, separation, and classification of employees at the Office of the Assessor-Recorder since January 8, 2003 and prepared the findings of fact report on this sensitive and complex issue for consideration by the Civil Service Commission. The report prepared by the Civil Service Commission staff serves as a model for future inspection service requests.

Staff is fully participating in setting new directions of the civil service merit system, advising and making recommendations to the Civil Service Commission and participating in discussions with employee organization representatives and other interested parties.

Training workshops on the merit system were again conducted and attended in record numbers this year. These are "nuts and bolts" training workshops that allow participants a "hands on" approach to learning. In classes on "Merit System Overview," "Appeals and Staff Reports on Merit System and Separation Matters," "Probationary Periods," "Certification of Eligibles," and "Executive Overview of the Merit System." Participants included departmental managers and staff, human resources professional and support staff, city attorneys, and employee organization representatives.

The Civil Service Commission's publication, the Civil Service Adviser, continued as a regularly published resource guide for the merit system and this year covered issues on Probationary Periods.

I wish to take this opportunity to thank the Civil Service Commission for its support and to highlight the outstanding performance of the Civil Service Commission staff in achieving the Commission's goals and objectives. I proudly transmit the Fiscal Year 2004-05 Annual Report to you.

Respectfully submitted,



Kate Favetti
Executive Officer

The background of the page is a light blue-tinted photograph of the San Francisco City Hall dome. The dome is the central focus, with its intricate architectural details and the spire on top. The building's facade, with its classical columns and arches, is visible below the dome. The overall image has a soft, ethereal quality due to the monochromatic color scheme.

MISSION STATEMENT

The Civil Service Commission's Mission is to establish, ensure and maintain an equitable and credible merit system for public service for the citizens of San Francisco. The Commission seeks to set the standard for excellence in personnel management through an effective, fair and modern system that recognizes and builds on the diversity, skills and dedication of public employees. The Commission's goal is to consistently provide the best-qualified candidates for public service in a timely and cost-effective manner.

Highlights of Fiscal Year 2004-05

ELECTION OF OFFICERS

Commissioner Linda F. Richardson was elected President and Commissioner Thomas T. Ng, Vice President, Civil Service Commission in June 2005 for a second term.

STATEMENT OF PRESIDENT RICHARDSON

Commissioner Richardson set the tone of her leadership in her acceptance statement: "I am very honored to be placed in the leadership position at this critical time because our entire civil service system is being restructured to enable timely and efficient delivery of services to our residents. I am committed to a style of leadership that acts with integrity and respects different voices. We will work hard to preserve our merit system, defend our employees' rights and uphold due process. The entire Commission has worked hard for the City and County of San Francisco and we are proud of our many accomplishments, including making the Commission accessible for everyone."

STATEMENT OF VICE PRESIDENT NG

Commissioner Ng also noted the change in the tone of leadership: "The Commission and its staff reflect the diversity of our communities and this great City. I am excited to be in a leadership role for the Commission and appreciate the confidence bestowed on me by my fellow Commissioners. We will continue to work hard and lead the way in creating the best civil service merit system on behalf of the citizens of San Francisco."

NEW DIRECTIONS IN THE SAN FRANCISCO CIVIL SERVICE MERIT SYSTEM

Conducted open hearings on new directions of the merit system and civil service reform in August 2004 and April 2005 as part of its Strategic Planning and Goal-Setting, hearing from speakers representing City departments, employees organizations and interested employees and members of the public;

APPOINTMENT BY MAYOR GAVIN NEWSOM OF PRESIDENT LINDA F. RICHARDSON AND COMMISSIONER DONALD A. CASPER TO THE MAYOR'S CIVIL SERVICE REFORM ADVISORY PANEL

Proposed Rules posted in October 2005 to implement one phase of Civil Service Reform, specifically Position Based Testing to implement an expedited examination, selection and appointment process – including referral and certification Rules; to provide a permanent eligible list within 60 days from the posting of a job announcement; and, to establish expedited appeal and hearing procedures;

NEW RULES ON OUT-OF-CLASS ASSIGNMENTS

Proposed Rule amendments and opened discussions with employee organization representatives on temporary out-of-class assignments and subsequently adopted new Rules clarifying temporary out-of-class assignments affecting Miscellaneous and Service-Critical classes at the Municipal Transportation Agency;

AMENDMENTS TO RULES APPLICABLE TO THE UNIFORMED RANKS OF THE SAN FRANCISCO POLICE DEPARTMENT

Adopted Rule amendments on applications, examinations, eligible lists, and certification of eligibles applicable to the Uniformed Ranks of the Police Department;

FILLING THE HUMAN RESOURCES DIRECTOR VACANCY

Mayor Gavin Newsom appointed Philip A. Ginsburg, Human Resources Director on October 6, 2004 who was sworn in on October 12, 2004, following a recruitment and selection process conducted by the Civil Service Commission. Nominees of the top qualified candidates were forwarded to Mayor Gavin Newsom for consideration for selection for the position of Human Resources Director vacated due to retirement;

EXEMPT POSITIONS

Reviewed and approved requests by departments for exempt positions in accordance with Charter authority;

HEARINGS AND APPEALS

Conducted 24 Regular meetings and 24 Special Meetings; Received 60 appeals and carried forward 58 active appeals from the previous fiscal year and resolved a total of 60 appeals;

PERSONAL SERVICES CONTRACTS

Reviewed and approved 157 Personal Services Contracts for a total of \$467,320,584;

ELECTED OFFICIALS SALARY

Certified the salary and benefits for elected officials including the Mayor, City Attorney, District Attorney, Public Defender, Treasurer, Assessor-Recorder, and Sheriff;

BOARD OF SUPERVISORS SALARY:

Set the annual salary for Members, Board of Supervisors at \$90,000 and established a five (5) year cycle, effective July 1, 2004 through June 30, 2009. The Civil Service Commission also acted to increase the salary for each fiscal year, effective July 1, 2005 based on the Consumer Price Index for All Urban Consumers (CPI-U) reported in January of each year and not to exceed 5% and that the salary will not decrease in the event that the CPI-U falls below zero;

PREVAILING RATE OF WAGE:

Certified the rates of pay for Police Officers, Firefighters, Registered Nurses, and the prevailing rate of wages of various crafts, janitorial services, workers in public off-street parking lots, garages, or storage facilities for automobiles and kinds of labor paid in private employment for the City, workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects and motion picture services for shows on property owned by the City and County of San Francisco and any individual performing moving services;

TRAINING AND WORKSHOPS:

Conducted a record number of training workshops on the merit system at both central locations and on-site workshops;

CIVIL SERVICE ADVISER:

Published Civil Service Advisers on Probationary Periods.

Membership of the Commission

The Civil Service Commission is composed of five (5) members, each appointed to serve a six-year term. Commissioners presently serving on the Commission are:

Linda Fadeke Richardson

PRESIDENT

*Appointed June 2001 by Mayor Willie L. Brown, Jr.,
Currently serving under Mayor Gavin Newsom*

Commissioner Richardson has served two terms as President of the Civil Service Commission and is a former member of the Commission on the Environment, Planning Commission and served as president of the Southeast Community Facility Commission. Commissioner Linda Fadeke Richardson led the negotiations with Pacific Gas and Electric (PG&E) Company that resulted in the historic agreement in 1998 to close the aged Hunters Point power plant, a major source of pollution in San Francisco. The agreement with PG&E led to the State Legislature granting \$13 million to the Southeast community for energy and health related projects. Through Ms. Richardson's continued leadership and efforts working with the community, the Hunter's Point power plant was finally shut down in May 2006 after extensive upgrades to the region's transmission lines.

Commissioner Richardson is a tireless advocate on behalf of the Southeast neighborhood community where she worked on issues ranging from environmental justice, health, land use and planning, and community revitalization. She has also led successful efforts on behalf of women, children and persons with disabilities. Ms. Richardson advocates and supports the use of sustainable alternative energy sources and has advised and collaborated on citywide sustainable economic development.

Commissioner Richardson has held numerous positions in the City and County of San Francisco government; most notably, in the administration of Mayor Willie L. Brown, Jr., on the San Francisco Planning Commission where she promoted economic growth, approved development of commercial and residential projects, which resulted in the creation of thousands of jobs and new businesses for the San Francisco



economy. She also served in the administrations of former Mayors Art Agnos and Frank Jordan.

Commissioner Richardson is frequently sought by businesses and corporations for advice on land use issues, business development and neighborhood revitalization especially to numerous Fortune 500 companies.

Commissioner Richardson has also worked on several community development projects with a variety of agencies to increase health and environmental services to the Southeast neighborhood, worked with the City and Lennar Partners on the reuse and safe development of the Superfund Hunters Point Naval Shipyard. She serves as a steering committee member to the Southeast Neighborhood Jobs Initiative Coalition; Chair of the Land Use, Planning and Transportation Committee of the Bayview Hunters Point, in collaboration with the San Francisco Redevelopment Agency, worked on the establishment of the Southeast Career Center, the MUNI Third Street Light Rail Project, the Southern Waterfront Advisory Committee, and led the efforts against building the controversial proposed Applied Energy Services, Inc. power plant in the Bayview Hunters Point area. She co-founded the Southeast Alliance for Environmental Justice (SAEJ) and the Health and Environment Assessment Task Force; helped secure \$10 million to upgrade the Southeast Sewage Treatment plant; and chaired the Land Use, Planning and Transportation Project Area Committee. As part of her work with the City's Commission on the Environment, she was instrumental in establishing the Integrated Pest Management System, a national model in non-toxic pest management.

Commissioner Richardson has extensive expertise in telecommunication and electronic data systems. She served on a 12-member task force appointed by Mayor Brown to advise his administration, the Public Utilities Commission and the City on the proposed \$4.5 billion capital improvement of the vast San Francisco public utility infrastructure.

Commissioner Richardson is an internationally recognized leader on environmental justice and economic development. In July 2002, California Governor Gray Davis appointed Commissioner Richardson to the Bay Conservation and Development Commission (BCDC), a regulatory agency with representatives from the nine Bay Area counties. The Commission was established to prevent the unnecessary filling of the San Francisco Bay, to increase public access to and along the Bay, great natural resources for the benefit of the public and to encourage development compatible with this protection. She has lectured, advocated and appeared before the United States Congress, various government institutions, academic, business, and community organizations. She received recognition from the United States Congress for her lifetime work on health and environmental justice. She also advises many African leaders on environmental, technology, infrastructure assessment, and development issues. Most recently, she was invited to provide counsel to several African nations and plans to facilitate trade opportunities between the United States and Africa.

Commissioner Richardson received the "Rookie of the Year" award from the Franklin Delano Roosevelt Democratic Club for her work in protecting persons with disabilities, the 2000 Martin Luther King Jr. Distinguished Community Service Award and the Bank of America Employee of the Month Award for her work on interstate and large-scale technology projects.

She served on the Boards of many civic and professional organizations including the League of Women Voters, National Women's Political Caucus (NWPC), San Francisco Women Political Committee, and the Southeast Neighborhood Jobs Initiative Coalition.

Pictured above (left to right): Linda Fadeke Richardson, Thomas T. Ng, Alicia D. Becerril, Donald A. Casper, Morgan R. Gorrone

Membership of the Commission

Thomas T. Ng
VICE PRESIDENT

Appointed May 2003 by Mayor Willie L. Brown, Jr.,

Commissioner Thomas T. Ng is a former member of the San Francisco Fire Commission, past president of the Chinese Consolidated Benevolent Association (“Chinese Six Companies”), founder and chairman of the Hoy Sun Memorial Cemetery. He also served as board president of many organizations, including Chinese Hospital, the Hoy Sun Ning Yung Benevolent Association, the Chinese Cultural Services Center, the National (and International) Eng Family Association, and the Asia Society of Arts of America. His directorships include service on the Bay Area United Way, Chinese for Affirmative Action and numerous other community organizations.

Commissioner Ng’s community activities center on promoting community involvement and civic participation by the influential and complex network of Chinese family associations. He helped foster a new spirit of cooperation in a Chinatown which had been divided sharply by overseas politics during the three decades following World War II.

Commissioner Ng received his education at San Francisco State University. He is fluent in English, Chinese and other different dialects. Commissioner Ng’s contributions to the community are recognized with his receiving the following awards: Chinese American Voters Education Committee, Chinese Charity Cultural Services Center, Bay Area United Way, Asian Women Resource Center, and Geen Mum Neighborhood Center. In 2005, Commissioner Ng received the Community Award from Asian Perinatal Advocates for outstanding contribution towards building a vibrant Asian community.

An influential community and business leader, Commissioner Ng is the former owner of the popular Uncle’s Coffee Shop.

Alicia D. Becerril
COMMISSIONER

Appointed August 2003 by Mayor Willie L. Brown, Jr.

Commissioner Alicia D. Becerril is an Administrative Law Judge with the State of California Unemployment Insurance Appeals Board where she conducts hearings and prepares decisions on the appeals of unemployment insurance benefit and disability insurance benefit cases. Prior to taking this position, Commissioner Becerril served as the Board’s Associate Chief Counsel.

Commissioner Becerril began her legal career in public interest law with the State of California, Agriculture Labor Relations Board, Energy Commission and the Department of Health. She later worked as an attorney in the private sector with law firms specializing in commercial litigation, products liability, employment law, and personal injury.

Commissioner Becerril has long been active in civic and community organizations and has worked to improve neighborhoods, ensure public safety and protect small businesses. She served as a member of the Board of Supervisors of the City and County of San Francisco. She is past President of the Lawyers’ Club of San Francisco and Instituto Laboral de La Raza. Commissioner Becerril has also served as a Commissioner on the City and County of San Francisco Human Rights Commission, Board of Appeals, Landmarks Advisory Board, and the City of Oakland Community and Economic Development Advisory Commission. She was formerly a member of the Executive Committee of San Francisco Partnership; Director, San Francisco International Trade Council, and past-President of the U.C. Davis School of Law Alumni Association.

Commissioner Becerril worked as a law professor at the University of Northern California in Sacramento, and adjunct professor of MBA courses on international business at Golden Gate University in San Francisco. She received her undergraduate degree in Social Science and teaching credential from Sacramento State College, and law degree from the School of Law at the University of California at Davis.

Commissioner Becerril’s son recently graduated from the University of the Pacific, McGeorge School of Law. Commissioner Becerril is proud to be a regular MUNI rider.

Donald A. Casper

COMMISSIONER

Appointed March 2000 by Mayor Willie L. Brown, Jr.

Commissioner Donald A. Casper is a member of the San Francisco law firm of Jacobs, Spotswood & Casper LLP. He maintains a general civil practice serving the needs of small businesses and individuals in both transactional and litigation matters. His areas of concentration include professional, non-profit and closely held business corporations; contractual relations between business entities; real property and landlord-tenant law; and election law.

A fourth-generation San Franciscan, Commissioner Casper lives in the North Beach neighborhood. He has a long history of community involvement, both within his neighborhood and citywide. He currently serves on the boards of Janet Pomeroy Center (formerly Recreation Center for the Handicapped), the Salesian Boys' and Girls' Club, and the Columbus Day Celebration. He was chairman of the RCH Board of Directors from 1985 to 1988. Since 1994, he has chaired the board of Columbus Day Celebration, sponsor of the City's annual Italian Heritage Parade. He also, has served as a director of the Italian-American Community Services Agency and the Tenderloin Senior Organizing Project.

In 1986, Commissioner Casper served as president of the St. Thomas More Society of San Francisco, an association of Catholic lawyers and jurists. He has been a member of the Legal Affairs Advisory committee of the Roman Catholic Archdiocese of San Francisco. From 1991 to 1994, he sat on the Community Advisory Board of St. Mary's Hospital and Medical Center.

Commissioner Casper was chairman of the San Francisco Republican County Central Committee from January 1997 until June 2002. Appointed to fill a vacancy on the committee in 1991, he was returned by Republican voters in the 13th Assembly District every two years between 1992 and 2000. His fellow committee members elected him chair three times. He also served on the California Republican State Central Committee.

Since 1993, Commissioner Casper has been a member of the governing board of the San Francisco State Building Authority, a state-local joint powers agency charged with the restoration of the Earl Warren State Office Building and construction of the adjoining Hiram W. Johnson Building, in San Francisco's Civic Center. The complex houses the California Supreme Court, and the First District Court of Appeal, as well as regional offices of other state government entities.

Commissioner Casper attended Salesian Grammar School and St. Ignatius College Preparatory in San Francisco. He received his undergraduate and law degrees from Georgetown University. He was editor-in-chief of Georgetown's undergraduate weekly newspaper, *The Hoya*, and was the first recipient of the university's Edward Bunn Award for Journalistic Excellence. In 1982-83, he was president of the Georgetown Alumni Club of Northern California.

An avid long-distance runner, Commissioner Casper has completed nine marathons, including the 2001 Marine Corps Marathon in Washington, D.C.

Commissioner Casper served as president of the Civil Service Commission from June 2002 until June 2003. For civil service matters, he can be reached at civil-service@casper-law.net.

Membership of the Commission

Morgan R. Gorroneo

COMMISSIONER

Appointed February 2000 by Mayor Willie L. Brown, Jr.

Commissioner Morgan R. Gorroneo is current owner of EIGHT, an upscale lounge in the South of Market area and is the former owner of The Bar on Castro and has been credited for turning the establishment into an upscale lounge-type meeting place and changing the gay bar scene in San Francisco. He was also the Chief Operations Manager of The Café and was instrumental in creating a diverse customer base and initiating an aggressive diversity-hiring program of bartenders and staff receiving full benefits. His efforts made The Café the 2nd biggest employer in the Castro area. He also has a business venture in home restoration and repair.

Commissioner Gorroneo is active in numerous community service and non-profit organizations. His fundraising activities have benefited P.A.W.S., The AIDS Emergency Fund, The God Father Service Fund, and Breast Cancer Research. His community service activities include: Board Member of Merchants of Upper Market and Castro (M.U.M.C.); Founding member and Vice President of the District 8 Democratic Club; Member of C.O.B., an oversight group working to create a Gay/Lesbian homeless youth shelter; Member of Upper Market Citizens Patrol; Member of Mayor Brown's Lavender Steering Committee; Member of Alice B. Toklas Democratic Club; and is an active Member of the S.P.C.A.

- 14 Commissioner Gorroneo is deeply interested in public safety and law enforcement and works closely with the Mission Police Station, the Police Department and the Police Commission on community safety and protection and officer safety programs. Commissioner Gorroneo served as President from June 2003 to June 2004.



105 Years of Civil Service Commissioners

105 Years of Civil Service Commissioners

TERM OF SERVICE

COMMISSIONER

MAYOR

01/08/1900 – 01/07/01	P.H. McCarthy	James D. Phelan
01/08/1900 – 01/07/02	John R. Quinn	James D. Phelan
01/08/1900 – 01/07/03	J. Richard Freud	James D. Phelan
01/08/1901 – 01/07/03	P.H. McCarthy	James D. Phelan
01/06/1902 – 01/07/03	Charles A. Murdock	James D. Phelan
01/08/1902 – 01/07/05	Lois J. Ohnimus	James D. Phelan
01/08/1902 – 01/07/05	John W. Rogers	E.E. Schmitz
01/08/1903 – 01/07/04	Charles J. Williams	James D. Phelan
01/08/1903 – 01/07/06	Joseph R.R. Mershore	E.E. Schmitz
05/20/1903 – 01/07/06	George H. Bahrs	E.E. Schmitz
01/08/1904 – 01/07/06	Charles J. Williams	E.E. Schmitz
01/08/1905 – 12/15/05	John W. Rogers	E.E. Schmitz
12/18/1905 – 01/07/08	Edward F. Moran	E.E. Schmitz
01/08/1906 – 01/07/07	Richard Cornelius	E.E. Schmitz
01/08/1906 – 01/07/09	George H. Bahrs	E.E. Schmitz
01/08/1907 – 01/07/10	Richard Cornelius	E.E. Schmitz
01/08/1908 – 01/31/10	Matthew I. Brady	Edward R. Taylor
01/08/1909 – 01/07/12	George H. Bahrs	Edward R. Taylor
01/08/1910 – 01/03/12	Frank C. McDonald	P.H. McCarthy
01/31/1910 – 08/26/10	Charles M. Leavy	P.H. McCarthy
09/26/1910 – 01/07/11	Benjamin B. Rosenthal	P.H. McCarthy
01/08/1911 – 01/07/14	Benjamin B. Rosenthal	P.H. McCarthy
01/06/1912 – 01/07/13	Harry E. Michael	P. H. McCarthy
01/08/1912 – 01/07/15	Earle A. Walcott	James Rolph, Jr.
01/08/1913 – 01/07/15	Matthew I. Brady	James Rolph, Jr.
01/08/1914 – 07/01/17	Benjamin B. Rosenthal	James Rolph, Jr.
01/08/1915 – 07/01/15	John J. O'Toole	James Rolph, Jr.
01/08/1915 – 01/07/18	Earle A. Walcott	James Rolph, Jr.
07/01/1915 – 06/30/21	John J. O'Toole	James Rolph, Jr.
07/01/1917 – 06/30/23	George A. Tracey	James Rolph, Jr.
07/01/1919 – 06/30/25	Earle A. Walcott	James Rolph, Jr.
07/01/1921 – 01/04/26	John J. O'Toole	James Rolph, Jr.
07/01/1923 – 12/18/23	George A. Tracey	James Rolph, Jr.
01/08/1924 – 06/30/29	John F. Davis	James Rolph, Jr.
07/01/1925 – 06/30/31	Earle A. Walcott	James Rolph, Jr.
01/07/1926 – 06/30/27	Hugh McKeivitt	James Rolph, Jr.
07/01/1927 – 01/27/31	Hugh McKeivitt	James Rolph, Jr.
07/01/1929 – 06/30/35	William P. McCabe	James Rolph, Jr.
01/03/1931 – 06/30/31	Lewis F. Byington	James Rolph, Jr.
01/27/1931 – 06/30/33	Howard M. McKinley	Angelo J. Rossi
07/01/1931 – 06/30/37	Lewis F. Byington	Angelo J. Rossi

TERM OF SERVICE

01/08/1932 – 06/30/37
 07/01/1933 – 06/30/39
 07/01/1935 – 06/30/41
 07/01/1937 – 06/30/43
 07/01/1939 – 01/21/41
 07/01/1941 – 06/30/47
 07/21/1941 – 04/16/44
 07/01/1943 – 06/30/49
 04/17/1944 – 06/30/45
 07/01/1945 – 07/10/47
 07/01/1947 – 06/30/53
 07/10/1947 – 06/30/51
 07/01/1949 – 06/30/55
 07/01/1951 – 11/14/53
 11/16/1953 – 06/30/55
 07/01/1953 – 09/30/58
 07/01/1955 – 06/30/57
 07/01/1955 – 06/30/60
 07/01/1957 – 06/30/63
 10/01/1958 – 06/30/59
 07/01/1959 – 10/23/64
 07/06/1960 – 06/30/61
 07/01/1961 – 06/30/67
 07/01/1963 – 06/30/69
 10/23/1964 – 06/30/65
 07/01/1965 – 06/01/66
 06/01/1966 – 06/30/71
 07/01/1967 – 11/17/71
 07/01/1969 – 06/12/72
 11/22/1971 – 06/15/72
 07/01/1971 – 06/30/77
 06/13/1972 – 06/30/75
 06/15/1972 – 06/30/73
 07/01/1973 – 03/07/79
 07/01/1975 – 10/25/75
 10/25/1975 – 04/26/79
 12/05/1975 – 06/30/81
 07/01/1971 – 06/30/77
 06/13/1972 – 06/30/75
 06/15/1972 – 06/30/73
 07/01/1973 – 03/07/79

COMMISSIONER

Harry K. Wolff
 Howard M. McKinley
 Milton S. Maxwell
 Harry K. Wolff
 Howard M. McKinley
 Milton S. Maxwell
 John W. Bender
 Harry K. Wolff
 Allan E. Charles
 Allan E. Charles
 Francis P. Walsh
 John M. Kennedy
 Charles T. McDonough
 John M. Kennedy
 William Lahanier
 Francis P. Walsh
 John E. Hogg
 William Lahanier
 William Kilpatrick
 Hubert J. Soher
 Hubert J. Soher
 Richard C. Ham
 Richard C. Ham
 William Kilpatrick
 Dorothy Von Beroldingen
 Dorothy Von Beroldingen
 Yori Wada
 John Molinari
 William Kilpatrick
 Gary P. Vannelli
 William J. Chow
 Robert J. Costello
 Joseph C. Tarantino
 Joseph C. Tarantino
 Robert J. Costello
 Frank N. Alioto
 Darrell J. Salomon
 William J. Chow
 Robert J. Costello
 Joseph C. Tarantino
 Joseph C. Tarantino

MAYOR

Angelo J. Rossi
 Roger D. Lapham
 Roger D. Lapham
 Roger D. Lapham
 Roger D. Lapham
 Elmer E. Robinson
 George Christopher
 George Christopher
 George Christopher
 George Christopher
 George Christopher
 John F. Shelley
 John F. Shelley
 John F. Shelley
 John F. Shelley
 Joseph L. Alioto
 —
 Joseph L. Alioto
 Joseph L. Alioto

105 Years of General Managers and Executive Officers of the Civil Service Commission

NAME	APPOINTED	APPOINTMENT ENDED
Edward F. Moran	January 1, 1900	December 18, 1905
Aarons H. Powers	December 18, 1905	December 31, 1907
James J. Maher	January 13, 1908	December 1, 1938
William L. Henderson	December 1, 1938	June 9, 1943
Kathleen Dolen	June 9, 1943	February 14, 1945
William L. Henderson	February 15, 1945	September 4, 1958
Harry Albert (Acting)	September 11, 1958	November 14, 1958
George Grubb	November 14, 1958	December 14, 1971
Bernard A. Orsi	December 15, 1971	March 1, 1977
James F. Wurm (Acting)	January 9, 1974	June 6, 1974
James F. Wurm (Acting)	August 26, 1974	January 7, 1975
John J. Walsh	March 3, 1977	March 29, 1992
Albert C. Walker (Acting)	March 30, 1992	April 18, 1993
Wendell L. Pryor	April 19, 1993	December 5, 1993
Albert C. Walker*	December 6, 1993	January 1, 1998
Kate Favetti	March 16, 1998	Present

*Proposition "L" (11/93) Restructured Personnel function and created a Department of Human Resources separate from the Civil Service Commission. Albert C. Walker was granted permanent civil service status to Executive Officer, Civil Service Commission by the terms of Proposition L (1932 Charter Sec. 3.661, 1996 Charter Section 10.101). The position became appointive by the Civil Service Commission upon Mr. Walker's vacating.

Important Events That Have Shaped the City and County of San Francisco Merit System

1900

Establishment of the Civil Service Commission

The San Francisco Civil Service System was established under the 1900 Freeholder Charter.

- ◆ San Francisco Civil Service Commission was established, simultaneously with the establishment of the merit system for the City and County of San Francisco.
- ◆ The Civil Service Commission one of the oldest in the country, pre-dated only by just a few years by Chicago, New York, and a few other Eastern municipalities. San Francisco has the oldest civil service system West of the Mississippi.
- ◆ The first members of the Commission were P.H. McCarthy, John E. Quinn, and Richard Freud, who were appointed by Mayor James D. Phelan on December 30, 1899.
- ◆ The Commission's first meeting occurred on January 5, 1900; Richard Freud was elected president.
- ◆ The first competitive examination was held on January 8, 1900, and as a result, Edward F. Moran was appointed "Chief Examiner and Secretary" of the Commission.
- ◆ The offices of the Commission opened to the public at noon, January 8, 1900, and by 5:00 p.m., 621 Laborers applications were received and hundreds of applications for examinations were issued.

1932

Charter Reform

- ◆ Enlarged the scope of duties of the Civil Service Commission
- ◆ Gave greater powers to the Civil Service Commission to enforce its rulings and included the following important components:
 - Control of the classification plan;
 - Restrictions on exempt appointments;
 - Provisions for practical, free and competitive examinations;
 - Persons appointed subject to a six-month probationary period;
 - Decision of Civil Service Commission on appeals is final;
 - Prohibition of political activity;
 - Central control to assure the unhampered operation of the merit system.

1975

Expansion of Civil Service Commission

The electorate voted to:

- ◆ Expand the Civil Service Commission from three (3) members to five (5) members;
- ◆ Require not less than one member be a woman;
- ◆ Require a special oath upon appointment.

1979

Compliance Agreement between the Office of Revenue Sharing and the City & County of San Francisco

- ◆ Created open, competitive process for promotive examination;
- ◆ Allowed horizontal and vertical access to the promotive system;
- ◆ Permitted an accelerated examination process to address long-term temporary employees;
- ◆ Expanded recruitment efforts for city jobs to support the citywide equal employment opportunity plan;
- ◆ Established an in-house discrimination complaint procedure.

Important Events That Have Shaped the City and County of San Francisco Merit System

1991

Civil Service Reform and Collective Bargaining

The electorate approved four (4) ballot measures that:

- ◆ Removed a number of Charter provisions word for word and added them to the Civil Service Commission Rules to allow for negotiation on changes through a meet and confer process;
- ◆ Increased flexibility in classification of positions;
- ◆ Established the minimum certification Rule of Three Scores;
- ◆ Provided for collective bargaining subject to merit system carve-outs.

1993

Creation of the Department of Human Resources

Ballot measure approved by the electorate:

- ◆ To create the Department of Human Resources effective January 1, 1994;
- ◆ Redefined the Civil Service Commission role from an operational personnel department to a policy making/appeals board.

22

1999

Creation of Municipal Transportation Agency (MTA) (Proposition E)

- ◆ Voters approved the creation of the Municipal Transportation Agency (MTA) in November 1999 election;
- ◆ Preserved the role of the Civil Service Commission as to merit system issues in the Municipal Transportation Agency.

1996

Charter Revision

- ◆ The 1932 Charter was revised, recodified and reorganized;
- ◆ The role of the Civil Service Commission was clarified to reflect the Civil Service Commission's jurisdiction and the merit system in the new collective bargaining environment;
- ◆ Limits were placed in the Charter on the duration of provisional appointments;
- ◆ Required that not less than two (2) members of the Civil Service Commission shall be women.

2001

Appeal to the Civil Service Commission of the Removal of the Director of Elections (Proposition E)

- ◆ Voters approved amendments to the Department of Elections in November 2001;
- ◆ The Elections Commission to appoint the Director of Elections from a list of qualified applicants according to the civil service provisions of the Charter;
- ◆ Removal of the Director of Elections by the Elections Commission may be appealed to the Civil Service Commission.

2002

Salary Setting—Board of Supervisors

- ◆ Voters approved Charter Amendment to provide that the job of the members of the Board of Supervisors is full time and that the salaries be set by the Civil Service Commission once every 5 years.

2003

Ethics Reform (Proposition E)

- ◆ The voters approved Charter amendments in November 2003 that consolidated all of the City's ethics laws into the Campaign and Governmental Conduct Code, created new laws and amended some of the existing laws including laws on hiring of family members and incompatible activities. The Civil Service Commission comments from a merit system perspective on Statements of Incompatible Activities forwarded by the Ethics Commission.

The San Francisco Civil Service Merit System 2005

The Civil Service Commission is charged to oversee, regulate, and serve as final arbiter of the City and County of San Francisco civil service merit system. The Civil Service Commission fulfills its Charter and legal mandates by:

- ◆ Establishing Rules, regulations, policies, and procedures that provide the framework for the operation of the City and County personnel system. For example, the Commission approves Rules and procedures governing equal employment opportunity, applications, examinations, eligibility, duration of eligible lists, appointments, promotions, transfers, resignations, and other personnel related matters;
- ◆ Hearing of appeals of administrative actions and decisions of the Human Resources Director, the Director of Transportation and its Executive Officer, including discrimination complaints, and rendering final and binding decisions;
- ◆ Investigating and resolving charges and complaints of discrimination, sexual harassment, and otherwise prohibited nepotism and favoritism;
- ◆ Instituting legal proceedings, if necessary, to abate violations of the Civil Service merit system provisions of the City and County Charter and Commission regulations;
- ◆ Directing the Human Resources Director to take such action as the Commission believes necessary to carry out the civil service merit system provisions of the Charter;

- ◆ Directing the Municipal Transportation Agency Director to take such action as the Commission believes necessary to carry out the civil service merit system provisions of the Charter applicable to Service-Critical classifications at the Municipal Transportation Agency;
- ◆ Providing training and education on the merit system;
- ◆ Monitoring and auditing the operation of the merit system through Inspection services;
- ◆ Conducting salary and other personnel, human resources related surveys;
- ◆ Setting salaries and benefits of elected officials;
- ◆ Providing outreach, information and notification of the Catastrophic Illness Program (CIP); and,
- ◆ Administering the City's Employee Relations Ordinance.

The Civil Service Commission continues to focus on its Charter-mandated functions on formulating policy and creating the structure for the personnel system of the City and County.

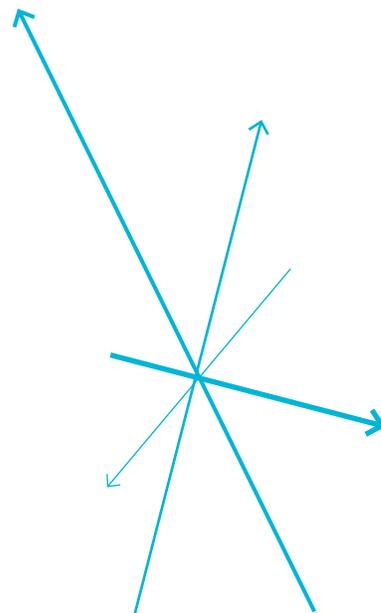
New Directions

The Civil Service Commission's mission is to establish, ensure and maintain an equitable and credible merit system for public service for the citizens of San Francisco. The Commission seeks to set the standard for excellence in personnel management through an effective, fair and modern system that recognizes and builds on the diversity, skills and dedication of public employees. The Commission's goal is to consistently provide the best-qualified candidates for public service in a timely and cost-effective manner.

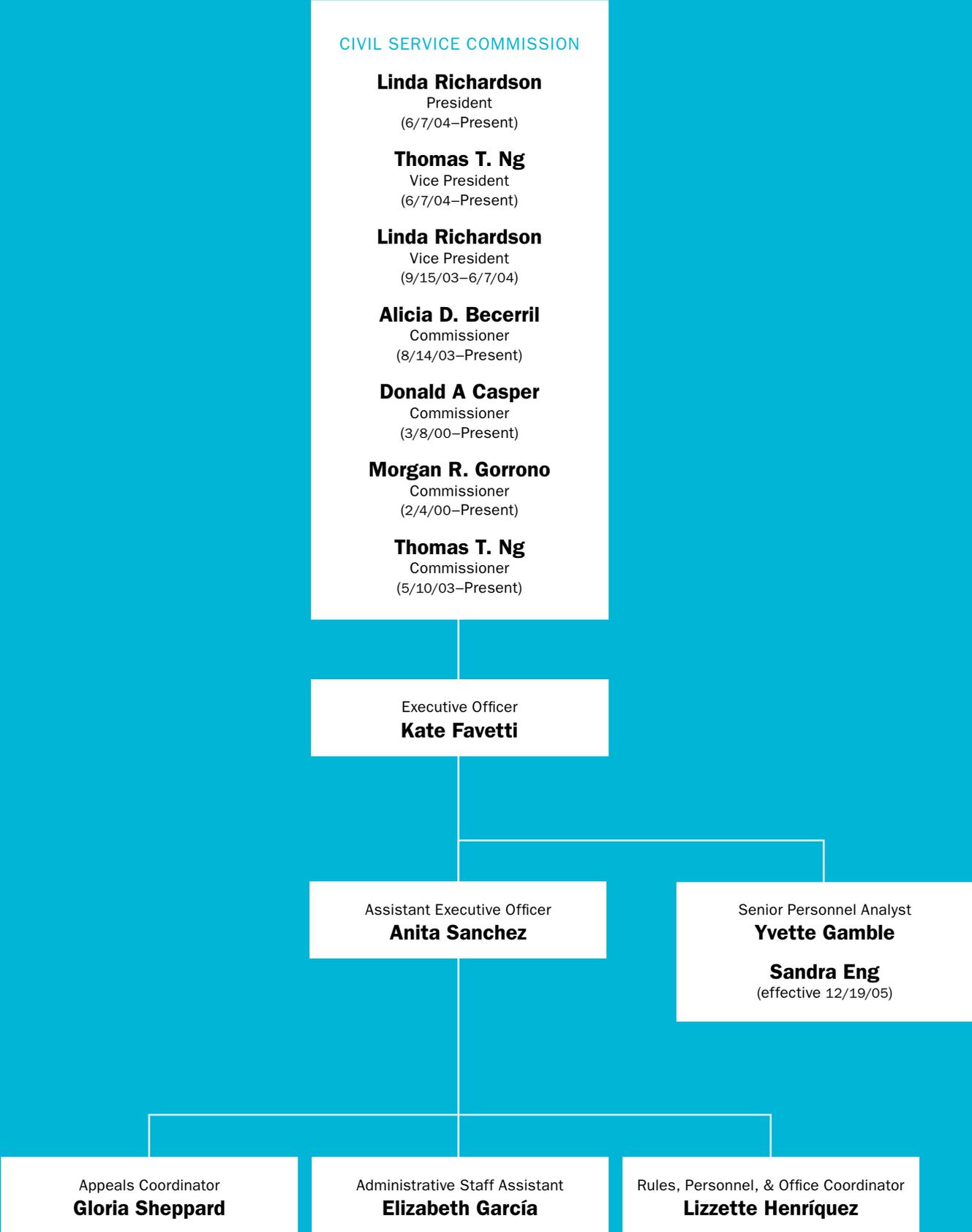
Consistent with its mission and goals, the Commission regularly reviews its Rules, policies and procedures to address City departments' need for flexibility in personnel management at the same time maintaining the integrity of the City's merit system.

As part of its strategic planning and goal-setting for Fiscal Year 2004-05, the Commission conducted open hearings in August 2004 and April 2005 on the direction of the San Francisco civil service merit system. The Civil Service Commission heard from speakers representing City departments, employee organizations, interested employees and members of the public. Of particular concern was the reduction of provisional appointments and the ability to fill a position at the time of vacancy with a qualified permanent civil service employee.

Changes to the Civil Service Commission Rules may be recommended by a Commissioner, the Human Resources Director and the Executive Officer. Comments from department heads, departmental representatives, employee organization representatives, employees, and interested members of the public are considered by the Civil Service Commission. Proposed changes are posted for a minimum of ten (10) days and discussions and/or meet and confer with employee organizations conducted upon request prior to adoption consistent with state law. Adoption of changes to the Commission's Rules, policies and procedures are considered and acted upon by the Civil Service Commission at subsequent open, public meetings.



Organization Chart



Staff

Kate Favetti, Executive Officer
 Yvette Gamble, Senior Personnel Analyst
 Sandra Eng, Senior Personnel Analyst (effective 12/19/05)
 Elizabeth García, Administrative Staff Assistant
 Lizzette Henríquez, Rules, Personnel and Office Coordinator
 Anita Sanchez, Assistant Executive Officer
 Gloria Sheppard, Appeals Coordinator

Budget

The Fiscal Year 2004-05 budget appropriation was as follows:

ACCOUNT	ADOPTED BUDGET	TOTAL
SALARY AND FRINGE BENEFITS		
Permanent	\$450,566	
Temporary	\$3,000	
Premium	0	
Fringe Benefits	\$103,853	\$557,419
SPECIAL AND PROFESSIONAL SERVICES		
Professional Services	\$16,078	
Rents and Leases	\$47,844	
Services of Other Departments	\$51,914	
Materials, Supplies	\$6,154	
		\$121,990
TOTAL BUDGET APPROPRIATION		\$679,409

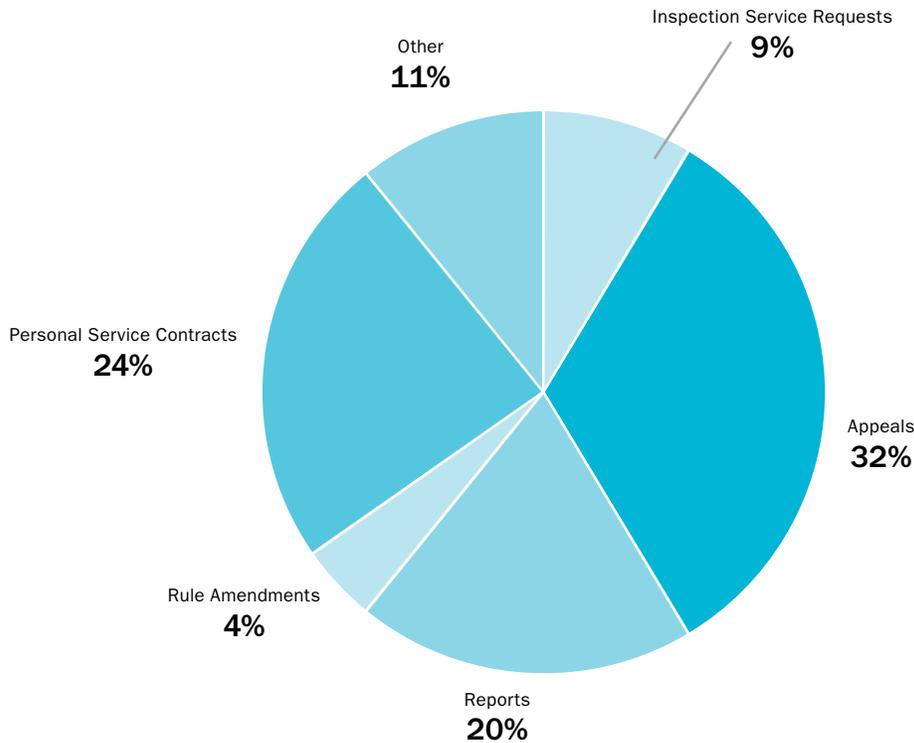
Commission Meetings

The Civil Service Commission held a total of 48 meetings during Fiscal Year 2004-05. Of the 48 meetings, 24 were Regular meetings and 24 were Special Meetings.

Regular Commission meetings are on the first and third Mondays of each month in City Hall Hearing Room 400. When the regular meeting falls on a holiday, the Commission meets on the next succeeding business day unless it designates another day to meet at a prior regular meeting.

Special meetings are called by the President or a majority of the Commission. All meetings of the Commission are open to the public except as otherwise legally authorized.

Commission meetings are conducted in accordance with the Commission's Hearing Policies and Procedures attached to each Agenda and Notice of Commission Meeting documents.



Examples of matters heard by the Civil Service Commission

Regular Commission meetings are organized as follows:

Call to Order and Roll Call

Public Comment on Matters Appearing on the Agenda

Public comment on Agenda items

Approval of Minutes

Announcements

Changes to the Agenda, change in meeting schedule and other relevant information

Ratification Agenda

These are non-contested matters to be acted by a single vote of the Commission. No separate discussion on the items unless requested; the item is severed from the Ratification Agenda and considered a separate item. Matters on Ratification Agenda are proposed personal services contracts that have been posted for seven (7) calendar days by the Department of Human Resources and no appeals were received during the posting period.

Consent Agenda

All matters on the Consent Agenda will be acted upon by a single vote of the Commission. There will be no separate discussion on these items unless a request is made; in which event, the matter shall be removed from the Consent Agenda and considered as a separate item.

Commission Old Business

Follow up of previously discussed policy, procedure, or items having impact on the jurisdiction of the Commission.

Regular Agenda

Requests for hearing on examination, classification, certain compensation matters, and appeals of the Human Resources Director's decisions on certain administrative matters; appeals of the Director of Transportation's decisions on merit system matters affecting service-critical classes at the Municipal Transportation Agency; and appeals of the Executive Officer's decision.

Separations Agenda

Appeals of separated employees on future employment restrictions recommended by appointing officers and automatic resignations for certain employee groups.

Commissioner's Other Business

Policy, procedures and matters impacting the jurisdiction of the Commission.

Human Resources Director's Report

Report on merit system issues and items administered by the Department of Human Resources.

Executive Officer's Report

Report on merit system issues and items impacting the jurisdiction of the Civil Service Commission.

Request to Speak on Any Matter within the Jurisdiction of the Civil Service Commission

Public comment on matters under the Commission's jurisdiction.

Commissioners' Announcements/Requests

Adjournment

The Commission meets to review requests for hearing of employee separations from service, examination appeals, classification appeals, certain compensation appeals, and appeals of the Human Resources Director's decisions on certain administrative matters. The Commission also hears appeals of decisions of the Director of Transportation on merit system matters affecting service-critical classes at the Municipal Transportation Agency. The Commission considers at its meetings proposed Civil Service Commission Rule and policy changes, and proposed Charter amendments.

Wage Setting Responsibilities of the Civil Service Commission

CERTIFICATION OF RATES OF PAY AND PREVAILING WAGES

The Charter provides that the Commission certify the rates of pay for Police Officers, Firefighters, Registered Nurses, and the prevailing rate of wages of various crafts, janitorial services, workers in public off-street parking lots, garages, or storage facilities for automobiles and kinds of labor paid in private employment for the City, workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects and motion picture services for shows on property owned the City and County of San Francisco and any individual performing moving services.

SETTING OF SALARY AND BENEFITS OF ELECTED OFFICIALS

In addition, the Commission sets the salary and benefits of all elected officials of the City and County of San Francisco. Salary (except for Members of the Board of Supervisors) and benefits are within the parameters established by Charter Section A8.409-1 as stated, in part: "Except as otherwise provided by this charter, the Civil Service Commission shall set the wages and benefits of all elected officials of the City and County of San Francisco as follows: wages shall be frozen for fiscal year 1994-95 and 1995-96 at the rates in effect on June 30, 1994, thereafter, wages and benefits may be adjusted on July 1 of each fiscal year to reflect upward change in the CPI as of the preceding January 1; however, wage increases may not exceed 5 %. Benefits of elected officials may equal but may not exceed those benefits provided to any classification of miscellaneous officers and employees as of July 1 of each fiscal year."

SETTING OF SALARY FOR MEMBERS OF THE BOARD OF SUPERVISORS

On November 5, 2002, the City and County of San Francisco Electorate approved Proposition J, amending City Charter Section 2.100 - Composition and Salary to direct that Member, Board of Supervisors is a full-time position. The amended Charter Section also directs the Civil Service Commission to establish a five (5) year salary cycle, consider a salary survey of California cities and counties with full-time City Councils and County Supervisors, transmit its salary determination to the Controller in a timely manner to coordinate with City budget processes and related procedures, and set the salary of the Board of Supervisors once every five (5) years. However, the Charter provided that the Civil Service Commission could establish a shorter cycle for the initial determination.

In its initial determination on May 19, 2003, the Civil Service Commission established a one (1) year cycle. The Civil Service Commission set the annual salary for Members, Board of Supervisors effective July 1, 2003 through June 30, 2004 at \$112,320.

On May 17, 2004, the Civil Service Commission established a five (5) year cycle effective July 1, 2004 through June 30, 2009 and set the annual salary for the City and County of San Francisco Board of Supervisors at \$90,000. The Civil Service Commission also acted to increase the salary for each fiscal year, effective July 1, 2005 based on the Consumer Price Index for All Urban Consumers (CPI-U) reported in January of each year and not to exceed 5% and that the salary will not decrease in the event that the CPI-U falls below zero.

The CPI-U reported in January 2005 was 1.2%; therefore, in accordance with the Civil Service Commission action and direction, the annual salary for Member, Board of Supervisors for FY 2005-06, effective July 1, 2005 was \$91,080.

The Civil Service Commission will again set the salary for the Board of Supervisors for a five (5) year cycle, effective July 1, 2009 through June 30, 2014.

Civil Service Commission and Merit System Policy and Rules Making Authority

The City and County of San Francisco Charter delineates the responsibilities of the Civil Service Commission and outlines the civil service merit system to include (but not limited to):

- ◆ the authority, purpose, definitions, administration, and organization of the merit system and the Civil Service Commission;
- ◆ the establishment of policies, procedures and Rules governing allegations of discrimination or otherwise prohibited nepotism or favoritism; applications; examinations; eligibility; duration of eligible lists; certification of eligibles; leaves of absence; appointments; promotions; transfers; resignations; lay-offs or reduction in force, both permanent and temporary, due to lack of work or funds, retrenchment or completion of work; the designation and filling of positions, as exempt, temporary, provisional, part-time, seasonal, or permanent; status and status rights; probationary status and the administration of probationary periods except duration; pre-employment and fitness for duty medical examinations, except for the conditions under which referrals for fitness for duty medical examinations will be made, and the imposition of new requirements; classification; conflict of interest; and such other matters not in conflict with this Charter;
- ◆ the ability to inquire into the operation of the civil service merit system to ensure compliance; and,
- ◆ the hearing of appeals from an action of the Human Resources Director or the Municipal Transportation Agency Director.

Rules, Policies and Procedures Administration

CIVIL SERVICE COMMISSION RULES

Foremost in the Commission's agenda is to modernize and streamline the Civil Service Commission Rules, to protect the civil service merit system, and to control costs which result from practices which may not be conducive to the efficient operation of a department. The Civil Service Commission recognizes the need to make our workforce more efficient by providing managers with the necessary tools which conform with and anticipate changes in the work environment so as to avoid expending unnecessary personnel time and resources on duplicative or archaic practices.

In its effort to address City departments' need for flexibility in personnel management, the Commission has an on-going process of seeking input from departments and responding to the needs expressed regarding the City's merit system. The Committee on Policy and Rules Revision (COPAR), made up of various departmental representatives, Department of Human Resources representatives and Commission staff convenes regularly to share concerns, provide advice and address the operation of the merit system. COPAR reviews, evaluates and makes recommendations on needed Rule changes. Commission Rules are evaluated to assure compliance with federal, state and local laws.

Meet and confer sessions are conducted by Commission staff. All Rule changes are posted for ten (10) days prior to adoption by the Civil Service Commission.

POLICIES AND PROCEDURES

Service accessibility and utilization of its services is a priority of the Civil Service Commission. The Commission has made available and expanded its on-line information through the Commission website. Policy and procedures on "Appeals and Requests for Hearings" and "Submission of Written Reports on Appeals" have been updated and available in on-line, electronic and print formats.

Civil Service Commission Rules

CIVIL SERVICE COMMISSION RULES 1996 EDITION

CIVIL SERVICE COMMISSION – YEAR 200 EDITION RULES

Rule Number and Title		Volume I Miscellaneous Classes	Volume II Uniformed Ranks of the Police Dept.	Volume III Uniformed Ranks of the Fire Dept.	Volume IV Municipal Transportation Agency Service- Critical
Rule 1	Authority and Purpose	Rule 101	Rule 201	Rule 301	Rule 401
Rule 2	Definitions	Rule 102	Rule 202	Rule 302	Rule 402
Rule 3	Equal Employment Opportunity	Rule 103	Rule 203	Rule 303	Rule 403
Rule 4	Administration	Rule 104	Rule 204	Rule 304	Rule 404
Rule 5	Meetings and Hearings of the Commission	Rule 105	Rule 205	Rule 305	Rule 405
Rule 6	TWU Trust Fund	Rule 106	Blank	Blank	Rule 406
Rule 7	Rules Related to the Employer-Employee Relations Ordinance	Rule 107	Rule 207	Rule 307	Rule 407
Rule 8	Blank	Blank	Blank	Blank	Blank
Rule 9	Position Classification	Rule 109	Rule 209	Rule 309	Rule 409
Rule 10	Examination Announcements and Applicants	Rule 110	Rule 210	Rule 310	Rule 410
Rule 11	Examinations	Rule 111	Rule 211	Rule 311	Rule 411
Rule 12	Eligible Lists	Rule 112	Rule 212	Rule 312	Rule 412
Rule 13	Certification of Eligibles	Rule 113	Rule 213	Rule 313	Rule 413
Rule 14	Appointments	Rule 114	Rule 214	Rule 314	Rule 414
Rule 15	Rules Related to the Employment of Persons with Disabilities	Rule 115	Rule 215	Rule 315	Rule 415
Rule 16	Medical Examinations	Rule 116	Rule 216	Rule 316	Rule 416
Rule 17	Probationary Period	Rule 117	Rule 217	Rule 317	Rule 417
Rule 18	Conflict of Interest	Rule 118	Rule 218	Rule 318	Rule 418
Rule 19	Resignation	Rule 119	Rule 219	Rule 319	Rule 419
Rule 20	Leaves of Absence	Rule 120	Rule 220	Rule 320	Rule 420
Rule 21	Layoff	Rule 121	Rule 221	Rule 321	Rule 421
Rule 22	Employee Separation Procedures	Rule 122	Rule 222	Rule 322	Rule 422

The Civil Service Commission acted on October 4, 1999 to recodify and reformat the Rules to provide consistent administration, uniformity and easy readability.

An Effective Classification Plan

Professional–Personal Service Contracts

CLASS CONSOLIDATION PRIORITY

The Civil Service Commission adopted in 1991, a policy directive to reduce the number of City and County classes to 1,000 or fewer by the year 2000. The Commission continues to pursue this goal directing its efforts towards rules, policies and procedures that facilitate classification transactions conducted by the Department of Human Resources. The City now has approximately 1,309 classes, down 791 from over 2,100 in a 1991 peak (a 38% decrease).

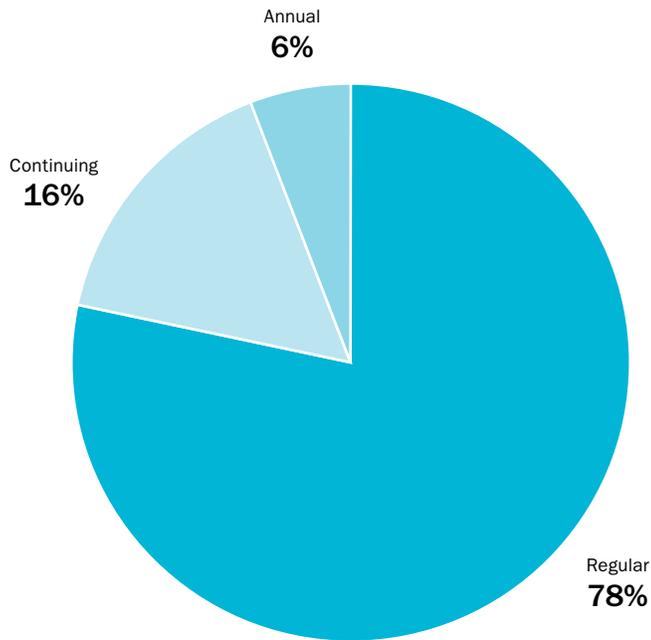
PROFESSIONAL-PERSONAL SERVICES CONTRACTS

The Civil Service Commission’s review of proposed professional-personal services contracts is consistent with its authority to oversee the merit system. This authority includes that where there is a merit system, services provided to the public use public employees.

The Civil Service Commission also determines whether the circumstance pertaining to the need to provide services in a particular situation (or situations) warrants the use of a professional-personal services contract or contractors in lieu of civil service employees. Professional-personal services contracts include agreements for services paid by the City and County of San Francisco with individuals, companies, corporations, non-profit organizations, and other public agencies. The Commission’s role and responsibilities are in accordance with City Attorney opinions and are consistent with the objectives of Proposition L (November 1993) in that it places the Civil Service Commission in a policy making, rather than an administrative role in the selection of individual contractors.

The Commission adopted revised policies and procedures on December 5, 1994, which became effective on January 1, 1995. The revised procedures streamlined and expedited the processing of professional-personal services contracts by eliminating a significant amount of bureaucratic red tape. This was accomplished without loss of the monitoring and auditing of the contracting procedure placed by the Charter in the Commission’s jurisdiction. The procedures are periodically reviewed and revised by the Civil Service Commission.

*Approval Types for Personal Services Contracts
(FY 2004–2005)*



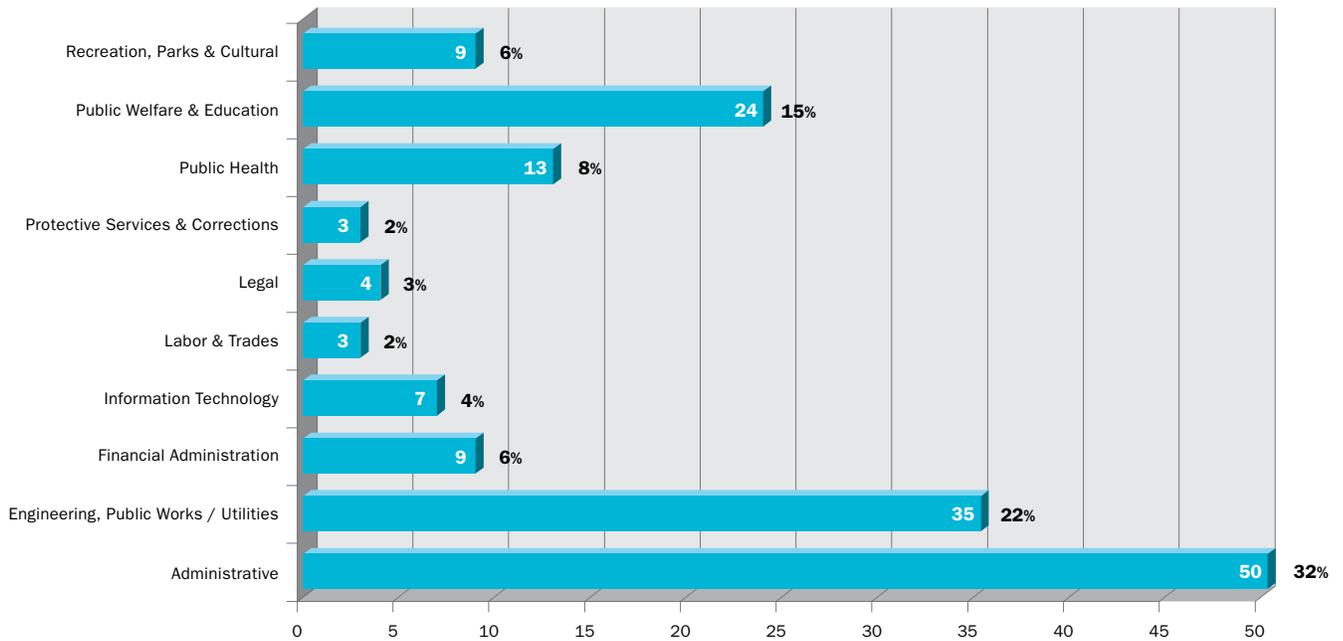
100% = 162 Contracts Requiring Civil Service Commission Approval

Important points in the procedures include:

- ◆ An appeal procedure to insure merit system oversight;
- ◆ A streamlined Civil Service Commission approval process for professional-personal services contracts; the Civil Service Commission reviews proposed professional-personal services contracts greater than \$50,000;
- ◆ A professional-personal services contracts approval option that is consistent with the City and County's budgetary process by providing departments with the ability to include contracted services as part of the departmental budget when being submitted to the Mayor's Office.

The chart above is a breakdown of the approval types for professional services contracts.

*Types of Service Provided for Personal Services Contracts
(FY 2004–2005)*



100% = 162 Contracts Requiring Civil Service Commission Approval

Representatives from the Controller’s Office, Office of Contract Administration, Human Rights Commission, the City Attorney’s Office, Department of Public Health, Department of Aging and Adult Services, and the Civil Service Commission conduct ongoing workshops available through the Department of Human Resources to train managers, supervisors and contract administrators on professional-personal services contracts procedures.

Above is a breakdown of the type of service provided for professional-personal services contracts:

Merit System

Civil service, also known as the merit system, was created to assure that the recruitment and retention of a qualified work force, and, the selection and promotion of employees providing public service and compensated by tax dollars is conducted in a fair and impartial manner and in a competitive fashion.

The demand for accountability, high performance and ethical standards require a visible, objective public personnel process provided by a merit system. This demand for accountability is reflected in the Civil Service Commission Charter mandate to oversee the City's merit system through establishment of Rules, policies and procedures, hearing of appeals, inspection and audit service, training, and reports from the Executive Officer, Human Resources Director and Director of Transportation on the operation of the merit system.

OVERSIGHT THROUGH HEARINGS AND APPEALS

The Charter provides that a major function of the Commission is to consider appeals on merit system and other matters under the jurisdiction of the Civil Service Commission. Consideration of appeals provides a mechanism for the Commission to monitor the status of the merit system.

The Commission also considers requests for hearings on separations and appeals on future employment with the City and County following employee separations from service: provisional, exempt and probationary; automatic resignations due to abandonment of position; terminations of temporary employees appointed from civil service lists; resignations certified as services unsatisfactory; and dismissals of permanent employees.

Appeals before the Commission cover a range of matters under the Commission's jurisdiction. Many are routine and a few are uncommon and unusual.

The Commission had 58 active appeals on file at the end of Fiscal Year 2003-04. A total of 60 appeals and requests for hearings were received in the Commission office during Fiscal Year 2004-05. A total of 60 appeals were resolved. Many appeals were successfully resolved administratively and did not require a Civil Service Commission hearing, or, are still pending. The Civil Service Commission heard 30 appeals; 3 appeals were deemed untimely; 17 were administratively resolved; and, 10 were either withdrawn, determined not to be in the Commission's jurisdiction or resolved through other mechanisms.

AUDIT AND INSPECTION SERVICES

The Inspection Service serves as another mechanism for the Civil Service Commission in its role and responsibility to review the operation of the merit system and to respond to merit system issues presented by applicants, employees, employee organization representatives, advocates, and members of the public.

Under its Charter authority, the Civil Service Commission operates the inspection service for the purpose of investigating the conduct or an action of appointees in all positions and of securing records for promotion and other purposes, as well as, ensuring compliance with merit system principles and rules established by the Civil Service Commission. All departments are required to cooperate with the Civil Service Commission and its staff in making its inquiries and investigations.

The Civil Service Commission is further authorized in carrying out its Charter mandate to inquire into the conduct of any department or office of the City and County, and may hold hearings, subpoena witnesses, administer oaths, and compel the production of books, paper, testimony, and other evidence.

An inspection service request may be submitted by applicants, employees, departmental representatives, advocates, employee organization representatives, or a member of the public by letter, telephone, email, or in person. Inspection service requests are also generated by Civil Service Commissioners in response to items heard at Civil Service Commission meetings or other venues.

Inspection Service investigations may include reviewing or auditing departmental records, determining departmental and merit system practices, interviewing relevant parties, reviewing related merit system publications, and applying relevant merit system Rules, policies and procedures.

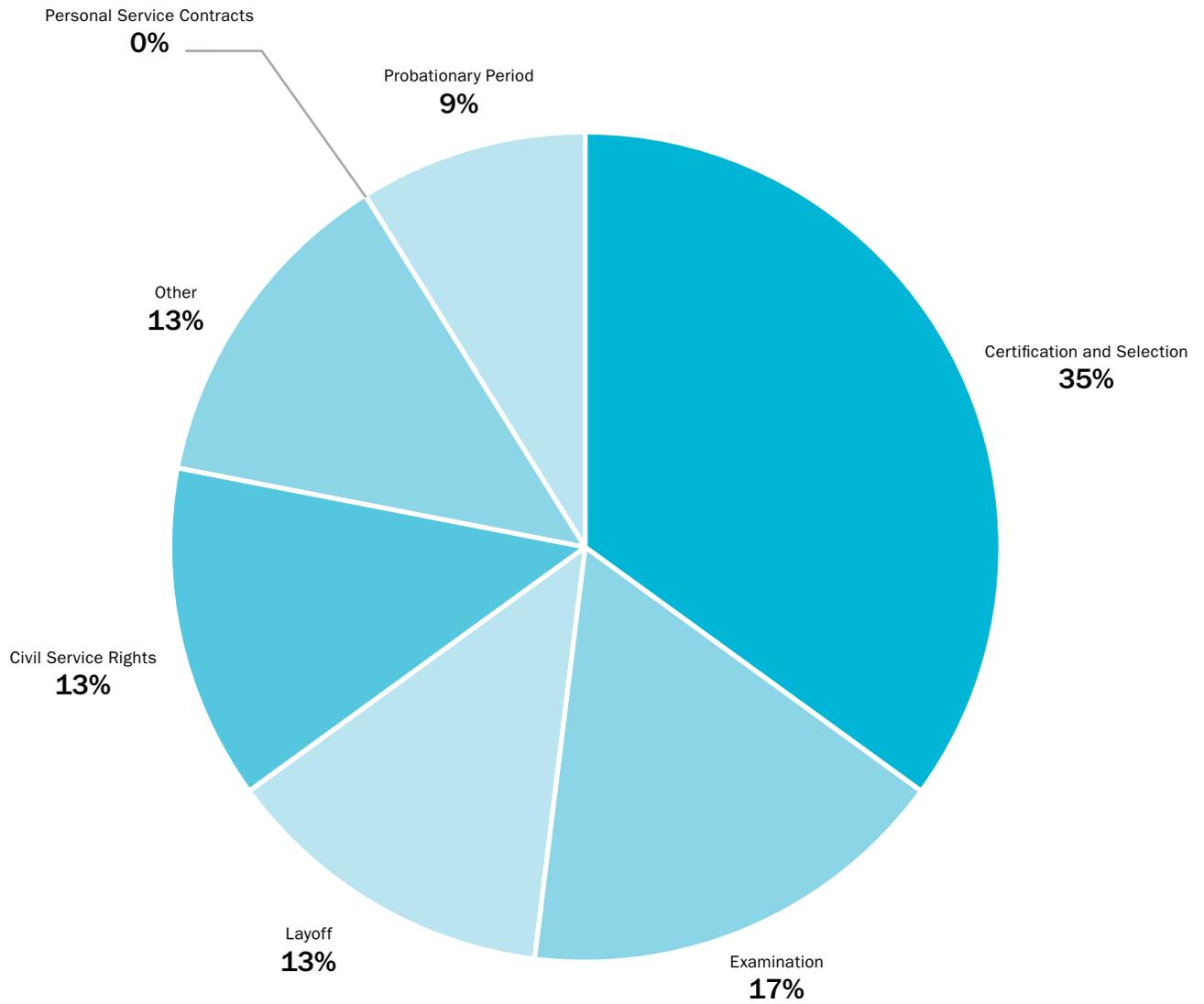
The investigation may result in counseling on procedures for either the requestor or the department, incorporating information in training workshops on the merit system, publication of the Civil Service Adviser to clarify merit system policies and procedures, or a hearing of the matter at the Civil Service Commission with subsequent remedial action, as appropriate.

AN EXAMPLE OF AN INSPECTION SERVICE ISSUE:

An employee requests a Civil Service Commission review of the selection process because she has not been appointed to a Plumber position nor has she received any job notifications. By way of background, this person has been employed with the City and County of San Francisco for seven (7) years. Concurrent with her City employment, she completed a Plumber apprenticeship program and obtained all of the required licenses and certifications. She successfully participated in the City's Plumber examination; however, she has been on the eligible list for nearly one (1) year and the eligibles ranked immediately above and below her have been appointed to Plumber positions. She is requesting that the Civil Service Commission department review the selection process because she has not been appointed to a Plumber position nor has she received any job notifications.

CIVIL SERVICE COMMISSION INSPECTION SERVICE REVIEW:

- ◆ Reviews the current job announcement and corresponding eligible list to verify that the employee is on the list;
- ◆ Reviews Civil Service Commission Rule Series 012 - Eligible Lists, Rule Series 013 - Certification of Eligibles; related policies, procedures, publications, practices, and Civil Service Commission actions;
- ◆ Reviews the Citywide certification/referral for positions filled from the current list to determine if selections were made according to the examination's Certification Rule;
- ◆ Contacts the employee to verify their current address and obtain any additional information as necessary;
- ◆ Contacts City departments to determine when referral letters were sent, when interviews were held, and who was interviewed.
- ◆ If the selections are appropriate:
 - Responds to the employee advising her that the appointments were made in accordance with Civil Service Commission Rules;
 - Includes a description and/or illustration of the certification/referral process;
 - Advises the employee that job notifications were sent; however, she didn't receive them because she did not file her new address with the Department of Human Resources;
 - Counsels the employee regarding appropriate address change procedures and provides her with the applicable form.
- ◆ If the selections are inappropriate:
 - Contacts the City Department Head to advise them of the areas requiring correction including scheduling the matter for Civil Service Commission consideration and action if necessary or appropriate;
 - Notifies the employee of the results.



*Inspection Service Requests
(FY 2004-2005)*

100% = 162 Contracts Requiring Civil Service Commission Approval

Inspection Service Requests Considered by the Civil Service Commission in Fiscal Year 2004-05

1

INSPECTION SERVICE – MERIT SYSTEM: HIRING, SEPARATION AND CLASSIFICATION OF EMPLOYEES IN THE OFFICE OF THE ASSESSOR- RECORDER SINCE JANUARY 8, 2003

In response to letters from affected employees and articles in the San Francisco Chronicle alleging irregularities, an inspection service request to address merit system questions regarding the hiring, separation and classification of employees in the Office of the Assessor-Recorder, the Civil Service Commission acted to proceed on the inspection service in order to determine whether:

1. the Office of the Assessor-Recorder followed Rules, regulations, policies, and procedures on hiring, separation and classification;
2. campaign contributors were appointed or separated, or affected by the classification of positions; and,
3. relatives of the Assessor appointed or separated, or affected by classification of positions.

Public Hearings were convened and the matter was considered by the Civil Service Commission on September 20, 2004, October 18, 2004, November 12, 2004, March 21, 2005, April 18, 2005 and May 16, 2005.

The Civil Service Commission directed the Executive Officer to request records and information on appointments, separations, as well as, into all changes to, amendments of or creation of class specifications for positions in the Office of the Assessor-Recorder since the current incumbent took office on January 8, 2003. The Executive Officer request for records directed the Office of the Assessor-Recorder and the Department of Human Resources to provide the necessary records to conduct its inquiry, investigation, analysis, and findings.

A Draft Final Finding of Fact Report was prepared and submitted by the Executive Officer for consideration by the Civil Service Commission reflecting a review, analysis and summary of the records submitted by the Office of the Assessor-Recorder and the Department of Human Resources, as well as, unsolicited letters and interviews from current and former Office of the Assessor-Recorder employees and other applicable records. The Report

compared the actions taken to determine compliance to applicable Charter provisions, Rules, regulations, policies, and procedures on hiring, separation and classification and compared the names of employees appointed or separated to the Ethics Commission database of campaign committee reports.

The Civil Service Commission considered the Draft Final Finding of Fact Report, sworn testimony from current and former employees of the Office of the Assessor-Recorder recommendations from employee organization representatives and public comment and took the following action:

1. Adopt the Amended Draft Final Finding of Fact Report as amended to include the sworn testimony summary and official transcripts of the hearing held by the Civil Service Commission on April 18, 2005 and corrected data presented at the Special Meeting on April 18, 2005.
2. Direct that the Human Resources Director assign a Special Monitor to review the merit system activities in the Office of the Assessor-Recorder and to regularly report to the Civil Service Commission on the appointment, separation, classification, and related merit system activities.
3. Direct the Special Monitor to coordinate a classification audit of positions in the Office of the Assessor-Recorder, specifically positions created and deleted since January 8, 2003 with particular attention to the consistency of duties to the work normally associated with the classification and particular emphasis on all positions in the following classes: 8108 Senior Legal Process Clerk, 4202 Assessment Clerk and 4203 Senior Assessment Clerk and IT classes. Recommend that the Office of the Assessor-Recorder fund a time-limited project-based position in addition to the position being funded at the Department of Human Resources to perform the operational human resource activities and other duties as assigned.
4. Adopt a schedule of Reports to the Civil Service Commission to be placed on the agenda for Civil Service Commission review and possible action. The Special Monitor shall provide to the Civil Service Commission regular reports on the appointment, separation, classification, and related merit system activities on

a semi-annual basis for two fiscal years effective July 1, 2005 through June 30, 2007. Thereafter, the Civil Service Commission may direct additional reports as needed.

5. Direct the Special Monitor to set up the mechanism to allow the return of interested and available laid off employees currently employed by the City to vacant approved requisitions in the applicable class as they become available.
6. Forward to the Office of the City Attorney to provide guidance to the Civil Service Commission, the Department of Human Resources and all City departments on the application of San Francisco Campaign & Governmental Conduct Code Section 3.212 Decision Involving Family Members.
7. Direct the Human Resources Director to further clarify the procedures on Oral Authorizations, start work dates and appointment dates.
8. Forward to the Office of the Controller and Department of Human Resources a request for review of procedures utilized to coordinate Oral Authorization, start work dates, appointment dates, and payroll.
9. Direct the Human Resources Director to further clarify and remind all departments of the requirements to complete Notices of Probationary Period Status, Notice to Provisional Appointee, Notice of Exempt Appointment, and, Leave of Absence forms to accept another position in the City service.
10. Direct the Human Resources Director and Executive Officer to review the 1996 guidelines on exempt appointments and make recommendations to the Civil Service Commission.
11. Direct the Human Resources Director to issue a reminder to all departments of the ability of the department head to make assignments balanced by the right of employees to perform certain duties in a specific class.
12. Encourage the Human Resources Director to utilize available resources, i.e. orientation, "Guidebook to New Department Heads," etc. to inform department heads and managers of the City's employment system.

2

INSPECTION SERVICE REQUEST FOR INFORMATION: HIRING, SELECTION AND LAYOFF FOR 7514 GENERAL LABORER POSITIONS AT THE DEPARTMENT OF PUBLIC WORKS.

The Civil Service Commission received a request for hearing from the Board of Supervisors (Reference No. 20050426-007) on the hiring and selection of 7514 General Laborers in 2004 and a "civil service complaint" from attorneys representing Department of Public Works 7514 General Laborers Laid-Off in November 2004.

The Civil Service Commission considered an investigatory report, oral arguments, other written materials and public comment at public hearings held on June 6, 2005, July 5, 2005, July 18, 2005, August 1, 2005, September 6, 2005, and September 19, 2005 as summarized below:

1. A report prepared by the Human Resources Director as requested by the Civil Service Commission on the hiring, selection and layoff for 7514 General Laborer positions at the Department of Public Works and the formation of the 7501 Environmental Service Worker and General Laborer Apprenticeship Program.

The Civil Service Commission considered at its meeting on July 18, 2005 the investigative report prepared by the Human Resources Director on the hiring, selection and layoff for 7514 General Laborer positions at the Department of Public Works and the formation of the 7501 Environmental Service Worker and General Laborer Apprenticeship Program.

The Human Resources Director concluded that the examination, list adoption and referral processes fully conformed to Civil Service Commission and Department of Human Resources rules and procedures. Further, the Human Resources Director found that there was no indication that the General Laborer Apprenticeship Program had any impact on the hiring of permanent General Laborers or that the layoffs of General Laborers occurred as a result of nepotism and favoritism.

Although the Civil Service Commission did not act to accept the report, the Civil Service Commission did act to direct the Department of Public Works to work with the Department of Human Resources in establishing selection guidelines that are more tailored to the technical aspects of the job and recognize exam performance.

The Civil Service Commission also acted to direct the Department of Public Works to report to the Commission on the performance appraisal process, including the numbers and percentages completed, numbers and percentages done timely, department wide and by division; number and percentage of competent and effective ratings; and, number and percentage of ratings above and below competent and effective.

2. Directed the Human Resources Director to report on a recommendation for the extension of the Eligible List for 7514 General Laborer scheduled to expire on August 13, 2005.

A review of the records indicated the eligible list (E-14-U) was adopted on August 14, 2003 and was due to expire close of business on August 13, 2005.

The Civil Service Commission requested that the Human Resources Director extend the eligible list up to one (1) year pending the completion of its inquiry, as provided in the Rules.

The Human Resources Director reported to the Civil Service Commission on July 18, 2005 that the eligible list was extended for twelve (12) months to expire close of business August 13, 2006 and that the eligible list was ready and available to fill any newly budgeted positions or new vacancies (approved requisitions) that occur.

3. Accepted appeals filed by the Laborers

The remedies sought by the Laborers included permanent civil service appointment to positions in the 7514 General Laborer classification, backdated seniority to the first date in the class, back pay and compensatory and punitive damages.

At its meeting on September 19, 2005, the Commission acted: 1) to accept and approve the reports submitted by the Human Resources Director dated July 12, 2005, and the Department of Public Works dated September 16, 2005 in connection with the Commission's inquiry into the Hiring, Selection and Lay-Off for Class 7514 General Laborer positions in the Department of Public Works; and, to accept the findings of fact contained in such reports; 2) With respect to the appeals submitted by individual eligibles on the current 7514 General Laborer eligible list, the Civil Service Commission noted that the duration was extended by the Human Resources Director, granted the appeals only with respect to those actions to be taken by the Department of Public Works which are described in the letter to these appellants through their counsel, La Raza Centro Legal, Inc. from Edwin Lee, Director, Department of Public Works dated September 16, 2005; With respect to all other matters presented to this Commission in such appeal, the appeal is denied. In accepting the factual findings of the Department of Human Resources report, those factual findings constitute the basis for the Commission's determination.

Oversight through reports on the operation of the merit system submitted to the Civil Service Commission

Reports on the operation of the merit system are another important component of the Civil Service Commission's role and responsibility to oversee the operation of the merit system.

The Civil Service Commission receives reports from the Human Resources Director and the Director of Transportation/designee for Service-Critical classes at the Municipal Transportation Agency for its consideration and direction.

Reports are submitted to the Civil Service Commission on a variety of merit system benchmarks including: provisional appointments, class consolidation, exempt appointment, workforce analysis, and others.

An annual calendar of reports is established by the Executive Officer at the beginning of each calendar year. The Civil Service Commission may also request additional reports throughout the year as needed. The 2004 and 2005 calendars are included for reference in this Annual Report.

In addition, the Executive Officer, Civil Service Commission periodically reports to the Commission on the operation of the merit system and regularly reports on the status of its goals and objectives for the year.

2004 Annual Planning Calendar

Required Civil Service Commission Agenda Items (may not be all inclusive)

Title/Description	Source	Frequency
Provisional Employee Report	DHR/MTA	Quarterly - Second meeting in March, June, September and December
Appointment Exempt from Civil Service under the 1996 Charter Section 10.104 – 1 through 10.104 - 12	DHR	Prior to approval of request & for appointments over 2 %
Appointment Exempt from Civil Service under the 1996 Charter Section 10.104 – 16 through 10.104 - 19	DHR/MTA	Quarterly - Second meeting in March, June, September and December
Salary Survey for Registered Nurse Classifications	DHR	Second meeting in April
Request to Extend Rule 113.2 – Expansion of the Certification Rule	DHR/MTA	First meeting in June and December
Class Consolidation	DHR	Bi-Annual Second meeting in June and December
Survey of monthly rates paid to Police Officer & Firefighters in all cities 350,000 or more in the State of California	DHR	Second meeting in July
Prevailing Wage Rate of Various Crafts and Kinds of Labor Paid in Private Employment	DHR	Second meeting in September
Annual Classification Review Civil Service and Exempt Under Charter Section 8A.104	MTA	Annual – Second meeting in November

2005 Annual Planning Calendar

Required Civil Service Commission Agenda Items (may not be all inclusive)

Title/Description	Source	Frequency
Provisional Employee Report	DHR/MTA	Semi-annual - Second meeting in February and August
Appointment Exempt from Civil Service under the 1996 Charter Section 10.104 – 1 through 10.104 - 12	DHR	Prior to approval of request & for appointments over 2 %
Appointment Exempt from Civil Service under the 1996 Charter Section 10.104 – 16 through 10.104 - 18	DHR/MTA	Semi-annual- Second meeting in February and August
Salary Survey for Registered Nurse Classifications	DHR	Second meeting in April
Request to Extend Rule 113.2 – Expansion of the Certification Rule	DHR/MTA	First meeting in June and December
Class Consolidation	DHR	Annual Second meeting in August
Survey of monthly rates paid to Police Officer & Firefighters in all cities 350,000 or more in the State of California	DHR	Second meeting in July
Equal Employment Opportunity Workforce Analysis	DHR/MTA	Second meeting in August
Annual Report on the Certification of Eligibles – Entry and Promotion-Uniformed Ranks of Police and Fire	Decentralized Personnel Units – SFPD and SFFD	Second meeting in August
Prevailing Wage Rate for Workers on public works and improvement projects, workers performing janitorial services, workers in public off-street parking lots, garages, or storage facilities for automobiles, workers engaged in rigging, sound, projection, theatrical lighting, videos, computers draping carpentry, special effects and motion picture service and workers performing moving services.	DHR	Second meeting in September
Annual Classification Review Civil Service and Exempt Under Charter Section 8A.104	MTA	Annual – Second meeting in November

Appointment of a new Human Resources Director

Mayor Gavin Newsom appointed Philip A. Ginsburg Human Resources Director on October 6, 2004 from nominations of qualified candidates forwarded by the Civil Service Commission. Mr. Ginsburg was sworn-in on October 12, 2004

By way of background, Andrea R. Gourdine, Human Resources Director announced her retirement to be effective at the end of Fiscal Year 2003-04. Under its Charter Authority, the Civil Service Commission has the role and responsibility to nominate candidates for the position of Human Resources Director for consideration by the Mayor. The Charter requires the Human Resources Director possess minimum experience of not less than ten years professional experience in personnel, human resources management, labor or employee relations at least five years of which must be in federal, state or local governmental personnel management and such other qualifications as determined by the Commission.

The Civil Service Commission began recruiting for the full-time position of Human Resources Director on April 30, 2004. The job announcement indicated that the deadline was "open until filled," but would not close before 5:00 p.m. on May 21, 2004.

Local newspapers, a wide variety of community publications including Asian Week, Bay Area Reporter, China Press, Chinese Times, El Latino, El Mensajero, El Reportero, and World Journal as well as a number of internet postings such as the Government Jobs website, San Francisco Unified School District and the Department of Human Resources.

In addition, the announcement was distributed to nearly 700 Bay Area community organizations and State-wide jurisdictions, County Personnel Administrators Association of California (CPAAC), International City/County Managers Association (ICMA), International Personnel Management Association (IPMA-HR), Personnel Testing Council of Northern California (PTC/NC), Society for Human Resource Managers (SHRM), Society for Industrial and Organizational Psychology (SIOP) and the Western Region Intergovernmental Personnel Assessment Council (WRIPAC).

In determining the nominees for the Mayor's consideration, the Civil Service Commission considered and interviewed all qualified applicants. The Civil Service Commission forwarded the nomination(s) to the Mayor on June 24, 2004.

Employee Relations Ordinance

The Employee Relations Ordinance (ERO) was established in 1973 to promote employee-employer relations and to recognize the right of City and County employees to join employee organizations of their own choice and to be represented by those organizations in their employment relationship with the City and County. This Ordinance is administered through the Civil Service Commission and is part of the Administrative Code that authorizes the Commission to perform functions required for ERO administration.

The Commission is both neutral and impartial in its role of providing a reasonable foundation to resolve labor relation disputes. The ERO promotes communication between the City and its employees and their representative employee organizations. Civil Service Commission Rule 07 Series – Rules Related to the Employee Relations Ordinance, was adopted to provide specific administrative procedures to carry out these functions which were assumed by the Commission in August 1976.

State legislation, SB 739 that took effect on July 1, 2001 impacted the Commission's administration of the City and County of San Francisco's Employee Relations Ordinance. With the implementation of SB 739 which amended the Meyers-Milias-Brown Act (MMBA), the State agency known as the "Public Employment Relations Board" (PERB) was given the authority to administer and decide unfair labor practice charges previously filed and remedied at the local level. PERB is not limited to enforcing local rules regarding Unfair Labor Practices, and, it may look to the MMBA and other State and local laws for guidance. PERB is authorized to enforce local rule regarding representational issues. The City's ERO remains in the City's Administrative Code and is currently reflected in the Civil Service Commission Rules.

The various functions assigned to the Civil Service Commission by the City and County of San Francisco's Employee Relations Ordinance includes, but is not limited to:

UNFAIR LABOR PRACTICE CHARGES

The Employee Relations Ordinance provides for the investigation and resolution of Unfair Labor Practice Charges. An employee or group of employees, an employee organization or management may file charges on the prescribed form (CSC 101) within the specified timeframe. Under the Rules, staff reviews the complaint to determine if it makes a "prima facie" case. If a "prima facie" case is not found, staff dismisses the charge. If there appears to be a "prima facie" case, staff attempts to mediate the dispute between the parties. If the parties do not agree to mediation or attempts are not successful, the charge is referred to an Administrative Law Judge for hearing and final determination.

BARGAINING UNIT ASSIGNMENTS

The Employee Relations Ordinance provides that the Department of Human Resources is responsible for assigning or reassigning classes to bargaining units. The Employee Relations Ordinance permits affected employees or registered employee organizations to file complaints over the allocation of classes to bargaining units. Complaints are filed on the required form (CSC 102) and must be received by the Civil Service Commission no later than twenty (20) calendar days from the date of the original notice from the Department of Human Resources. Staff reviews the complaint to determine if it is timely and contains sufficient information to proceed. The Employee Relations Division Director is informed, and requested to prepare a response to the complaint. If the complaint is not resolved, it is referred to an Administrative Law Judge for hearing.

MANAGEMENT, SUPERVISORY, CONFIDENTIAL DESIGNATIONS

The Employee Relations Division of the Department of Human Resources is responsible for placing Management, Supervisory, or Confidential designations to specific positions after consulting with department heads because of the nature of their functional role within a department. Designation assignments may be protested by filing a complaint by using the prescribed form (CSC 103) with the Civil Service Commission. Staff reviews the complaint, and attempts to mediate the dispute. If mediation is not possible, staff arranges for the issue to be submitted before an Administrative Law Judge for hearing and final determination.

RECOGNITION ELECTIONS: EMPLOYEE ORGANIZATION CERTIFICATION OR DECERTIFICATION

Recognition

A registered employee organization may petition to become the recognized representative for a Bargaining Unit composed of classes with similar duties and responsibilities for employees not represented.

Challenge Petition

Another employee organization submits a valid petition, which affords the employee organization an opportunity to be added to the ballot.

Decertification/Recognition

Concurrent election to unrepresent and elect a new employee organization on the same petition.

Formal recognition of an employee organization entitles it to rights and responsibilities as specified in the ERO. Validity requires a 30% show of interest from all employees in the affected bargaining unit.

State labor law (AB 1281) enacted on October 13, 2001 streamlined recognition procedures for public agencies by allowing a signed petition, authorization cards, or union membership cards showing that a majority of the employees in an appropriate bargaining unit desire the representation unless another labor organization has previously been lawfully recognized as the representative. Disputes, in these cases, are remedied in accordance with the procedures outlined in Government Code Section 3507.1.

AFFILIATION, DISAFFILIATION OR MERGER OF LABOR ORGANIZATIONS

The Civil Service Commission certifies employee organizations when they affiliate, disaffiliate, or merge with other employee organizations. An affiliation is the formal joining or association of an employee organization with another organization. The employee organization remains a legal entity, but its name may change. A disaffiliation is when two employee organizations agree to no longer affiliate. A merger occurs when two (2) or more employee organizations become a single new legal entity. The absorbed union(s) loses recognition for all its recognized bargaining units as recognition is transferred to the newly merged organization.

IN APPRECIATION

In the course of carrying out our duties, the members and staff of the Civil Service Commission interact with a wide range of people both in and outside of City government. The Commission works closely with the Mayor and other elected officials, employee organizations, departmental management and staff, and community leaders and groups. These people contribute a great deal of effort and support to the Commission and we would like to express our sincere appreciation to all of them.

Thank you!

