



CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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MICHAEL L. BROWN
EXECUTIVE OFFICER

Date: August 19, 2019

To: Civil Service Commission

Through: Michael L. Brown *MLB*
Executive Director

From: Sandra Eng *SE*
Deputy Director

Subject: **Year-End Report on the Civil Service Commission's Activities and Achievements in Fiscal Year 2018-2019**

The following is a summary report on the activities of the Civil Service Commission ("Commission" or "Department") in Fiscal Year 2018-2019, the period covering July 1, 2018 through June 30, 2019.

The Commission primarily focused its efforts in Fiscal Year 2018-2019 on achieving its performance measures in support of the following goals:

- Review status of previous Goals and Objectives for the Civil Service Commission and its Department for Fiscal Year 2017-2018; continuously review the status throughout the new fiscal year to ensure that measurable goals are achieved and targets are met CSC Year End; Fiscal Mid-Year; Fiscal Year Annual; Strategic Plan; and Goals and Objectives Reports are located at the following website:
<http://sfgov.org/civilservice/commission-reports>.
- Expand efforts to increase access to and the utilization of the Civil Service Commission's information and resources in compliance with law requiring language and disability access.
- Continue to find ways to create greater transparency and efficiencies in the Civil Service Commission's procedures and communications.
- Continue to ensure the timely resolution of appeals so that merit system issues are addressed efficiently, effectively and fairly.
- Continue to seek ways to address City departments' need for flexibility in personnel management issues while at the same time maintaining the integrity of the City's merit system as mandated by the Charter.
- Continue efforts to ensure that the Civil Service Commission Rules, policies and procedures are easily understood and known by all stakeholders; consistent; compliant with the law; and reflective of current and best practices.

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 7

- Continue to seek ways to strengthen the Civil Service Commission's ability to meet its Charter mandates and oversee the operation of the merit system performed by the Department of Human Resources in providing fair and open examination and promotional opportunities that are void of discrimination, favoritism and nepotism.
- Share the Mayor's vision: San Francisco is a diverse, equitable, and inclusive City.

Please refer to "Attachment A" for a chart reflecting the Commission's achievements on the approximately 60 performance measures established for Fiscal Year 2018-2019.

Also attached to this report are the following Fiscal Year 2018-2019 documents: 1) the Appeals Log (Attachment B); 2) the Inspection Service Request Log (Attachment C); and 3) the Commission's Merit System Audit Program report (Attachment D).

Staffing

While our 1241 Human Resources Analyst (1241) was on leave of absence for approximately 6 months, the department hired a temporary exempt 1241 for approximately 3 months to assist in developing PowerPoint presentations for trainings, scheduling and preparing for trainings, and assisting with Inspection Service Requests. Our 1426 Senior Clerk was on Acting Assignment to attend and prepare the minutes and notices for CSC meetings and conduct Inspection Service Requests. With staff on leaves of absence and having a new staff member, we are continuously reminded of the importance of cross training and being open to new ideas. Through training, documentation, and job shadowing, management had the opportunity to see the possibilities of growth from underlying classifications to promotive classifications.

As a small department, each position's duties and responsibilities are crucial to carrying out the Commission's mission and providing timely service to the public. Our small staff of 6 FTE is continuously cross trained to be resourceful and persistent in finding ways to best serve all stakeholders and the public.

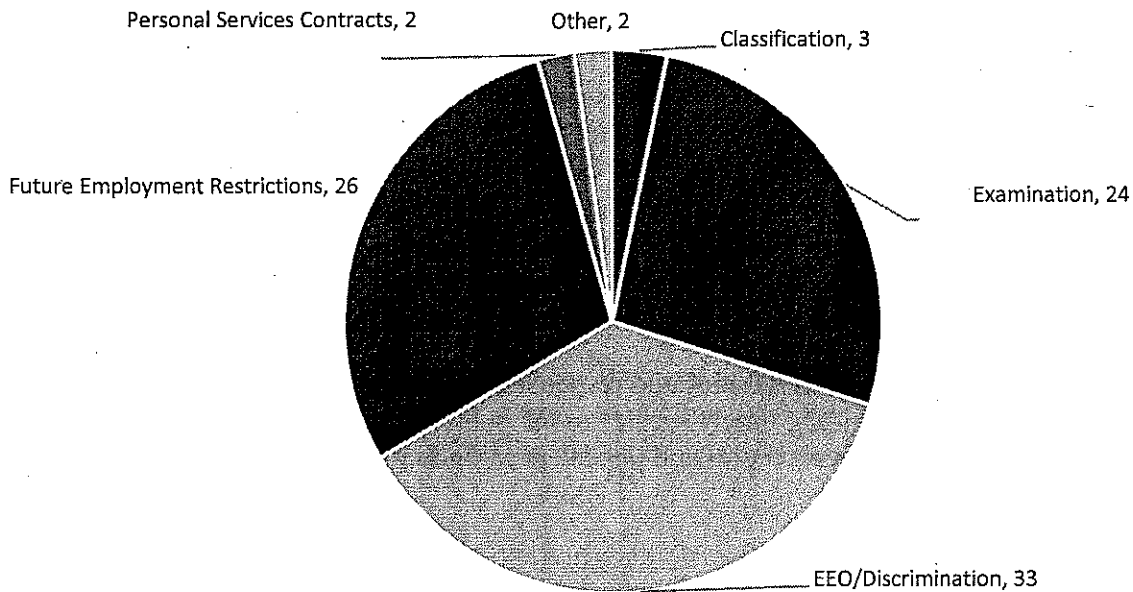
Budget

The Department's budget last fiscal year fully funded all six (6) FTE's. Our approved overall budget for 2018-2019 is 1.262M with Board of Supervisors approval, likely increase to \$1.336M in 2019-2020 and is projected to increase to \$1.392 for FY 2020 - 2021.

Appeals and Hearings

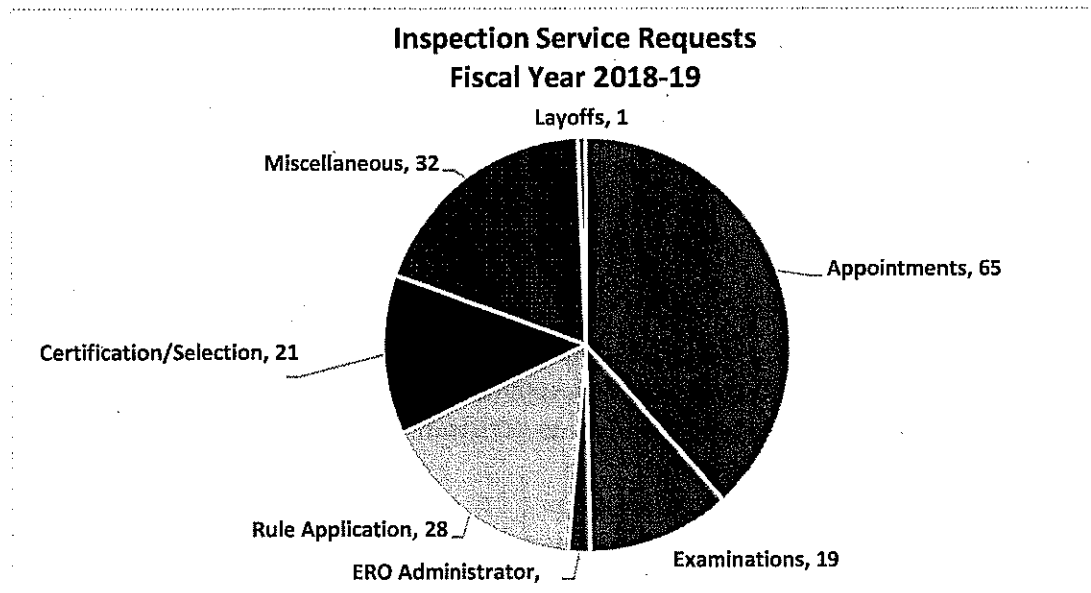
The Commission received a total of 59 new appeals and requests for hearings in Fiscal Year 2018-19, in addition to the 31 active unresolved appeals that were carried over from the previous fiscal year. The Commission heard and resolved 63 of the 90 pending appeals last fiscal year, representing 70%, which meets our target goal. (Attachment B).

Types of Appeals Received in Fiscal Year 2018-2019



Inspection Service Requests

In Fiscal Year 2018-2019, the Commission received a total of 169 Inspection Service Requests from employees, departmental representatives, anonymous individuals or those requesting confidentiality, labor representatives, job applicants/candidates and members of the public. (Attachment C). The Commission resolved 73% (123 out of 169) of the Inspection Service Requests within 60 days, which is below our target of 80%.



There was an increase in the number of Inspection Service Requests regarding exempt appointments specifically in Categories 17 and 18. In addition to the concerns brought before the Commission, employees and union representatives had several concerns on the following:

- Positions were being created due to favoritism and/or nepotism (e.g. appointees were not reachable on the eligible list, appointees were not on the eligible list, appointees are family members of upper management).
- Appointees did not meet the minimum qualifications of the job classification or as approved by the Department of Human Resources (DHR) on the Request-to Fill form (RTF).
- Employees remained appointed past the limited duration.
- Category 17 Exempt employees were not released after the Permanent Civil Service employee returned from leave of absence.

Commission staff's research and findings indicate the following:

- A few hiring managers did not hire employees to perform the work as described in the project and job description in the RTF approved by DHR.
- Appointees did not meet the minimum qualifications listed on the RTF approved by DHR.

- The minimum qualifications on the job announcement were different from the minimum qualifications listed on the RTF approved by DHR.
- Some exempt appointees were continuously appointed to Category 17 or 18 positions in the same job classification and department.
- Managers were understaffed and needed to fill vacancies quickly.
- Employees were still on leave of absence due to special projects (Category 18); therefore, the department still needed to keep the TEX Category 17 employees.
- Employees were appointed to another TEX Category 18 position because the special project was voluminous and separated into different phases.
- Limited Funding and the department did not receive approval for any new positions.

Although a couple of departments were resistant to responding timely to the Civil Service Commission's request for information on their exempt appointments, which ultimately led to delays in completing the Inspection Service Requests within 60 days, all departments have learned the following:

- Exempt appointees must meet the minimum qualifications as stated in the Civil Service Commission Policy and Procedures on Exempt Appointments;
- Retain documentation (e.g. employment/education verification,) supporting their decisions in the exempt hiring processes;
- Comply with DHR procedures in RTF submissions;
- Establish selection criteria (e.g. job related, consistent standards) before recruitment begins as a best practice;
- Recusals or disclosures if necessary, to avoid any perceptions of favoritism or nepotism; and
- The importance of transparency as a public employer;
- Work with COPAR (Committee on Policy and Rules Revision) in coming up with possible solutions.

The depth of the anonymous and Whistleblower Complaints regarding claims of favoritism and nepotism in hiring has always included appointees not meeting minimum qualifications, but now more detailed claims such as the following:

- Appointees are being given acting assignments but not performing any out-of-class duties;
- Managers are providing inadequate documentation of employees performing out-of-class work (e.g. no acting assignment, performance appraisals or memos in the employee files at the time the employee is performing the work);
- Employee not maintaining their commercial driver's license as required for the position;
- Employee providing fraudulent or suspicious employment verification letters;
- Employee did not complete a certified apprenticeship program as stated on the examination announcement.

After meetings with human resources staff, union representatives, and management, Commission staff has concluded that more training must be conducted and written guidelines must be

provided to all hiring managers. The Commission previously produced a Civil Service Adviser on Exempt Appointments and staff is considering a proposal to amend the Civil Service Commission Policy on Exempt Appointments for the Commission to review. Commission staff is working with DHR to find ways to better support hiring managers through education and accountability. Commission staff continues to work closely with human resources managers, Ethics Commission, Whistleblower Program and the City Attorney's Office.

Merit System Audit Program

This fiscal year the Commission focused on reviewing the following selection and appointment practices for nine (9) recruitments conducted by the San Francisco Municipal Transportation Agency (MTA) in order to assess the agency's compliance with applicable Charter provisions, Commission Rules, and merit system policies and procedures:

1. Departmental practices with respect to the verification and documentation of minimum qualifications for individuals appointed to Permanent Civil Service (PCS), or Exempt positions;
2. Departments' justifications for exempting positions from civil service appointment, selection and removal procedures in accordance with Charter Section 10.104; and
3. Exam administration and/or the Post-Referral Selection process for Permanent Civil Service appointments.

The reviews included a review of the examination announcement, the verified qualifications of the appointees for the class to which appointed, the justification of exempt status positions; and conflict of interest issues.

Overall, the reviews assessed compliance with Charter provisions, Commission Rules, and merit system policies and processes.

As stated in the report: "This year's audit illustrates how the Merit System Audit Program is indeed a constructive mechanism utilized to assist departments in reviewing their internal procedures regarding the compliance of Civil Service Rules, policies and/or procedures." (Attachment D).

Rule Amendments, Policies, and Procedures

The Commission was productive in proposing and updating a number of Rules, policies and procedures in the last fiscal year. In working with the Department of Human Resources (DHR) and the Municipal Transportation Agency on Hiring Modernization to reduce implicit bias in the hiring process, Commission staff has conducted several meetings with DHR Staff, Human Resources Management of other departments, and employee organizations. In addition, Commission staff also conducted extensive COPAR (Committee on Policy and Rules Revision) meetings for discussions on Rule Proposals, policy changes, and ideas on different methods utilized by departments for reducing implicit bias. Commission staff has also participated in various Hiring Modernization meetings with other department hiring managers and human

resources staff to have a better understanding of other departments' challenges and listen to ideas for improving the City's hiring process.

The following Civil Service Commission Rules, policies, and procedures were adopted:

- **Deletion of Rule X9D Promotional Examinations for Employees on Military Leave and Rule X30.1 Personnel Service Records- Applicable to All Classes-** these Rules were original posted for deletion in 2000 but the Commission took final action on July 10, 2018. Rule Series 020 Leaves of Absence all address examinations and employees on Military Leave. The implementation of our PeopleSoft Human Capital Management 9.0 System in 2012 completed the requirement for RuleX30.1.
- **Rules 102 Definitions, 110 Examination Announcements and Applicants, 111 Examinations, 111A Position-Based Testing, 112 Eligible Lists, and 113 Certification of Eligibles-Applicable to Miscellaneous Employees-** to create a confidential eligible list, define de-identification and introduce the eligible list score report. The amendments are designed to reduce implicit bias, increase applicant confidentiality while maintaining transparency in the hiring process.
- **Rules 402 Definitions, 410 Examination Announcements and Applicants, 411 Examinations, 411A Position-Based Testing, 412 Eligible Lists, and 413 Certification of Eligibles-Applicable to All Service-Critical Classes of the Municipal Transportation Agency-** to create a confidential eligible list, define de-identification and introduce the eligible list score report. The amendments are designed to reduce implicit bias, increase applicant confidentiality while maintaining transparency in the hiring process.

Setting of Salary and Benefits for Elected Officials and Board of Supervisors

The Commission sets the salary and benefits of all elected officials, including members of the Board of Supervisors of the City and County of San Francisco in accordance with the Charter Section A8.409-1 and Section 2.100.

Commission staff presented to Commissioners a report on May 20, 2019 of the projected salary increase data for Fiscal Year 2019-20 (third year of the five-year cycle) based on the CPI-U of 4.5% for the previous calendar year. It was the decision of the Commission to accept the report and approve the 4.5% increase in their salary.

Charter Section 2.100. directs the Civil Service Commission to set the salary for the City and County of San Francisco Board of Supervisors' once every five (5) years. Before the Commission determines the Supervisors' salary, the Charter requires that the Civil Service Commission conduct and consider a salary survey of other fulltime City Councils and County Boards of Supervisors; and to transmit its salary determination to the Controller in a timely manner so that funds can be set aside to insure implementation. Commission staff surveyed data for all 58 California counties and all 482 California cities to determine which counties and cities were comprised of full-time Board of Supervisors and/or City Council members. The results of

the survey and salary analysis/recommendations were presented to the Commissioners on May 20, 2019. The Commissioners adopted the report; approved a 12% increase to set the base salary for Fiscal Year 2019-20.

Commission staff presented to Commissioners a report on May 20, 2019 recommending the certification of benefits for all elected officials. Commissioners adopted the report and approved the same level of benefits as those of MEA covered employees for elected officials for Fiscal Year 2019-20.

Merit System Outreach and Training

The Executive Director conducted eight (8) trainings on the Merit System and on Appeals and Staff Reports for human resources analysts and managers including specialized training for the following departments: Department of Human Resources, Municipal Transportation Agency, and the Department of Human Resources. Departments and employees were not charged for these trainings. Although the training classes were for approximately three (3) hours, feedback consistently requested more time for discussion and answering questions. Due to the amount of time and labor involved in preparing and conducting these trainings, we may possibly need to charge a fee for future trainings.

Commission staff has also conducted one on one trainings with departments including the Board of Supervisors and employee organizations on subjects such as the following: Jurisdiction of the Civil Service Commission, exempt appointments, types of seniority, appealable matters, probationary periods, reversion, status grants, and responding to Inspection Service Requests.

Employee Relations Ordinance

In accordance with the Employee Relations Operating Resolution for the San Francisco Municipal Transportation Agency, Section 16.214 Decertification and the City and County of San Francisco Employee Relations Ordinance (ERO) Section 16.212 Decertification, a decertification petition may be filed with the Commission by employees or by an employee organization to determine whether or not a recognized employee organization continues to represent a majority of the employees in the representation unit. In Fiscal 2018-19, the Commission received five (5) Decertification Petitions

Administrative and Public Records Requests

In Fiscal Year 2018-19, the Department received ten (10) public records requests and two (2) administrative records request. Although outside transcription services are utilized for Commission meetings, staff must still proofread and make any necessary corrections for the administrative records.

Summary

In summary, the Commission has been very productive last fiscal year despite their challenges. Credit must be given to the Civil Service Commission staff members who tirelessly work in supporting the mission of the Civil Service Commission.

“They have provided incredible and unmeasurable support to me as the Executive Officer. Elizabeth Aldana, Sr. Clerk Typist, Lizzette Henriquez, Personnel Technician, Jennifer Bushman, Human Resources Analyst, Luz Morganti, Sr. Human Resources Analyst, and Sandra Eng, Deputy Director are well deserving of acknowledgement for their individual jobs well done. In this small but powerful Department, their great team work, dedication and exemplary service prove that strength is not always measured in numbers.”

Recommendation: Adopt the Report.

Attachments:

- Attachment A: Report on the Civil Service Commission Department's Achievement of its Fiscal Year 2018-2019 Goals and Objectives
- Attachment B: Fiscal Year 2018-2019 Appeals Log
- Attachment C: Fiscal Year 2018-2019 Inspection Service Request Log
- Attachment D: Merit System Audit Program Report

Report on the Civil Service Commission's Achievement of its Fiscal Year 2018-19 Goals, Objectives, and Priorities

The following six (6) goals are focused on: 1) fulfilling the Commission's legal and Charter mandates; 2) supporting the Commission's purpose and mission through its six major program areas and functions; 3) advancing the Commission's objective to modernize and strengthen the operations of the City and County of San Francisco's merit system; and, 4) furthering the Commission's policy priorities as established in the Fiscal Year 2018-2019 Strategic Plan. The objectives assist in defining the goals, and the performance measures for each objective are indicators of service levels to the extent of which Commission staff are able to achieve those goals within the measurement period (Fiscal Year 2018-2019).

Goal #1 Increase access to, and utilization of the Commission's information resources.

Objective	Performance Measures	Results
<p>Increase the availability of Information about the Commission.</p>	<ul style="list-style-type: none"> • Continue to ensure that all information on the Commission's website is accurate and current. • Continue to seek ways to expand upon the information available on the Commission's website, Facebook page and Twitter. Update the information as needed throughout the fiscal year. • Ensure compliance with Language Access Ordinance. 	<ul style="list-style-type: none"> • Continuous; working with DT to make corrections on the updated system. • Continuous • An appellant may request in advance, an interpreter for the meeting; website may be translated using Google or the City's Drupal System.
<p>Ensure that information on the Commission's website is intuitive and easily accessible.</p>	<ul style="list-style-type: none"> • Continue to ensure that the Civil Service Rules are in a format conducive to printing (e.g. consistent font and paragraph spacing, review for legibility, etc.). • Maintain the posting of official Civil Service Rules in PDF format. 	<ul style="list-style-type: none"> • Continuous; Volumes II and III are now available in pdf format. • Continuous: Volumes I and IV will be in PDF format by the end of 2019
<p>Increase the availability of information on the Commission's website.</p>	<ul style="list-style-type: none"> • Continue to increase the availability of information and documents under the Commission's preview on the Commission's website (e.g., post established policies, publications and relevant historical statistics, documents, staff reports, etc.). 	<ul style="list-style-type: none"> • Continuous; Powerpoint presentations on the City's Merit System and Appeals and Staff Reports are now on the CSC website under Policies
<p>Ensure that Commission staff and the Commissioners have quick, efficient and easy access to the Commission's historical documents and files for proper record retention purposes and any specific research needs.</p>	<ul style="list-style-type: none"> • Continue to expand the use of the Commission's web-based document management system ("DocumentMall"): <ul style="list-style-type: none"> ○ Expand upon the types of documents uploaded into the system (e.g., meeting material, policies, communications, publications and reports). ○ Require that all Commission staff use, access and/or upload documents into DocumentMall on a weekly basis throughout the fiscal year. 	<ul style="list-style-type: none"> • Incomplete; DocumentMall contract is ending and the department is researching new document management systems.

Objective	Performance Measures	Results
	<ul style="list-style-type: none"> ○ Convert paper reports and other Commission documents into digital files on Document Mall, with the goal of uploading at least 700 pages of documents into the system on a weekly basis. ● Continue to review all Commission hard copy documents and files throughout the year. ○ Continue to purge all duplicative/unnecessary hard copy documents (either through proper destruction procedures or by sending them to storage at the San Francisco Public Library) and upload all relevant historical documents and files into the system. ○ Resolve at least one box (or the equivalent of documents/files each week. 	

Goal #2 Create greater transparency and efficiencies in the Commission's procedures and communications.

Objective	Performance Measures	Results
<p>Improve communications with appellants so that they understand the Civil Service Commission Rules, policies and meeting procedures.</p>	<ul style="list-style-type: none"> • Review meeting procedures and protocols for peace officer appeals and work with counsel for recommended changes. • Continue to provide appellants with as much information as possible so that they understand meeting and appeal procedures. • Offer training/guidance to departments on how to prepare and present staff reports before the Commission. • Provide Quarterly Training. • Conduct Survey for Satisfaction/Training Topics. • Publish Accessible Staff Report Template by June 2019. 	<ul style="list-style-type: none"> • Counsel is reviewing procedures • Provided clarification of public comment during CSC meetings; • Conducted 4 trainings on Appeals and Staff Reports; continuously provides training for new analysts and managers • Survey results indicate attendees would like more trainings and time for discussions; • Template staff report was distributed during training and will be posted on the website.
<p>Improve communication with departments so that they understand the need for transparency when describing accurate information for use of Personal Service Contracts.</p>	<ul style="list-style-type: none"> • Continue to explore ways to clarify services provided when initiating or modifying Personal Service Contracts to include an accurate description of smaller contracts providing various services under the one umbrella for transparency to stakeholders. 	<ul style="list-style-type: none"> • Continuous; staff met with the Office of Contract Administration
<p>Increase the use of electronic communications with departments and appellants (if requested) in an effort to reduce paper consumption; staff resources; and create efficiencies with Commission stakeholders.</p>	<ul style="list-style-type: none"> • Throughout the fiscal year, seek ways to further expedite and streamline the Commission's communications with its stakeholders, and reduce the Commission's paper consumption and drain on staff resources. 	<ul style="list-style-type: none"> • Continuous; staff will either follow-up with email confirmation of the discussion or enter into the log; staff will also provide other resources for services if applicable (i.e. DHR-EEO)

Objective	Performance Measures	Results
<p>Issue all reports regarding Commission deliverables and achievements on a timely basis.</p>	<ul style="list-style-type: none"> • No later than the second meeting in August 2019, finalize the draft Fiscal Year 2018-2019 Annual Report and Year-End Report for the Commission's review and approval. • No later than the first meeting in February 2019, report to the Commission on the status of the Commission's achievements of its goals and objectives for the first half of the Fiscal Year 2018-2019. 	<ul style="list-style-type: none"> • Year-End Report submitted in August 2019; Annual Report will be completed after the Year-End Report is accepted by the Commission • Completed
<p>Ensure that Commission staff understand and are focused on supporting the Commission's mission goals and objectives.</p>	<ul style="list-style-type: none"> • No later than August 2018 establish all Commission staff performance plans for the next performance review period (Fiscal Year 2018-2019), and ensure that the plans include deliverables specifically tied to the Commission' fiscal Year 2018-2019 Goals and Objectives. 	<ul style="list-style-type: none"> • Completed
<p>Ensure that the Commission's internal policies and administrative procedures are kept updated and documented for Commission staff.</p>	<ul style="list-style-type: none"> • No later than June 30, 2019, revisit and update as needed all Commission internal policies and standard operating procedures to ensure consistency and facilitate cross training. • Continue to perform Records Management (electronic). • Continue to respond to Public Records Requests. 	<ul style="list-style-type: none"> • Continuous • Researching for new document management system • Received 10 public records requests and 2 administrative records request

Goal #3 Ensure the timely resolution of appeals so that merit system issues are addressed efficiently, effectively and fairly.

Objective	Performance Measures	Results
<p>Resolve appeals in a timely manner to the extent possible.</p>	<ul style="list-style-type: none"> • Process 100% of appeals and requests for hearing within seven (7) days of receipt in Fiscal Year 2018-2019 (e.g., review for jurisdiction and timeliness, record the appeal into the Commissions Pending Appeal Log (PAL) and communication log, send appellants acknowledgement of receipt letters, and notify departments of the appeal and targeted hearing dates). • By June 30, 2019, resolve and/or forward the Commission for hearing, at least 70% of the appeals received in Fiscal Year 2018-2019. 	<ul style="list-style-type: none"> • Completed • The Commission resolved 70% of the pending appeals which meets are target goal for Fiscal Year 2018-19.
<p>Monitor appeals and develop strategies to improve the efficiency by which appeals are resolved.</p>	<ul style="list-style-type: none"> • Continue to evaluate the effectiveness of the Commission's appeals policies and procedures (e.g., staff report deadlines, revised communications to departments, etc.) based on performance measure achievements over the past three fiscal years. By June 30, 2019, implement any new, or adjust existing policies and procedures as appropriate for Fiscal Year 2019-2020. • Issue the Commission's Meeting Schedule and Deadlines for Calendar Year 2019 no later than November 2018 to ensure that departments are aware of staff report submission deadlines. • Regularly update and monitor the Pending Appeals Log on a bi-weekly basis, and communicate with departments as appropriate to ensure that staff reports and appeals are submitted within a reasonable period of time. • Convene monthly meetings with the Department of Human Resources to review pending or potential complex issues and work towards resolution in collaboration. • Obtain advice and guidelines from the City Attorney's Office as needed on legal issues concerning appeals in as far advance ad possible to avoid delays and backlogs (e.g., closed session matters, privacy protections, Brown Act requirement, etc.). 	<ul style="list-style-type: none"> • Completed • Completed • Completed; Staff communicates directly through the Department of Human Resources and the Municipal Transportation Agency. • Due to labor negotiations and changes in staffing, DHR has not been conducting monthly meetings with CSC staff; • Continuously working with the City Attorney's Government and Labor Teams

Objective	Performance Measures	Results
<p>Work collaboratively with departmental representatives, the Department of Human Resources and City Attorney's staff to establish new or amend current Rules, policies and procedures to address changing needs as appropriate.</p>	<ul style="list-style-type: none"> • Throughout the fiscal year, seek input from human resource analysts and managers on the effectiveness of the merit system and areas needing improvement. • Convene regular meetings of the Commission's Committee on Policy and Rules Revision (COPAR) throughout the fiscal year to: 1) discuss and review with departmental human resources representatives any new Rules, policies or procedures, or needed/requested revisions thereto; and 2) seek departmental input on inconsistencies between the Civil Service Rules and current departmental practices, to recommend appropriate action to the Commission (e.g., consider proposing a Rule amendment, issue an Adviser to clarify Rule requirements, etc.). 	<ul style="list-style-type: none"> • Continuous • Continuous

Goal #4 Work to ensure that the Civil Service Commission Rules policies and procedures are easily understood and known by all stakeholders, consistent, compliant with the law, and reflective of current and best practices.

Objective	Performance Measures	Results
<p>Review the Civil Service Rules series and recommend revisions/deletions/additions to the Rules for the Commission's consideration as necessary and appropriate.</p>	<p>Review one Civil Service Rule series every other month on average and recommend revisions/deletions/additions for the Commission's consideration. Revisions will be prioritized as follows:</p> <ol style="list-style-type: none"> 1. Rules or provisions that conflict with, or that are otherwise inconsistent with the law. 2. Rules that are confusing, inconsistent with other Rules, or policies, or inconsistently applied by departments. 3. Rules or provisions that would support operational needs. 4. Rules or provisions no longer applicable. 5. Revisions that would consolidate or streamline the Rules. 6. Rules needed to address merit system issues discovered during the course of Inspection service reviews or the Audit Program. 7. Clean-up (e.g., remove Rules that have expired, etc.) 	<ul style="list-style-type: none"> • Continuous; • (De-Identification) Amended Rules 102 Definitions, 110 Examination Announcements and Applicants, 111 Examinations, 111A Position-Based Testing, 112 Eligible Lists, and 113 Certification of Eligibles; Rules 402 Definitions, 410 Examination Announcements and Applicants, 411 Examinations, 411A Position-Based Testing, 412 Eligible Lists, and 413 Certification of Eligibles; Rules 402 Definitions, 410 Examination Announcements and Applicants, 411 Examinations, 411A Position-Based Testing, 412 Eligible Lists, and 413 Certification of Eligibles; Deletion of Rule X9D Promotional Examinations for Employees on Military Leave and Rule X30.1 Personnel Service Records
<p>Review existing Commission policies and procedures; and recommend revisions to existing policies and procedures, or the creation of new ones, as appropriate.</p>	<ul style="list-style-type: none"> • Review at least one existing Commission policy every quarter and recommend revisions as appropriate for the Commission's consideration. The Executive Officer will also recommend for the Commission's consideration the creation of policies as needed and appropriate on merit system issues for which Commission stakeholders require more guidance. • The Executive Officer's policy review will be prioritized based on directives from the Commission, requests from Commission stakeholders, and the frequency of Inspection Service complaints received on a particular issue. 	<ul style="list-style-type: none"> • Continuous; Reviewing the Civil Service Commission Policy and Procedures on Exempt Appointments

Objective	Performance Measures	Results
<p>Conduct best practice reviews of merit system matters in other jurisdictions.</p>	<ul style="list-style-type: none"> • Research best practices in the Bay Area and/or comparable jurisdictions (e.g., Los Angeles) upon request of the Commission during the fiscal year. 	<ul style="list-style-type: none"> • No requests to review other jurisdictions.
<p>Provide outreach, training, and support to the Commission's stakeholders regarding the Civil Service Rules, policies and procedures.</p>	<ul style="list-style-type: none"> • Upon request/as needed during the fiscal year, develop and conduct seminars and training on the merit system, the Civil Service Rules, policies and procedures and other matters under the jurisdiction of the Commission. • Give regular presentations and updates on merit system issues during the Department of Human Resources' monthly Human Resources Professional Group meetings. • Provide a presentation on the Merit System to new human resources analysts and managers on an annual basis. • Offer to provide other Commission stakeholders with an overview of the merit system upon request (e.g., union representative/employee groups, operational managers, elected officials, Deputy City Attorney's, etc.). • Seek input from the Commission's stakeholders on common merit system areas of confusion and issue publications on Frequently Asked Questions and develop new Advisers on reoccurring issues as needed during the fiscal year. • Offer to provide labor representatives with informational articles on the Commission for their member newsletters upon request. 	<ul style="list-style-type: none"> • Completed: Provided training at the request of the following departments: Department of Public Health, Department of Human Resources, and the Municipal Transportation Agency. • Completed; provided training on the Merit System and on Appeals and Staff Reports to other interested managers and analysts. • Provided overview of the Merit System, CSC Jurisdiction, and other resources for employees to the following: Board of Supervisors, SEIU 1021; IFPTE Local 21, IBEW Local 6, Local 1414, TWU Local 200, MEA and new human resources managers • Planned trainings on Responding to Inspection Service Requests

Goal #5 Strengthen the Commission's ability to meet its Charter mandates and oversee the operation of the merit system.

Objective	Performance Measures	Results
<p>Review the operations of the merit system in City departments.</p>	<ul style="list-style-type: none"> • Conduct nine (9) departmental audits in Fiscal Year 2018-2019. • Resolve/complete within 60 days, 80% of Inspection Service Requests received in Fiscal Year 2018-2019. • In the event that Commission staff determines in the course of its audits and/or Inspection Service reviews that some department practices conflict with established Rules or policies, issue formal clarifying statements and/or trainings within 60 days so that all departments understand the merit system requirements. 	<ul style="list-style-type: none"> • Completed • Resolved 73% of Inspection Requests within 60 days; • Staff conducted meetings to discuss patterns and future trainings
<p>Increase the Commission's access to information regarding the operation of the merit system.</p>	<ul style="list-style-type: none"> • No later than the second meeting in June 2019, submit for the Commission's review its Annual Calendar of Reports. (This details the reports that City departments are required to submit to the Commission each year.) Include for the Commission's review a list of available canned queries, reports and available information related to merit system matters in the event that the Commission wishes to expand upon the information it currently receives from Commission staff and/or city departments (e.g., exempt appointment justifications, personal services contracts, examination plans, etc.). • By the end of December 2018, issue the final 2019 Calendar of Reports to departments in advance. Additionally, issue an electronic reminder one month prior to each report's due date. 	<ul style="list-style-type: none"> • Completed; amended and reissued in December 2018
<p>Ensure that departments are complying with Commission's requests for reports and/or additional information.</p>	<ul style="list-style-type: none"> • When applicable, record any conditions, restrictions or reporting requirements that the Commission places on a Personal Services Contracts (PSC). Utilize a tickler system so that the Commission is able to ensure that departments comply with the Commission's conditions, restrictions or reporting requirements for PSC approvals. • When applicable, record and create a "tickler system" for any additional reports that the Commission requests throughout the fiscal year. 	<ul style="list-style-type: none"> • Continuous

Objective	Performance Measures	Results
<p>Complete/coordinate all Charter mandated wage/benefit surveys requiring Commission certification under the Charter.</p>	<ul style="list-style-type: none"> • By the end of November 2018, develop a work plan and schedule for achieving Charter mandated surveys for the fiscal year. • Utilize a “tickler system” for departmental reports to ensure that Charter-mandated surveys are timely submitted (e.g., Office of Labor Standards and Enforcement prevailing wage survey, and Department of Human Resources survey of nurse salaries and benefits). • No later than the second meeting in May 2019, complete the salary survey for the Board of Supervisors in accordance with Charter Section 2.100 Compensation and Salary Elected Officials Salary. 	<ul style="list-style-type: none"> • Completed • Continuous • Completed
<p>Ensure that the Commission’s budget in Fiscal Year 2019-2021 is sufficient so that it can adequately carry out its Charter obligations to oversee the merit system.</p>	<ul style="list-style-type: none"> • Negotiate with the Mayor’s Office, Controller’s Office and Board of Supervisors to maintain the Commission’s budget in Fiscal Years 2019-2021 at an adequate level to support its operations, Charter functions and merit system goals and objectives. 	<ul style="list-style-type: none"> • Completed

Goal #6 A diverse, equitable and inclusive city.

Objective	Performance Measures	Results
Coordinate a pilot task force/committee spear headed by representatives from Civil Service Commission, Department of Human Resources and the City's Workforce Development Agency.	<ul style="list-style-type: none"> • Please see the attached submittal to the Mayor's Office 	<ul style="list-style-type: none"> • Please see attached submittal to the Mayor's Office.
Objective	Performance Measures	Results
Strengthen Links for Connective Services	<ul style="list-style-type: none"> • Please see the attached submittal to the Mayor's Office 	<ul style="list-style-type: none"> • Please see the attached submittal to the Mayor's Office.



Department Head Strategic Plan & Performance Progress Report

FY18-19

Residents and families that thrive

Clean, safe and livable communities

A diverse, equitable and inclusive city

Excellent city services

A city and region prepared for the future

Department CIVIL SERVICE COMMISSION	Name of Department Head MICHAEL BROWN	Reporting Period – 07/01/2018 – 06/30/2019
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DEPARTMENT SIGNATURE DELIVERABLES

List 2-3 Department signature deliverables that are linked to the citywide priorities.

- Create greater transparency and efficiencies in the Commission's procedures and communications.
- Ensure that the Commission Rules' Policies and Procedures are easily understood and known by all stakeholders.
- Ensure timely resolution of appeals.
- Strengthen the Commission's ability to meet its Charter mandates and oversee the operation of the merit system.

PROGRESS/COMPLETION OF DEPARTMENT SIGNATURE DELIVERABLES

At the end of the reporting period, describe the department's progress on completion of the Department signature deliverables.

- Provide on-going resource for union representatives, focus groups, shop stewards, individual employees and applicants by providing information on the Civil Service process for appeals under our jurisdiction.
- Engaged with Mayor's directive focus group to address equity, diversity and inclusion in the workplace and offered myself and the CSC staff as a resource to help walk employees through the internal remedy process for discrimination complaints. Followed-up with additional group and one-on-one sessions for assistance and advice.
- Wrote the CSC definition for "de-identification" and in collaboration with DHR and stakeholders, implemented CSC Rule amendments to include de-identification into Volume I, October 2018 and Volume IV, January 2019 to reduce implicit and explicit bias in the hiring process.
- Reviewed exempt and permanent appointment issues affecting African-American and employees of color with Local 200 and SFMTA to help resolve an outstanding issue.
- Maintained a tracking system with effective communication to departments requesting timely staff reports on pending appeals before the Commission.
- In April 2019 rolled-out two (2) citywide department trainings for Merit System and CSC Appeals Process.
- Participated in youth program, "Opportunities for All" by hosting a youth in 2019.

DEPARTMENT'S STRATEGIC PLAN (Attached)

Department Head Signature

August 12, 2019

Date

Civil Service Commission
Fiscal Year 20 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0278-18-6	6	Appealing the HR Director's decision to administratively close her discrimination complaint EEO File No. 2642.	08/27/18	08/28/18	Callahan Gard Valdez Simon Weigelt Simmons Albert	11/19/18	11/08/18	12/03/18	1	Resolved
0059-9-6	6	Appealing the HR Director's decision to administratively close her discrimination complaint EEO File No. 2515.	02/27/19	03/04/19	Callahan Gard Valdez Simon Howard Frattarelli	05/20/19	05/09/19			3/4/19 Appeal to be placed in abeyance due to litigation filed by appellant
0076-17-4	4	Appealing the exam administration for Class 2913 Program Specialist.	03/06/17	03/13/17	Callahan Gard Kraus Kim Biasbas Palma	06/05/17	05/25/17			3/28/18 CAT put on hold pending litigation;
0123-18-4	4	Appealing the job announcement and supplemental questionnaire for Class 7228 Automotive Transit Shop Supervisor I.(CBT 7228-M00177)	04/13/18	04/17/18	Reiskin Ellison Kim Leung	07/02/18	06/21/18	09/17/18	1	Resolved
0285-18-4	4	Appealing the rejection of his application for 7388 Utility Plumber (CBT-7388-084550) position.	09/04/18	09/06/18	Callahan Gard Charan Hinderliter Biasbas Valdes	11/19/18	11/08/18	12/17/18	1	Resolved
0181-18-6	6	Appealing the HR Director's decision to administratively close her discrimination complaint EEO File No. 2550.	06/04/18	06/07/18	Callahan Gard Kim Simon	08/20/18	08/09/18	09/17/18	1	Resolved
0083-19-4	4	Appealing the exam administration for Class 7262 Maintenance Planner at PUC.	03/25/19	03/27/19	Callahan Gard Hinderliter Biasbas White	06/03/19	05/23/19			7/9/19 Appellant will be out of country on 7/15/19; requested postponement to 8/5/19.
0222-18-6	6	Appealing the HR Director's decision to administratively close her discrimination complaint EEO File No. 2592.	07/18/18	07/19/18	Callahan Gard Valdez Simon Castillo	10/01/18	09/20/18	10/01/18	1	Resolved
0108-19-6	6	Appealing the Human Resources Director's decision to not further investigate and administratively close his Complaint of Discrimination, EEO File No. 2901.	04/09/19	04/11/19	Callahan Howard L. Simon M. Valdez L. Kim	07/15/19	07/03/19			
0431-18-4	4	Appealing the rejection of her application for Class 1410 (CBT 1410-902845)	12/20/18	12/21/18	Callahan Gard Biasbas Howard	03/04/19	02/21/19	01/23/19	4	Resolved administratively
0430-18-4	4	Appealing the rejection of her application for Class 1408 (CBT 1408-902844)	12/20/18	12/21/18	Callahan Gard Biasbas Howard	03/04/19	02/21/19	01/23/19	4	Resolved administratively
0318-18-4	4	Appealing his background rejection for Class 7457 Sign Worker due to his conviction history.	09/14/18	09/21/18	Reiskin Ellison Kim Cerenio Fowles	12/03/18	11/21/18	11/05/18	5	Resolved

Fiscal Year 2018-19 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0298-18-2	2	Appealing the exam announcement for 7501 Environmental Services Worker	09/07/18	09/10/18	Callahan Gard Biasbas Ponder Wong Isen	11/19/18	11/08/18			
0302-18-6	6	Appealing the HR Director's decision to administratively close discrimination complaint EEO File No. 2413.	09/07/18	09/12/18	Callahan Gard Valdez Charan Simon	11/19/18	11/08/18	01/07/19	1	Resolved
0299-18-4	4	Appealing the exam announcement for the '1830 Performance Analyst III (CBT 1830-902766) position.	09/05/18	09/10/18	Callahan Gard Biasbas Voccia Benitez	11/19/18	11/08/18	10/10/18	4	Resolved Administratively
0099-19-6	6	Appealing the Human Resources Director's decision to not investigate her complain of discrimination, EEO File No. 2795 due to insufficient evidence.	04/03/19	04/08/19	Callahan Howard Gard Biasbas R. Weigelt K. Hill A. Caporale L. Simon M. Valdez	07/01/19	06/20/19			7/8/19 Appellant's request for postponement was mutually approved by DHR and MB. Will be calendared for 8/16/19.
0033-18-6	6	Appealing the Human Resources Director's decision to administratively close her discrimination complaint - EEO File No. 2484	02/02/18	02/05/18	Callahan Gard Simon Regler	04/16/18		09/28/18	5	Resolved
0373-18-4	4	Appealing the examination for the 2593 Health Program Coordinator III (CBT 2593-902544)	10/28/18	10/29/18	Callahan Gard Biasbas Weigelt Caporale Howard	01/07/19	12/27/18	02/04/19	1	Resolved
0046-19-1	1	Appealing the Human Resources Director's decision to deny his request to remove the General Waiver placed on his holdover status	02/12/19	02/22/19	Callahan Gard Biasbas	05/06/19	04/25/19	06/17/19	1	Resolved
0261-18-6	6	Appealing the Human Resources Director's decision on his discrimination complaint, EEO File No. 2602.	07/30/18	08/14/18	Callahan Gard Simon Valdez	10/15/18	10/04/18	10/15/18	1	Resolved
0242-18-4	4	Appealing the rejection of his application for 9706 Employment & Training Specialist V (CBT 9706-087581) position.	08/02/18	08/07/18	Callahan Gard Biasbas Kim Palma	10/15/18	10/04/18	09/13/18	4	Resolved Administratively
0300-18-1	1	Appealing the decision of the Executive Officer on the decision of the HRD to not reconsider previously reviewed EEO complaints that were heard by CSC	09/07/18	09/12/18	Brown	11/19/18	11/08/18	02/04/19	1	Resolved
0217-18-6	6	Appealing the Director of Transportation's decision to not investigate and administratively close her discrimination complaint EEO File No. 2455	07/10/18	07/12/17	Callahan Gard Simon Valdez	10/01/18	09/20/18	10/01/18	1	Resolved
0290-18-6	6	Appealing the HR Director's decision to administratively close her discrimination complaint, EEO File No. 2646	09/05/18	09/07/18	Callahan Gard Simon Valdez Weigelt Simmons Albert	11/19/18	11/08/18		5	Resolved Administratively

Civil Service Commission
Fiscal Year 20 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0220-17-2	2	Appealing the 3434 Arborist Technician Proposed Classification Action.	07/12/17	07/12/17	Callahan Gard Ponder	10/02/17	09/21/17	10/01/18	1	Resolved
0313-18-6	6	Appealing the Director of Transportation's decision to administratively close her Discrimination Complaint, EEO File No. 2747.	09/14/18	09/18/18	Reiskin Ellison Harmon Simon Valdez	12/03/18	11/21/18	01/07/19	1	Resolved
0308-18-6	6	Appealing the HRD's decision to close discrimination complaint.	09/12/18	10/26/18	Callahan Gard Simon Kim Valdez	01/07/19	12/27/18	01/07/19	1	Resolved -
0157-19-6	6	Appealing the Human Resources Director's decision to not investigate his discrimination complaint.	09/19/19	09/26/19	Callahan Gard Howard Simon M. Valdez J. Buick R. Fratantelli	09/16/19	09/05/19			
0027-19-6	6	Appealing the Director of Transportation's decision to administratively close his Discrimination Complaint, EEO File No. 2203.	01/22/19	01/24/19	Reiskin Ellison Harmon Simon Valdez	04/01/19	03/21/19			4/18/19 Pending Workers' Comp Appeals Board, postpone to meeting of 8/5/19; 3/4/19 Request to postpone hearing until 6/3/19 due to pending Workers' Comp Appeal Board hearing
0138-19-6	6	Appealing the Human Resources Director's decision to not further investigate and administratively close her Complaint of Discrimination, EEO File No. 3016.	05/24/19	05/28/19	Callahan J. Buick S. Gard K. Howard L. Simon M. Valdez C. Ikeda	08/19/19	08/08/19			
0032-19-8	8	Appealing PSC 46897-16/17 proposed by DPH	01/28/19	01/29/19	Callahan Gard Howard Hale	02/04/19		02/04/19	1	Resolved
0305-18-8	8	Appealing PSC 45859-17/18 proposed by DPH	09/11/18	09/12/18	Callahan Gard Howard Chol Hale				2	Resolved
0347-18-6	6	Appealing the HRD's decision to close discrimination complaint EEO File No. 2119.	09/28/18	10/02/18	Callahan Gard Simon Kim	12/17/18	12/06/18		5	Resolved
0322-16-6	6	Appealing the HRD's decision to close discrimination complaint EEO File No. 2119.	09/27/16	09/28/16	Callahan Gard Simon Kim	12/05/16	11/23/16	12/03/18	1	Resolved
0070-16-6	6	Appealing the HRD's decision on discrimination complaint EEO File No. 2214.	03/01/17	03/03/17	Callahan Gard Simon Kim	05/15/17	05/04/17	07/10/18	1	Resolved
0277-18-4	4	Appealing the background files for the 8302 Deputy Sheriff position.	08/24/18	08/30/18	Callahan Gard Bias Johnson DeWolfe Fisher-Paulson	11/05/18	10/25/18	12/10/18	3	Resolved

Fiscal Year 2018-19 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0133-18-6	6	Appealing the HRD's decision on discrimination complaint EEO File No. 2302.	04/25/18	04/26/18	Callahan Gard Kim Simon	07/16/18	07/05/18	11/05/18	1	Resolved
0243-18-6	6	Appealing the Director of Transportation's denial of a discrimination complaint. EEO file no. 2266	08/02/18	08/07/18	Reiskin Ellison Valdez Simon Harmon	10/15/18	10/04/18	11/16/18	5	Resolved
0015-19-4	4	Appealing the rejection of her application for the 1410 Chief Clerk	01/15/19	01/17/19	Callahan Gard Biasbas K. Howard	03/18/19	03/07/19	02/15/19	4	Resolved Administratively
0404-18-2	2	Appealing the classification action for the 6270, 6272, and 6274 classification series.	11/21/18	11/27/18	Callahan Gard Howard Ponder Morrison	02/04/19	01/24/19			3/28/19 DBI requested postponement to 6/17/19 due to new Chief Inspector; DBI requesting postponement to April 1, 2019. They are recruiting for the 6274 Chief Housing Inspector and anticipate completing this by 2/19 and will consult with the new Chief on the appeal and classification matter.
0031-19-6	6	Appealing the HRD's decision on discrimination complaint EEO File No. 2692.	01/25/19	01/29/19	Callahan Gard Valdez Simon Bushong	04/15/19	04/04/19	06/03/19	1	Resolved
0432-18-4	4	Appealing the rejection of her application for the 1408 Principal Clerk (CBT-1408-902844) position.	12/21/18	12/26/18	Callahan Gard Biasbas K. Howard	03/04/19	02/21/18	02/17/19	4	Resolved Administratively
0219-18-6	6	Appealing the HR Director's decision to administratively close the discrimination complaint EEO File No. 2637.	07/10/18	07/12/18	Callahan Gard Simon Valdez Vaksberg	10/01/18	09/20/18	12/17/18	1	Resolved
0292-18-4	4	Appealing the rejection of her application for 1446 Secretary II (CBT 1446-902831)	09/05/18	09/10/18	Callahan Gard Chong Biasbas	11/19/18	11/08/18	11/19/18	1	Resolved
0186-18-4	4	Appealing the denial to file a late application for H4 Inspector exam after the closing of the official filing period with SFFD	06/12/18	06/13/18	Callahan Johnson Biasbas	08/20/18	08/09/18	07/10/18	1	Resolved
0369-18-4	4	Appealing the exam administration for ne 1823 Senior Administrative Analyst (PBT 1823-085510) position.	10/24/18	10/26/18	Callahan Gard Howard Biasbas	1/7/2019	12/27/18	12/19/18	4	Resolved
0425-18-4	4	Appealing the HRD's decision to close his appeal regarding the award of promotive points in an exam process.	12/17/18	12/20/18	Callahan Gard Howard Biasbas	3/4/2019	02/21/19	01/02/19	3	Resolved
0246-18-6	6	Appealing the HR Director's decision to administratively close the discrimination complaint EEO File No. 2683.	08/08/18	08/10/18	Callahan Gard Simon Valdez Lew	10/01/18	09/20/18	10/01/18	1	Resolved
0018-19-6	6	Appealing the HR Director's decision to administratively close the harassment/discrimination complaint.	01/16/19	01/18/19	Callahan Gard Simon Valdez	04/01/19	03/21/19			
0061-18-6	6	Appealing the HR Director's decision to administratively close the discrimination complaint EEO File No. 2492.	02/27/18	02/28/18	Callahan Gard Simon Valdez	05/07/18	04/26/18	08/13/18	2	Resolved

Civil Service Commission
Fiscal Year 20 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0185-18-6	6	Appealing the HR Director's determination on his discrimination complaint, EEO File No. 2494	08/08/18	06/11/18	Callahan Gard Simon Valdez Bushong	08/20/18	08/09/18	12/03/18	1	Resolved
0197-18-6	6	Appealing the HR Director's decision to administratively close the discrimination complaint EEO File No. 2625.	08/25/18	06/27/18	Callahan Gard Simon Valdez	09/17/18	09/06/18	12/03/18	1	Resolved
0403-18-4	4	Appealing the disqualification of his application for the 3232 Marina Assistant	11/21/18	11/28/18	Callahan Gard Biasbas Howard Holmes	02/04/19	01/24/19	01/02/19	5	Resolved
0076-19-6	6	Appealing the Director of Transportation's decision of insufficient evidence to establish a discrimination complaint. EEO file no. 2841	03/18/19	03/20/19	Reiskin Kim Valdez Simon Harmon	06/03/19	05/23/19			6/3/19 the Commission continued the item to a future meeting.
0188-18-6	6	Appealing the HR Director's determination on his discrimination complaint, EEO File No. 2441	02/23/18	06/18/18	Callahan Gard Simon Valdez Tapia	08/20/18	08/09/18	10/01/18	1	Resolved
0361-17-6	6	Appealing the Director of Transportation's decision of insufficient evidence to establish a discrimination complaint. EEO file no. 2268	11/03/17	11/08/17	Reiskin Ellison Vavia- Johnson Simon Harmon	01/22/18	01/11/18	11/05/18	1	Resolved
0258-18-6	6	Appealing the Director of Transportation's decision to not investigate his discrimination complaint, EEO File No. 2627.	08/10/18	08/14/18	Reiskin Ellison Harmon Vavia- Johnson Simon Valdez	10/15/18	10/04/18	03/04/19	1	Resolved
0379-17-6	6	Appealing the HRD's decision to administratively close her discrimination complaint. EEO File No. 2419	11/16/17	11/22/17	Callahan Gard Simon Lew Houston	02/05/18	01/25/18	03/04/19	1	Resolved
SEPARATIONS - REQUESTS FOR HEARING										
0364-8-7	7	Requesting a hearing on future employment restrictions with CCSF	10/15/18	10/17/18	Gard	12/17/18	12/06/18	12/17/18	1	Resolved
0351-18-7	7	Requesting a hearing on future employment restrictions as a 9163 Transit Operator with MTA	10/02/18	10/04/18	Reiskin Ellison Kim Helms	12/17/18	12/06/18	06/24/19	4	Resolved Administratively
0194-17-7	7	Requesting a hearing on future employment restrictions as a 7458 Switch Repairer with the City and County of San Francisco	06/21/17	06/23/17	Reiskin Ellison Kim Helms	09/18/17	09/07/17			3/21/19 Requested status on pending appeal, 6/26/18 Contacted MTA for update on status
0304-18-7	7	Appealing future employment restrictions	09/10/18	09/12/18	Callahan Gard Weigelt Simmons	12/03/18	11/21/18			3/26/19 Still in litigation; 9/13/18 Pending litigation

Fiscal Year 2018-19 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0114-17-7	7	Requesting a hearing on his future employment with SFFD	04/10/17	04/11/17	Callahan Gard Bushong	07/03/17	06/22/17	01/15/19	5	Resolved
0010-15-7	7	Requesting a hearing on her future employment restrictions as a 2918 HSA Social Worker with the City and County of San Francisco	01/21/15	01/23/15	Callahan Gard Kim	03/16/15	03/05/15			4/2/19 Contact appellant if the wish to move forward with appeal; 3/28/19 Department informed us that on 7-19-16 Arbitration award: denied grievance and upheld termination; 8/17/15: Not scheduled for arbitration as of yet per Laurie Juengert. 7/24/15: Arbitration on 9/22/15 (Winograd) – handled by DCA Ruth Bond 06/01/15 Pending Arbitration; 05/04/15 Pending arbitration; 04/02/15 Arbitration.
0202-18-7	7	Hearing on future employment restrictions with the City	06/28/18	06/29/18	Callahan Gard Gee	09/17/18	09/06/18	09/17/18	1	Resolved
0092-19-7	7	Requesting a hearing on her future employment restrictions with the City and County of San Francisco.	03/28/19	04/02/19	Callahan Howard Gard Weigelt	06/17/19	06/06/19			DPH requesting postponement due to contract negotiations. DPH will tentatively target 8/17/19 to present. For further questions, contact Yvette Gamble.
0316-17-7	7	Hearing on future employment restrictions with the City	09/22/17	09/25/17	Callahan Gard Kim	12/04/17	11/22/17	04/02/19	4	Resolved Administratively
0321-17-7	7	Requesting a hearing on future employment restrictions with CCSF	09/20/18	09/27/18	Callahan Gard Weigelt Simmons Hill	12/03/18	11/21/18	10/12/18	4	Resolved Administratively
0230-17-7	7	Requesting a hearing on his future employment as a 9163 Transit Operator with MTA.	07/19/17	07/20/17	Reiskin Ellison Kim Helms	10/16/17	10/05/17			3/21/19 Requested status on pending appeal; 6/26/18 Contacted MTA for update on status
0075-19-7	7	Requesting a hearing on his future employment restriction with the City and County of San Francisco.	03/18/19	03/19/19	Callahan Gard Howard L. Kim	06/03/19	05/23/19			
0136-16-7	7	Request for hearing on his future employability with the City & County of San Francisco	03/28/16	03/29/16	Callahan Gard Koehler	06/20/16	6/9/2016			6/26/18 Contacted DHR for update on status; 04/01/17 Grievance Resolved; SHF working on staff report; 4/01/16.A. Jackson is currently in the grievance process for his termination. The department requests that the appeal be postponed until his termination grievance is resolved.
0235-18-7	7	Requesting a hearing on future employment restrictions with CCSF	08/01/18	08/06/18	Callahan Gard Weigelt Simmons	10/01/18	9/20/2018	03/18/19	5	Resolved - appeal withdrawn by MEA on behalf of appellant
0441-16-7	7	Requesting a hearing on his future employment as an 8214 Parking Control Officer with the City and County of San Francisco.	12/27/16	12/28/16	Reiskin Ellison Kim Helms	03/06/17	2/23/2017			3/21/19 Requested status on pending appeal; 7/20/17 Pending arbitration; 3/9/17 Rescinded his request to withdraw appeal; CSC Reinstated appeal and will schedule to a future meeting
0348-6-7	7	Requesting a hearing on future employment restrictions with CCSF	09/28/18	10/02/18	Callahan Gard Gee	12/17/18	12/6/2018			4/2/19 Arbitration scheduled for 7/15/19; 3/29/19 Arbitration tentatively scheduled for June; October 30, 2018: SEIU has filed a termination grievance and therefore, Rec & Park has requested that appeal be placed on hold pending decision of grievance.
0192-17-7	7	Request for hearing on future employment restrictions with the City & County of San Francisco	06/19/17	06/21/17	Gard Callahan Holmes	09/18/17	09/07/17	10/31/18	5	Resolved Administratively

Civil Service Commission
Fiscal Year 20 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0124-19-7	7	Requesting a hearing on his future employment restriction with the City and County of San Francisco.	05/06/19	05/10/19	Callahan K. Howard S. Gard C. Ikeda Vaksberg	08/09/19	07/25/19			5/17/19 Postponed to the meeting of August 19, 2019 at the request of the department.
0138-17-7	7	Request for hearing on her future employability with the City & County of San Francisco	05/08/17	05/10/17	Callahan Gard Kim Elison	08/07/17	07/27/17			3/28/19 Department checking on status; 6/26/18 Contacted DHR for update on status
0127-17-7	7	Request for hearing on his future employability as a Q-2 Police Officer with SFPD	04/25/17	04/26/17	Callahan Gard Houston Struckman Worsham	07/17/17	07/06/17	03/27/19	4	Resolved Administratively
0121-18-7	7	Requesting a hearing on his future employment as a 9163 Transit Operator with MTA.	04/11/18	04/12/18	Reiskin Elison Kim Helms	06/18/18	06/07/18	08/06/18	1	Resolved
0239-15-7	7	Requesting a hearing on his future employment as a 9163 Transit Operator with MTA.	07/10/15	07/13/15	Reiskin Elison Kim Iborra	09/21/15	09/10/15			4/10/19 Informed MTA to move forward with appeal;
0383-18-7	7	Request for hearing on future employment restrictions with the City & County of San Francisco	11/03/18	11/01/18	Callahan Gard Howard Charan	01/07/19	12/27/18			4/3/19 Due to labor negotiations, dept. requested postponement to the meeting of 6/17/19;
0378-17-7	7	Request for hearing on his future employment restrictions and services deemed unsatisfactory with MTA	11/15/17	11/17/17	Reiskin Elison Kim Helms	02/05/18	01/25/18			3/21/19 Requested status on pending appeal. 6/26/18 Contacted MTA for update on status
0348-16-7	7	Request for hearing on his future employability as a Q-2 Police Officer with SFPD	10/24/16	10/28/16	Callahan Gard Houston Struckman Worsham	12/19/16	12/08/16	03/26/19	4	Resolved Administratively
0125-17-7	7	Request for hearing on his future employability as a Q-2 Police Officer with SFPD	04/24/17	04/25/17	Callahan Gard Houston Struckman Worsham	07/17/17	07/06/17	03/27/19	4	Resolved Administratively
POSITION BASED TESTING										
0312-18-4	4	Appealing the 7287 Supervising Electronic Maintenance Technician (PBT-7287-084480) Job Announcement.	9/14/2018	9/18/2018	Callahan Gard Blasbas Charan M. White	10/15/2018	10/4/2018	9/25/2018	5	Resolved
0284-18-4	4	Appealing disqualification for examination	7/20/2018	7/24/2018	Callahan Gard Blasbas Fratantelli Mayorga-Tipton			8/13/2018	3	Resolved Administratively

Fiscal Year 2018-19 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0079-19-4	4	Appealing his rejection for the 0922 Manager I (PBT-0922-094275) position at the Office of the Treasurer and Tax Collector	3/21/2019	3/22/2019	Callahan K. Howard S. Gard A. Blasbas J. Kuroyama D. Jou	6/3/2019	5/23/2019	5/10/2019	2	Resolved Administratively
00010-19-4	4	Appealing the job announcement and exam for PBT 2485-081593 Supervisory Biologist at PUC	1/10/2019	1/15/2019	Callahan Gard Blasbas K. Howard Hinderliter	3/4/2019	2/21/2019	2/25/2019	5	Resolved Administratively
0306-18-4	4	Appealing the examination administration for the 1233 Equal Employment Opportunity Programs Specialist (PBT-1233-902783) position with the Department of Human Resources.	09/11/18	09/14/18	Callahan Gard Blas Lyle	10/0/178	09/20/18	10/02/18	5	Resolved Administratively
0151-19-4	4	Appealing the examination administration for the 1053 IS Business Analyst Senior (PBT-1053-093507) position with the San Francisco Unified School District	6/5/2019	6/11/2019	Callahan Buick Gard Howard Blasbas D. Menezes S. Ervin	7/15/2019	7/3/2019	6/24/2019	4	Resolved Administratively

Number of Appeals	
Carried Over from FY2017-18	31
Appeals Received in FY2018-19	59
Total Number of Appeals in FY18-19	90

Total Appeals by Category	
Classification (2)	3
Compensation (3)	0
Examination (4)	24
EEO/Discrimination (6)	33
Future Employment Restrictions (7)	26
Personal Services Contracts (8)	2
Position-Based Tests	6
Other (1)	2

Resolutions	
Hearing at CSC (1)	31
Untimely (2)	3
Not Appealable (3)	3
Resolved Administratively (4)	14
Other (5)	12
Total Resolved	63
% Resolved	70%

FY 2018-19 Inspection Log

Total for 2018-2019 169

Total for 2018-19 169

Totals by Category		Letter or Email		Phone - Walk in		Resolved in 60 days		73%	
Code	Received Date	Letter or Email	Phone Walk in	Issue	Job Class	Dept.	Resolution/Remedy	Date Resolved	60 days
9	7/10/2018	1	1	Request for inspection review regarding TEX status for Class 5203 position at DPW	5203	DPW	TEX status meets requirements - category 18 Charter Sec 10.104 (duration 3 years). It was approved by DHR and the Mayor's office. - LM	7/13/2018	Y
9	7/10/2018	1	1	Can a special condition be place on a position that is currently filled? if the employee is unable to meet the special condition, how will this affect the employee?	1312	PUC	Employee was already appointed to a position with a special condition; must have bilingual certification on file; department cannot impact current incumbent in the position with a new special condition. SE	7/17/2018	Y
10	7/13/2018	1	1	If a holdover is returned to duty but released in 2 different departments, is the person placed on waiver? Where is this in the Rule?		DHR	There is no specific Rule regarding holdovers who have been released from probationary period 2+ times; Rules allow HRD to establish procedures for holdovers who have been released from probationary period from 2 or more positions and Rules allow HRD to place or remove waivers; Also see DHR Layoff Guidebook and Rule 112.30 SE	7/16/2018	Y
6	7/13/2018	1	1	Department would like to hire former employee however there is a permanent citywide restriction from employment placed in 1997.		MTA	Rule 422.13 Former employees of the City and County of San Francisco who were banned from future employment in accordance with the provisions of Civil Service Rule 422 may request reconsideration of any non-permanent ban if it has been five (5) or more years since the ban was imposed. For the purpose of this Rule, any City-wide ban imposed before April 21, 2014 is considered a permanent ban not subject to reconsideration. Check with City Attorney. SE	7/16/2018	Y
9	7/16/2018	1	1	Inquiry regarding discrimination/retaliation issues on a conditional offer with the Sheriff's Department.		SHF	Referred to DHR-EEO for discrimination/retaliation complaints. Explained appeal process with CSC. - LM/EA	7/16/2018	Y
6	7/16/2018	1	1	What rules are applicable to merging of eligible lists? if an applicant is on 2 eligible lists of the same classification, can a department conduct one interview for both positions?	2917	HSA	Rule 111A.26.3; Eligible Lists were not merged by the department. SE	7/17/2018	Y

FY 2018-19 I action Log

6	7/30/2018	1				if an employee is released from TEX position or released from probationary period, is anything appealable? There may be discrimination involved; do they lose their floating holidays?			Future employment restrictions, not separations, are appealable matters; may request reinstatement to former PCS classification in which probationary period was completed; if on a leave of absence, may return to previous classification; if claiming discrimination, may file EEO claim; EEO decision is an appealable matter. SE	8/6/2018	Y
9	8/2/2018	1				Inquiry regarding returning to previous position from promotive PCS position.	1241	MTA	Explained that she can return to previous PCS class but not necessarily to the exact position in dept. if it is not available. - LM	8/2/2018	Y
1	8/2/2018	1				Recently hired Housing Inspectors do not meet the minimum qualifications for the positions	6270	DBI	PCS and TEX appointees met the MQs EA/SE	11/30/2018	N
6	8/6/2018	1				Does Rule 122 governing separation hearings allow an employee appeal rights to the Commission?			Rule 122 shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes; or as noted or as specifically excluded, or except as may be superseded by a collective bargaining agreement for those employees subject to Charter Section 8.409; L21 MOU has sections on separation procedures. SE	8/7/2018	Y
						Unfair hiring practices of the City and County and the City of SF is unfairly discriminating against veterans. Unfair labor practice of former SFMTA personnel interfering with the hiring of former employees. In addition, they have also prevented correct veterans information from being used to gain proper standing in the hiring process.			Responded regarding Rules and veterans preference. Directed him to EEO if he felt he was discriminated against. Luz Morganti conducted an inspection service into Library Page. See below.	8/8/2018	Y
6	8/8/2018	1				Can the union appeal the decision to wrongfully demote an employee? What is the process for appealing?		DPH	Rule 122 shall apply to officers and employees in all classes, except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical classes; or as noted or as specifically excluded, or except as may be superseded by a collective bargaining agreement for those employees subject to Charter Section 8.409; SEIU 1021 MOU has sections on separation procedures. SE	8/9/2018	Y
7	8/8/2018	1				Request to review the hiring process for Class 3602 Library Page.	3602	LIB	Post-referral selection process conducted in accordance with Rules and policies. - LM	8/28/2018	Y
6	8/8/2018	1				What is a "break in service"? How are lengths of service readjusted for new hire date, breakers, vacation bidding, shift bidding, and layoffs?			Rules 114 Appointments, 120 Leaves of Absence, 121 Layoffs, CSC Adviser No. 15 Seniority, DHR Guidebook on Layoffs, DHR Procedures, MOU, and Retirement describes how lengths of service may be readjusted for certain scenarios (i.e. layoffs, holdover roster, reappointments, returned to duty, vacation and shift bidding). SE	8/15/2018	Y

FY 2018-19 Inspection Log

7	8/21/2018	1		Allegation that Redacted instructed the interview panel for 7316 to change interview scores in order to hire Redacted over more qualified candidates.	7316	PUC	No indication that scores were altered in favor of any one individual. Process was compliant. - LM	9/17/2018	Y
1	8/14/2018	1		Appointment of former Mayor's Office employees. Deputy Director, violates civil service rules.		DHR	PEX position is exempt from civil service procedures; Appointee met the MQs for the position SE	10/4/2018	Y
1	8/14/2018	1		Appointment of former Mayor's Office employees, Deputy Director, violates civil service rules.		GSA	PEX position is exempt from civil service procedures; Appointee met the MQs on the Request to fill Form SE	6/21/2019	N
6	8/15/2018	1		Inquiry as to why position is exempt and questioning the MQ's -	6334	DBI	The MQ's were clearly defined in the job announcement and consistent with the class specifications -DBI complied with Rules and policies - LM	9/12/2018	Y
6	8/16/2018	1		Can members appeal the certification rule? When can the rule be expanded?			Members may appeal the examination announcement; Rules may be broadened upon agreement with union and DHR; agreed upon rule is not appealable to CSC if no agreement, then Rule of 3; Rule 113.7.2 SE	8/27/2018	Y
9	8/16/2018	1		Questioned his release from probation		DPW	Release is not under CSC jurisdiction; informed former employee of DHR EEO	8/17/2018	Y
9	8/20/2018	1		Complaint regarding DPH extending her probationary period by three months to complete training. Questions the departments right to do this.	8106	DPH	Explained that the supervisor/department can make a determination to extend probation. If she does not agree to the probation they can release her immediately. I spoke to her supervisor and the Labor Relations manager to ensure that they follow up further in writing other to clarify the terms of the extension. - LM	8/20/2018	Y
1	8/24/2018	1		DPH ignores eligibility lists when internal provisional employees do not score high enough and fail to follow CSC Rule 114.5 by allowing provisional employees to continue to work after an eligibility list is adopted.		DPH	Explained CSC Rule 113.6.1, 113.8.1 and 114.5. - the appointing officer has the discretion to continue the selection of an eligible from the active eligible list or make a provisional or exempt appointment. EA	9/11/2018	Y
2	8/27/2018	1		How can we expand the certification rule? When can the rule be expanded during the hiring process? Can eligible lists be amended with a rule change?			With mutual agreement between union and DHR, department may use broader certification rule; determined before the examination announcement is posted; cannot change after posting announcement; may protest/appeal announcement; Rules 110.2, 110.4, 113.1, 113.7.1 SE	8/27/2018	Y
6	8/27/2019	1		Need definitions for PBT, CBT, TEX, PEX		DHR	Provided information about DHR, link to website, address and gave examples of each type of test and appointment. SE	8/28/2018	Y
6	8/27/2018	1		Are there rules or policies on reassignment?		DPH	Appointing Officers have broad jurisdiction in assigning duties within the classification of the employee Rule 109.62, MOUs will have specific details on reassignment, especially for nurses SE	8/27/2018	Y

FY 2018-19 / action Log

9	8/29/2018	1		Can an employee appeal a permanent restriction? Can an employee request to lift a permanent restriction after 5 years? Can an employee having a CSC hearing scheduled before an arbitration is scheduled?	DPH	Appeals may be submitted within 20 days of the notification of future employment restrictions; permanent restrictions may not be lifted after 5 years; CSC practice is to schedule appeals after grievance/arbitration/litigation. Rule 122.1.4 and CSC Policy SE	8/29/2018	Y
2	8/30/2018	1		States ranking and score for previous exam was the same for current exam - yet she has a different ranking now. So she believes her previous scores were not calculated correctly and they should now.	MTA	Complainant did not have scores reviewed during the 5 day inspection period prior to the 2017 eligible list posting. She scored 898 rank# 60 in 2017 and currently 2018 is ranked 48 with a score of 917. Obviously scores are not the same. Also 2017 eligible list is expired. What is applicable is her current rating and score which she agrees is correct. - review closed. LM	8/31/2018	Y
1	8/30/2018	1		Allegation that Redacted was appointed to TEX 2913 at HSA but was deemed not qualified by exams unit. Also possible favoritism issue.	HSA	TEX appointee meets the MQ's - LM	10/30/2018	Y
6	9/10/2018	1		How often can an employee reinstate back to a previous PCS position? If an employee is released from probation, how can they return back to a previous PCS position?		CSC Rules do not limit the number of times an employee may be reinstated; Rule 114.8-employee may request reinstatement to any vacant position in the former class in which they completed the probationary period, but they will need department approval; Rule 117.9.3 Reversion-an employee released (non-disciplinary) during a promotive probationary period shall revert to a position in the class from which promoted. If necessary, displacements in the former class shall occur. SE	9/10/2018	Y
1	9/13/2018	1		Favoritism in the Department by hiring employee as TEX because employee did not meet MQs and did not pass examination	MTA	Position was a reassignment and/or TEX status. Employee appointed to TEX status meets MQ's. LM	9/17/2018	Y
2	9/12/2018	1		Received the same score as in previous exam, but placed in a different rank; calculation and rank error in previous examination; should have been ranked higher	MTA	Explained that previous list had expired so there would be no remedy for an expired list. Current list is accurate and she is now reachable. LM	10/29/2018	Y
7	9/24/2018	1		Request for review of the selection process for Class 2230	DPH	DPH identified a problem with the application process which does not notify current Physicians of new existing vacancies. DPH is correcting this and has notified the complainant. - LM	10/18/2018	Y

FY 2018-19 Inspection Log

6	9/25/2018	1			How are requests to lift future employment restrictions processed? What Rules or Policies are available?	DPH	9/26/2018	Y	Conditional Restrictions may be removed by the HRD after the former employee submits the required documentation; departmental bars may be lifted by CSC after a staff report is submitted, item is heard and approved by CSC; CSC Policy and Guidelines on Future Employment Restrictions. SE
7	9/25/2018	1			Complainant alleges that Redacted hired a work acquaintance of her spouse over candidates on an eligible list. - class 0922	DPH	11/6/2018	Y	Selection was conducted according to Rules and procedures. Appointee ranked the highest in the post referral process. LM
7	9/26/2018	1		4306	Requesting inspection service into appointment of Redacted to 4306 Collection Officer within the Treasurer and Tax Collector Department.	TTX			Redacted was hired into a PEX position which is not subject to Civil Service selection Rules; Redacted has been assigned out-of-class duties which is also not subject to CSC Rules. - LM
9	9/27/2018	1			Alleges that Redacted and Redacted were not hired per CSC Rules because they were not on eligible lists for their positions.	TTX	10/1/2018	Y	Personnel function for the City and County of San Francisco reside within the Department of Human Resources under Micki Callahan, Director. You also have access to Whistleblower Program to file complaints. However, supervision, employee conduct or discipline matters which you have described are not under the jurisdiction of the Civil Service Commission.
9	10/1/2018	1			To whom can I report concerns about my supervisor and her excessive lateness and lengthy breaks?	TTX	10/5/2018	Y	CSC disagrees with MTA documentation and is requesting additional information.
1	10/4/2018		1	9140	Redacted did not meet the minimum qualifications for his position	MTA		N	SE
2	10/4/2018	1		9152 9153	Department is hiring outside individuals into exempt training appointments, then hiring them into promotive PCS positions without conducting a true examination; selection criteria is based on those who are in the exempt training program; internal candidates are not given an opportunity to participate in program; training duration is anywhere from 1-4 years; outside candidates hired into exempt appointments receive higher compensation than internal candidates.	MTA	12/4/2018	Y	MQs require applicants to complete the training program; successful graduates must still apply but MQ is only T&E requirement SE
9	10/4/2018		1		Questioned the status and qualifications of four co-workers at HSA	HSA	12/4/2018	Y	All four employees meet qualifications for their appointments - LM
2	10/9/2018	1		6322	Complaint regarding why the eligible list was amended.	DBI	1/7/2019	N	An eligible list was posted in error, however the list was clerically amended and re-posted. - LM
7	10/10/2018	1			Inquires regarding selection process.	ENV	10/11/2018	Y	Met with employee and discussed rules and process. - LM
2	10/12/2018	1		1950	Passed the examination but never heard back from the department				
9	10/17/2018	1		7249	Eligible list 7249 was extended and wanted to know if rules prohibited the list being extended past a year.	MTA	10/17/2018	Y	Contacted MTA HR who determined list did not need to be extended. - LM

FY 2018-19 Internal Action Log

9	10/22/2018				Can you confirm that there is no seniority with regards to job assignments? The new hires are being assigned to these new clients. In the past an email went out asking senior collectors whether they were interested. Based on our seniority we would be allowed to transfer.		TTX	Seniority as defined under the Civil Service Rules provides for seniority in classifications based on your certification date. That is important for layoff purposes. When you become a permanent civil service employee, you are entitled to the classification and compensation associated with that classification. Not the same position or assignment. The Appointing Officer has the ability to reassign the work of an individual to maintain their operation as long as the work is appropriate for the classification. Reassignment is not covered under the Civil Service Rules.	Y	
9	10/18/2018	1			Can a full time employee on medical leave use vacation credits? What is the approval process?			Contact DHR EEO Leave; vacation is subject to approval, may use sick leave, vacation and comp time when leave is approved by FMLA. MB	10/18/2018	Y
1	10/24/2018	1			Questioned the status of the PEX Exec Secretary I position at Child Support Services and alleges that the recent appointee does not meet the MQ's.	1450	CSS	Redacted - appointee in Class 1404 Clerk will receive acting assignment for Exec Secretary. - LM	11/13/2018	Y
1	10/25/2018	1			Allegation that Redacted was appointed to TEX 2913 at HSA due to the influence of his mother.	2913	HSA	TEX appointee meets the MQ's. His mother is in a Prop F position and does not supervise him. No violation of Rules or policies. - LM	11/21/2018	Y
6	10/26/2018		1		7277 Examination Announcement has incorrect MQs; union not notified; department may have notified old union rep; what is the process of investigation, protest or appeal.	7277	GSA	Proposed and final notices of classification amendments sent to all unions and posted for public by DHR; may protest announcement within 5 days of posting; may appeal to CSC after HRD decision SE	10/26/2018	Y
7	11/1/2018	1			Complainant questions why he was not interviewed and why a candidate with a lower ranking was selected.	5211	PRT	Appointee was rank #1 - there were 8 reachable eligibles; 4 invited to interview. Complainant was not invited to post. referral; however no one is guaranteed an interview. No violations of Rules or policies - LM	2/14/2019	N
9	11/15/2018	1			Protesting the TEX status of the 5212 recruitment at PUC	5212	PUC	PUC is backfilling the position as a category 17 while current incumbent is on LOA. - No violation of Rules or policies. - LM	12/17/2018	Y
7	11/30/2018	1			Dept. requested a referral for 11 vacancies and less than a month later, requested an additional 11 vacancies to be added to the initial referral; instead dept. issued a 2nd referral with a new certification date; eligibles who interviewed for both referrals but selected in the 2nd group were given a later certification date; is this allowed if the department initial requested to add the 2nd group of vacancies to the initial referral?	7318	MTA	DHR would not allow department to add to previous referral; therefore, the department received a new referral and cert date from which the eligible was hired. SE	12/5/2018	Y
6	12/3/2018		1		Inquiry regarding how Rule of Three is applied when there are 15 vacancies		MTA	Explained the process. - LM	12/3/2018	Y
1	12/3/2018	1			Allegation that HSA Exams Manager hires Mexicans over any other ethnicity.		HSA	Review confirms that HSA has conducted selection/recruitment in accordance with Commission Rules and HR policies and procedures. Ethnicity of candidates is not identified during this process. - LM	3/22/2019	N

FY 2018-19 Action Log

1	1/4/2019	1	Allegations that appointments were made although candidates were not on eligible list and do not possess the qualifications for their positions.	1823	JUV	No issues of non compliance of Rules or procedures. - LM	3/1/2019	Y
1	1/4/2019	1	Allegations that appointments were made although candidates were not on eligible list and do not possess the qualifications for their positions.	1823	JUV	No issues of non compliance of Rules or procedures. - LM	3/1/2019	Y
1	1/4/2019	1	Allegations that appointments were made although candidates were not on eligible list and do not possess the qualifications for their positions.	922	JUV	No issues of non compliance of Rules or procedures. - LM	3/1/2019	Y
1	1/4/2019	1	Allegations that appointments were made although candidates were not on eligible list and do not possess the qualifications for their positions.	9772	JUV	No issues of non compliance of Rules or procedures. - LM	3/1/2019	Y
1	1/4/2019	1	Allegations that appointments were made although candidates were not on eligible list and do not possess the qualifications for their positions.	2910	JUV	No issues of non compliance of Rules or procedures. - LM	3/1/2019	Y
1	1/4/2019	1	Allegations that appointment was made without posting the position.	1718	JUV	No issues of non compliance of Rules or procedures. - LM	3/1/2019	Y
1	1/4/2019	1	Allegations that appointments were made although candidates were not on eligible list and do not possess the qualifications for their positions.	1402	JUV	No issues of non compliance of Rules or procedures. - LM	3/1/2019	Y
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1241 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1241	DPH	EA/JB/SE		
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	EA/JB/SE		
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	Meets the MQs and reachable eligible; hired based on experience and 1249 experience EA/JB/SE	2/13/2019	Y
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	EA/JB/SE		
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	Meets the MQs and special condition; reachable eligible; completed competitive selection process EA/JB/SE	2/13/2019	Y
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	Met the MQs; reachable eligible; completed competitive selection process EA/JB/SE	2/13/2019	Y
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	EA/JB/SE		
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	Met the MQs; reachable eligible; completed competitive selection process EA/JB/SE	2/13/2019	Y
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1244 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1244	DPH	Met the MQs; reachable eligible; completed competitive selection process EA/JB/SE	2/13/2019	Y
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a1241 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1241	DPH	EA/JB/SE		

FY 2018-19 Inspection Log

1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a 1241 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1241	DPH	EA/JB/SE	
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a 1241 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1241	DPH	Transfer employee, still waiting for additional information EA/JB/SE	
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a 1241 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1241	DPH	still waiting for additional information EA/JB/SE	
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a 1241 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1241	DPH	EA/JB/SE	
1	1/4/2019	1	DPH circumvented the City's approved hiring practices in 2018 when appointing Redacted to a 1241 position; no candidates were informed of any vacancies in the department and selected an individual who scored low on the eligible list	1241	DPH	EA/JB/SE	
1	1/4/2019	1	Manager has favorites and inappropriately makes exempt appointment to hire their favorites; Redacted	932	DPH	EA/JB/SE	
1	1/4/2019	1	Manager has favorites and inappropriately makes exempt appointment to hire their favorites; Redacted	941	DPH	EA/JB/SE	
1	1/4/2019	1	Manager has favorites and inappropriately makes exempt appointment to hire their favorites; Redacted	1244	DPH	EA/JB/SE	
1	1/4/2019	1	Manager has favorites and inappropriately makes exempt appointment to hire their favorites; Redacted	1244	DPH	EA/JB/SE	2/13/2019
1	1/4/2019	1	Manager has favorites and inappropriately makes exempt appointment to hire their favorites; Redacted	1244	DPH	EA/JB/SE	
1	1/15/2019	1	States DPW violated Rules by hiring for a TEX 7421 without posting the job and conducting civil service procedures.	7421	DPW	Recruitment was for TEX Category 17 - backfill for current 7421 employee on leave. Exempt appointments are excluded from Civil Service selection/appointment process per the Charter. No violation in the appointment. LM	1/17/2019
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	1241	DPH	Met MQs; participated in a competitive selection process; EA/JB/SE	
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	1241	DPH	EA/JB/SE	
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	1244	DPH	Met MQs; still waiting for explanation EA/JB/SE	
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	1244	DPH	Met MQs; still waiting for explanation EA/JB/SE	
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	1406	DPH	EA/JB/SE	

FY 2018-19 Internal Action Log

1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	923	DPH	Met MQs; still waiting for explanation EA/JB/SE		
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	931	DPH	Met the MQs; reachable eligible and completed a competitive selection process EA/JB/SE	2/13/2019	Y
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	931	DPH	Met MQs; still waiting for explanation EA/JB/SE		
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	931	DPH	still waiting for additional information EA/JB/SE		
1	1/18/2019	1	Inappropriately uses Category 17 to hire Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	1244	DPH	still waiting for additional information EA/JB/SE		
1	1/18/2019	1	Inappropriately hired Redacted, not reachable on the eligible list; there is no longer an employee on a leave of absence; TEX should have been released once the person on leave has returned or retired	1241	DPH	EA/JB/SE		
7	1/22/2019	1	Anonymous complainant alleging DPH inappropriately chose not to interview him and selected a candidate not qualified.	1054	DPH	The candidate selected was ranked #1 and meets MQs. There is no requirement that all reachable eligibles are to be interviewed. - LM	1/23/2019	Y
1	1/22/2019	1	Mgrs. has favorites and hired individuals they has previously worked with; talks to managers about hiring her son.		DPH	EA/JB/SE		
9	1/29/2019	1	Provided notification he was released from probation as Senior Clerk, 1406 with the City College District after making complaint of racial discrimination and sexual harassment. Understood this is an office that may want to be notified of potential litigation.	1406	USD	Provided information and resources to explore for any possible internal remedy. This included contacting DHR if he felt discriminated against or contacting his Union if there was ability to file a grievance. if less than 3 qualified EE express interest in the reassignment, the dept may use other means authorized by CSC to fill the position. Maria Lye was a reachable eligible and competed in a fair selection process. JB/SE	2/7/2019	Y
1	2/9/2019	1	Review of the selection process for Maria Lye to Class 2114 Medical Records Technician at DPH	2114	DPH	SE/EA	4/15/2019	N
1	2/11/2019	1	Unqualified candidate was hired due to nepotism	9152	MTA			
7	2/12/2018	1	Dept. selected 5 top finalists for 2nd interview in the post-referral process; then later added 3 more finalists for the 2nd interview. What is the Rule on the post-referral process and can this be biased because the panelists were hoping to interview a favored candidate?		JUV	Only HR sees the names of the reachable eligibles; dept. determines criteria to narrow pool of reachable eligibles before the exam; there are no specific rules on the post-referral selection process except the method must be job-related, merit based, non-discriminatory and compliant with local, state, and federal laws. SE	2/13/2019	Y

FY 2018-19 Inspection Log

6	2/13/2019	1	1	Employee completed 11 or the 12 month probationary period in the underlying class, then promoted in the same series and department and was informed they needed to complete a new 1 year probationary period.	MTA	Rules state that an employee must complete a new probationary period, but the MOU determines duration; Credit for probationary period only applies if the individual is in the same previous class in which the probationary period was completed Rule 417.5.2 SE	2/13/2018	Y
7	2/13/2019	1	1	Individual passed the exam but was not on the eligible list when referred to dept.; dept. is redoing the post-referral process; however, panel is biased; what is the rule on de-identification and the referral process	DPH	Union may request a new panel, but Rules do not require dept. to change the whole panel; individual may file complaint to the dept. and explain how the panel may be biased; may request CSC to investigate. SE	2/13/2018	Y
7	2/13/2019	1	1	Inquiry regarding the selection process for 1043 at the Dept. of Homelessness and Supportive Housing	1043 Hom	Certification Rule - Rule of the List. The dept. conducted the post-referral in accordance with Commission Rules, DHR policies and procedures. LM	4/9/2019	Y
6	2/13/2018	1	1	Union filed grievance on special condition for reassignment position posted in the dept.	HSA	Individuals may appeal special condition on a position when the Exception to the Order of Layoff is posted on the DHR website; CSC has jurisdiction; depending on the MOU language on reassignment, the union may choose to file a grievance, but yes, this is an appealable matter to CSC. SE	2/13/2019	Y
9	2/21/2019	1	1	Inquiry regarding why he was not selected from post referral process for Class 7281.	7281 DPW	Discussed entire exam and post referral selection process. Employee then understood that DPW followed Rules and DHR procedures. - LM	2/21/2019	Y
2	2/21/2019	1	1	Allegation that management provided selected employees the exam test for class 8322 in 2014; and the current selection process for 8318 does not comply with Commission Rules.	8322 JUV	No violations - exams administered accordingly - LM	4/16/2019	Y
7	2/25/2019	1	1	Dept. hiring from an expired list, continuously extending referral to select a favored candidate who was not initially reachable and not using job-related criteria that provides equal opportunity for all applicants when selecting the best qualified candidate	SHF	still waiting for additional information from SHF SE		
2	3/1/2019	1	1	applicants do not meet the electrical and mechanical maintenance and repair of transit equipment; applicants only have electric and repair of automotive experience	7216 MTA	SE/EA		
2	3/6/2019	1	1	Alleges that 3 applicants for the 7319 exam do not meet the MQ's	7319 MTA	As of 3/6/19 MTA was reviewing qualifications of applicants. They determined that there was one applicant who did not possess the MQ's and therefore, was not invited to take the exam. Per protocol, documentation of work experience will be obtained for the individual selected for appointment. - LM	3/7/2019	Y
1	3/11/2019	1	1	Nepotism in the hiring of Redacted	0941 PUC	SE/EA		
4	3/8/2019	1	1	Inquiry regarding decertification and election process	9163 MTA	Discussed ERO provisions and applicable rules - LM	3/8/2019	Y
4	3/11/2019	1	1	Inquiry regarding decertification and election process		Discussed ERO provisions and applicable rules - LM	3/11/2019	Y
1	3/11/2019	1	1	Favoritism in the hiring process by not allowing others to apply for the position and selecting individuals who have no related experience	0931 DPH	SE/EA		

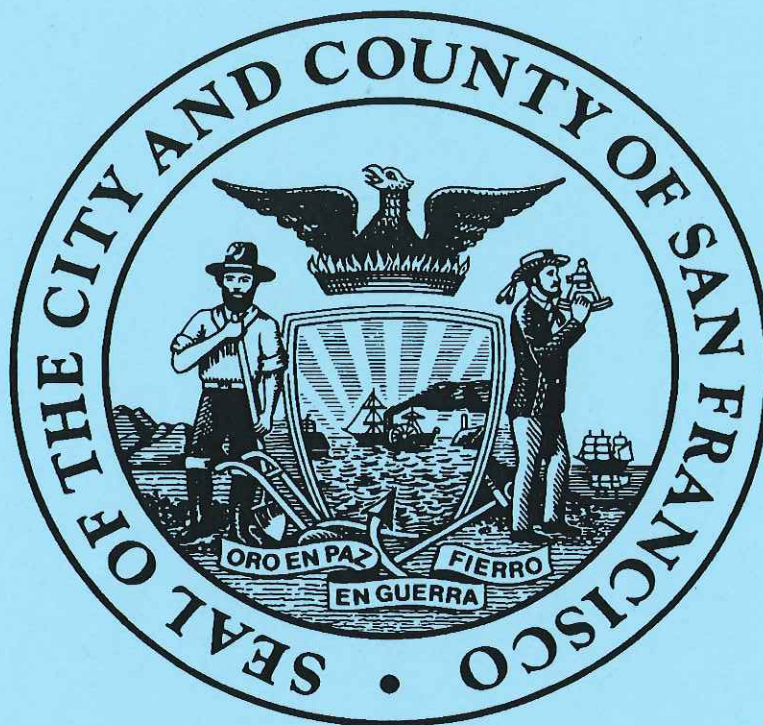
FY 2018-19 Inspection Log

1	4/19/2019	1			Alleges that appointments for SF Civic Tech Engineering positions are not merit based	104X	City	Conducted review of application process and found that detailed information is available on-line - 12 page response provided to complainant explaining the process and procedures and related CSC Rules. - LM	7/15/2019	N
6	4/24/2019	1			Requesting clarification of CSC Rule 118 and additional employment. SEIU says the Rule suggests only for full-time employees.		DHR	All employees who have additional outside employment should complete the form to show there is no conflict of interest with the work they are performing for the City.	4/25/2019	Y
9	5/3/2019	1			Allegation that Redacted has exceeded duration of exempt appointment and does not meet qualifications for her position.	5504	MTA	Exempt appointments do not exceed duration/MTA assessed her as qualified. - LM	6/17/2019	Y
2	5/9/2019	1			Do employees in Acting Assignments have an advantage in the examination? Managers continuously praised the employee on their performance. Is there any way a department can appoint someone to a PCS position without an examination?		DPH	Unless there is a holdover, reappointment, reinstatement or transfer, individuals must successfully complete a competitive examination process and be a reachable eligible to be considered for appointment to a PCS position. SE	5/8/2019	Y
9	5/16/2019	1			Disputes DPH's decision that he does not meet qualifications for position	O931	DPH	Applicant was not qualified - LM	6/14/2019	Y
9	5/17/2019	1			anonymous allegation that the selection of Redacted was due to favoritism and in violation of the policy on Family and Romaic Relationships in the Workplace.	2913	HSA	No violation of policies or procedures. Candidate selected was reachable. - LM	6/17/2019	Y
6	5/20/2019	1			What is the timeframe that an employee can appeal an unsatisfactory services-resignation and future employment restrictions?		DPH	If the MOU provides grievance procedures for unsatisfactory services, then the employee has 20 days to appeal only the future employment restrictions to CSC. SE	5/20/2019	Y
9	5/21/2019	1			Various inquiries regarding MQs and selection process		PUC	Provided detailed information regarding the application, recruitment and selection process. LM/EA	5/21/2019	Y
6	5/31/2019	1			The husband of an employee's cousin or second cousin did not disclose their relationship. The Director believes the "Related Persons" under the Family Relationship Policy does not capture relations by spouse and asked for my thoughts.		ADM	The policy does cover relationships such as cousins and it should apply here too. It does not mean the person cannot be hired, but now there must be a plan to remove any perception of favoritism or nepotism. It is a given that the relative should not have been part of the hiring process. Other policies already prohibit it.	5/31/2019	Y
9	5/31/2019	1			DPH received a Sunshine Request from an applicant requesting email correspondence related to a Civil Service examination for an Accounting Manager position.		DPH	Although email correspondence is discoverable, confidential information can be redacted but it is best to consult with counsel regarding what should be redacted.	5/31/2019	Y
6	6/10/2019	1			If an employee transferred to a new department and now wants to return back to the previous department, is there still a probationary period?		PUC	If the employee completed their probationary period in the department and is reinstated to the same classification and department, there is no new probationary period. Rule 114.8.3 SE	6/10/2019	Y
1	6/12/2019	1			Allegation that appointments for Class 9139 are in violation of CSC Rules.	9139	MTA	6 TEX appointments made in May - no violation of Rules. Exempt appointments excluded from civil service selection process.LM	6/17/2019	Y

FY 2018-19 Intervention Log

6	6/12/2019	1			I'm looking for clarity on some of the language about exhausting ranks.		POL	On a citywide referral you can't skip a rank and reach an alternate if you have only one (1) position and still three ranks to choose from.	6/19/2019	Y
9	6/13/2019	1			MTA rescinded his resignation services unsatisfactory in 2017 but did not update PeopleSoft system. if a PCS employee (EE) requests to transfer in the same class to a different department would the EE have rights to revert back to the previous department.	9163	MTA	James Cerenio worked on amending the PeopleSoft system to correct the records. No. This would be considered a lateral transfer. If the EE wishes to return to the previous department, the EE may request to <u>reinst</u> ate but would need the approval from both the current and former appointing officer. Also, there would have to be a vacant position. Reversion applies when a PCS EE promotes and is then released (non-disciplinary) from probation. Subject to the approval of the HR Director, this EE can revert back to their previous class in which they passed probation. JB	6/13/2019	Y
6	6/13/2019	1			There are differing opinions on whether an employee who is placed in a new position through the Reasonable Accommodation job search pursuant to Civil Service Rule 115) serve a new probationary period when they are placed in the same classification and within the same City department.		CON		6/13/2019	Y
6	6/14/2019	1					DPH	In the same classification and same department the answer is "no". They do not service a new probationary period.	6/14/2019	Y
6	6/18/2019	1			If I accept a PCS position and I am released from probation or I choose to return to my previous PCS position, what rights or options do I have?		SHF	Reversion rights (117.9.3); Reinstatement (114.8); Reappointment (114.11) SE	6/18/2019	Y
9	6/21/2019	1			Unfair ranking for shift, vacation, and floating holiday bidding; department is not using seniority ranking		MTA	Scheduling bidding is under the jurisdiction of the department and the union; the MOU may refer to civil service seniority date (certification date), department seniority date or start work date. SE	6/21/2019	Y
9	6/25/2019	1			Lead position removed without advance notification; intimidated and difficult to work with non-City manager, HR referred her back to non-City manager	3302	FAM	Referred to union and human resources manager, explained EEO process; followed up with HR manager. SE	7/17/2019	Y
6	6/26/2019	1			Can a department post future employment restrictions after the employee is separated?		DPH	The department must notify the former employee of the recommended future employment restrictions and inform them of the right to appeal to CSC within 20 calendar days of the notification/ mailing date. SE	6/27/2019	Y

CIVIL SERVICE COMMISSION



MERIT SYSTEM
AUDIT PROGRAM

FISCAL YEAR
2018-2019

Prepared by:

Luz Morganti

Luz Morganti
Senior Human Resources Analyst
Civil Service Commission



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INTRODUCTION

The role of the Civil Service Commission is to oversee and protect the civil service merit system for the City and County of San Francisco.

The Civil Service Commission is authorized by Charter (Article X Section 10.101. General Powers and Duties) to establish rules, policies and procedures to carry out the merit system provisions of the Charter. The Commission provides oversight and hears appeals on examinations, eligible lists, minimum qualifications, classification, discrimination complaints, future employment restrictions with the City and other merit system matters.

In its effort to ensure compliance of the civil service merit system, the Commission delineates responsibilities and goals to the Civil Service Commission Department Staff for the purposes of coordinating/conducting open dialog and discussion on the merits of existing rules, policies and procedures; make recommendations for change; and, where departmental staff, employee organizations, employees, applicants and members of the public can obtain consistent, fair and concise information on the merit system, the jurisdiction of the Civil Service Commission, and the application of its Rules, policies and procedures.

COMPLIANCE REVIEW AND TECHNICAL ASSISTANCE

Charter Section 10.101 states, "The Commission shall have the power to inquire into the operation of the civil service merit system to ensure compliance with merit principles and rules established by the Commission." The Civil Service Commission at its meeting on October 16, 2006 gave general directions for the Civil Service Commission staff to conduct audits in order to determine if City and County departments are adhering to Federal and California State Law as well as compliance with existing Civil Service Commission Rules, policies and procedures.

Under its Charter Authority, the Civil Service Commission staff conducts an annual Audit Program. The purpose of the Audit Program is to ensure compliance with merit system Rules, policies and procedures established by the Civil Service Commission through the investigation of the conduct or actions of appointees in all positions.

MERIT SYSTEM AUDIT PROGRAM GOALS & OBJECTIVES

The Merit System Audit Program was designed to assess compliance of Civil Service Commission Rules, policies and procedures utilized by City and County departments. Commission audit reviews may include, but are not limited to auditing departmental records, determining compliance with departmental and merit system practices and interviewing and applying relevant merit system Rules, policies and procedures. When an audit/review is conducted and completed, Civil Service Commission staff prepares a written report outlining the subject matter of the audit, an analysis and summary of the findings, and if identified to be applicable, recommendations regarding areas requiring corrective action will be noted. The results and/or recommendation of an audit review could also include scheduling the matter for Civil Service Commission consideration and action if necessary or appropriate.

In summary:

- The audit is a mechanism utilized to assist departments in reviewing their internal procedures regarding the compliance of Civil Service Commission Rules, policies and/or procedures.
- The audit review provides an assessment as to whether there is compliance of required documentation and/or records, and recommends changes that may be needed to meet compliance standards.

**FISCAL YEAR 2018-19
AUDIT OBJECTIVES**

All candidates selected for permanent civil service, provisional and exempt appointments must meet the minimum qualifications for the jobs to which they are appointed. It is the City's policy that employment verifications for all applicants be completed by departmental Human Resources professionals prior to an offer of employment with the City and County of San Francisco. This means that prior to extending an employment offer, or processing a candidate's appointment, hiring departments are required to verify information provided by the applicant regarding their qualifying experience and education. Throughout this fiscal year, the Commission received numerous complaints alleging that appointees did not meet the required qualifications for the position to which they were appointed. The Commission also received complaints by individuals questioning the justifications for exempting certain positions under Charter Section 10.104 and 10.105; and complaints regarding the administration of examinations.

Therefore, this fiscal year the Commission focused on reviewing the following selection and appointment practices for nine recruitments conducted by the San Francisco Municipal Transportation Agency (MTA) in order to assess the agency's compliance with applicable Charter provisions, Commission Rules, and merit system policies and procedures:

1. Departmental practices with respect to the verification and documentation of minimum qualifications for individuals appointed to Permanent Civil Service (PCS), or Exempt positions;
2. Departments' justifications for exempting positions from civil service appointment, selection and removal procedures in accordance with Charter Section 10.104; and
3. Exam administration and/or the Post-Referral Selection process for Permanent Civil Service appointments.

The position recruitments listed below were selected for the Fiscal Year 2018-19 Merit System Audit Program.

Classification	Job Type	Nature of Complaint
1241 Human Resources Analyst	PCS	Favoritism/Appointee not Qualified
5504 Project Manager II	PEX	Exceeds 3 Years Charter Duration/Appointee not Qualified
7366 Transit Power Line Worker	PCS	Administration of Exam and Post-Referral Process
7366 Transit Power Line Worker	PCS	Administration of Exam/Appointees not Qualified
7540 Track Maintenance Worker	PCS	Fraudulent Work Experience Verification
8121 Transit Fare Inspector Supervisor	PCS	Inconsistent Exam Administration
8121 Transit Fare Inspector Supervisor	PCS	Unfair Post-Referral Selection Process
9174 Manager IV	PEX	Unfair Selection Process
9180 Manager VI	PEX	Unfair Selection Process

STANDARDS

SELECTION AND QUALIFICATIONS OF APPLICANTS

Commission Rule 410.9 Qualifications of Applicants states in part,

“Every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination. Experience gained in violation of Commission Rules shall not be recognized. City and County employees in Service-Critical classes at the Municipal Transportation Agency shall receive credit only for the duties of the class to which appointed or assigned unless sufficient and credible documentation is provided to verify performance of other duties.

Employees in Service-Critical classes at the Municipal Transportation Agency may receive credit for duties not usually performed by incumbents in a Service-Critical class if their employee file contains contemporaneous documentation that the duties were assigned and performed. By way of example but not limitation, records that describe and verify the out-of-class assignment that may be accepted as documentation include a valid performance appraisal completed during the normal evaluation period, payroll records filed at the time of the assignment and Notice of Assignment. Credit for duties in Service-Critical classes at the Municipal Transportation Agency not usually performed by incumbents in a class based on non-contemporaneous documentation shall require the certification of the Municipal Transportation Agency Deputy Director, Labor Relations and Human Resources, and the approval of the Director of Transportation.

Commission Rule 413 Certification of Eligibles Section 413.1.2 states in part,

“Selection of employees from eligible list shall be based on merit and fitness without regard to relationship, race, religion, gender, national origin, ethnicity, age disability or other non-merit factors or otherwise prohibited nepotism or favoritism.”

Commission Policy and Procedures on Exempt Appointments states in part,

“Exempt appointees must possess the minimum requirements for their class or position as established by the last examination announcement or class specification, whichever was issued most recently with a statement of the minimum qualifications. The department must verify and document that the individual meets the minimum qualifications for his or her exempt position in accordance with the Department of Human Resources’ policies and procedures; such documentation must be maintained in the employee’s personnel file in accordance with the Commission’s “Citywide Employee Personnel Records Guidelines.”

Department of Human Resources Memorandum No. 08-2010 – Verification of Employment History Information and Access to Employment Records in PeopleSoft

This memorandum outlines procedures and policies regarding obtaining employment history and reference checks for current and past City employees prior to making a job offer. It states in part, “It is the City’s policy that employment verifications for all applicants be completed by departmental Human Resources professionals prior to an offer of employment with the City and County of San Francisco. It is particularly important that departmental Human Resources

professionals review and verify employment history information for current and past City employees who are under consideration for appointment to a City position (e.g., promotion, transfer, "Prop F" hire, etc.). To facilitate that review, departmental Human Resources professionals now have access to the PeopleSoft system for purposes of employment verification prior to employment."

Department of Human Resources Policy on Verifying Possession of Minimum Qualifications (in-service conducted at HR Professional meeting on 8/19/2009)

"All candidates selected for permanent civil service, provisional and exempt appointments must meet the minimum qualifications for the jobs to which they are appointed at the time of the deadline published on the announcement. *Prior to extending an employment offer, hiring departments shall verify information provided by the applicant regarding their qualifying experience.*"

The policy provides specific instructions on "how" and "when" to verify an applicant's qualifications:

- When an applicant's qualifying experience was obtained through employment with the City and County of San Francisco the verification should be performed by the Department Personnel Officer or designee, who will check available PeopleSoft records. Credit for experience obtained outside of the employee's class will only be allowed if it was recorded and placed in the personnel file at the time the assignment was made. Qualifying experience of City and County employees should be verified prior to the examination. City and County experience should be verified by the recruiting analyst at the time of application.
- In order to verify work experience earned outside of City and County of San Francisco employment, the hiring authority must contact the candidate's current and/or former employers to confirm dates of service, job titles(s) and duties performed. *A record of this contact must be made.* If this verification information cannot be obtained, the hiring authority shall keep a written record of the due diligence efforts that were made. The hiring authority must seek verification from a candidate's current and/or former employers prior to making an employment offer. Verification may be solicited at the time of reference checks.

Civil Service Commission Policy and Procedures

Post-Referral Selection Process Requirements

An appointing officer is afforded a great deal of discretion and authority in both determining the appropriate non-discriminatory and merit-based method to screen eligibles who have expressed interest in a position, as well as ultimately selecting the candidate that he or she believes is best suited to perform the duties of the specific position to be filled based on that screening process.

The appointing officer has the discretion to determine the appropriate screening and selection processes, provided that they are: 1) merit-based; 2) job-related; 3) non-discriminatory; and 4) documented. Merit-based screening and selection criteria *may* include, for example, any one or more of the following: performance on the examination; responses to job-related panel interview questions; performance assessments; reviews of examination application materials and/or written

supplemental submissions (e.g., to determine the possession of desirable qualifications as posted on the examination announcement); work performance; disciplinary history; reference checks; etc.

SFMTA Hiring Procedures for All Appointments, Including Exempt, Provisional and Permanent states in part;

Policy

It is the policy of the SFMTA to provide equal employment opportunity. Consistent with that policy, the SFMTA Equal Opportunity Office (EO Office) shall review and approve all hiring to ensure that all applicants for employment are treated fairly in the selection process.

Procedure

Hiring shall be done in a two-step process.

1. Selecting Candidates: The first step will consist of screening applications or reviewing eligibility list rules to identify who will be selected for interviews.
2. Conducting Interviews: The second step of the hiring process shall be an interview conducted by a panel of experts.

At the conclusion of the interviews, the hiring manager shall forward a copy of the score sheets and a summary of the selection process to the EO Office.

EXEMPTING POSITIONS FROM CIVIL SERVICE APPOINTMENT

Commission Rule 414 Appointments Article V Exempt Appointment Section 414.18 Exclusions from Civil Service Appointment states:

All permanent employees of the City and County shall be appointed through the civil service process by competitive examination unless exempted from civil service examination and selection process in accordance with Charter provisions. Appointments excluded by Charter from the competitive civil service examination and selection process shall be known as exempt appointments. Any person occupying a position under exempt appointment shall not be subject to civil service selection, appointment, and removal procedures and shall serve at the pleasure of the appointing officer.

MTA - Exempt Appointments

The Director of Transportation is responsible for ensuring that any MTA "service-critical" exempt appointment under Charter Sections 10.104 (Groups I through III) or 8A.104 (Group IV) complies with the Charter and any applicable Civil Service Rules and/or Commission policies as detailed herein. Decisions by the Director of Transportation on exempt appointments may be appealed to the Commission in accordance with the Civil Service Rules. The Commission's decisions on such appeals are final.

Charter Section 10.104 Exclusions From Civil Service Appointment states in part,

All employees of the City and County shall be appointed through competitive examination unless exempted by this Charter. The following positions shall be exempt from competitive civil service selection, appointment and removal procedures, and the person serving in the position shall serve at the pleasure of the appointing authority.

CONFLICT OF INTEREST

City and County of San Francisco Civil Service Commission Policy Regarding Family and Romantic Relationships at Work (Adopted by the Civil Service Commission on February 6, 2017)

I. Purpose

The City and County of San Francisco (City) Civil Service Commission is committed to maintaining a professional work environment free of conflicts of interest, nepotism, and favoritism. A workplace where employees maintain clear boundaries between family, personal, and work relationships leads to an environment that:

- Is fair, equitable, and safe;
- Promotes high employee morale; and
- Ensures trust in the City’s merit-based employment system.

With over 30,000 employees, it is not surprising that members of the same family and people in romantic relationships may work for the City. In general, these relationships do not pose workplace problems. The purpose of this policy is to explain when family and romantic relationships may cause problems, or the appearance of problems, related to nepotism, favoritism, or conflicts of interest at work. This policy also establishes standards and disclosure requirements to prevent those problems from occurring.

Nepotism occurs when family members favor other family members in employment decisions. Nepotism does not align with the City’s policy and practice of making employment decisions based solely on City needs, merit-based processes, and individual qualifications, skills, knowledge, abilities, and performance.

Romantic relationships between supervisors and subordinate employees may raise issues of conflict of interest, abuse of authority, or favoritism. These relationships also have the potential to adversely impact other employees. Moreover, the real or perceived power imbalance that may exist between a supervisor and a subordinate may raise questions about mutual consent. People in both family and romantic relationships are referred to as “related persons” solely for purposes of this policy.

SUMMARY ANALYSIS OF AUDIT FINDINGS

MINIMUM QUALIFICATIONS OF APPOINTEES

Minimum qualifications (MQs) as listed on the job/examination announcement are formal statements describing what is required for individuals to have in order to compete further in the employee selection process. They are descriptions of the education, training, work experience, licenses, certifications, etc., that one must have to possess the competencies needed to perform a job at entry. Applicants who do not meet the stated MQs are eliminated from the selection process. Screening applications on the basis of MQs is considered a selection procedure that is covered by the Federal Uniform Guidelines on Employee Selection Procedures. To successfully withstand Title VII lawsuits that allege discrimination or other illegal hiring practices, any MQ that is used to screen applicants must be job-related and consistent with business necessity. Generally, the minimum qualifications for the tested position will remain the same as the minimum qualifications that are stated in the class specification.

Verification as Part of the Application Process

Applicants may be required to submit verification of qualifying education and experience, at any point in the application, examination or departmental selection processes. All documents related to verification of minimum qualifications are required to be obtained prior to the appointment date of the candidate and are to be in the Official Employee Personnel File (OEPF) exhibiting compliance of procedures and policies. This refers to all candidates selected for permanent civil service, provisional or exempt appointments.

In general, there are a number of documents that can be requested and used to assess employment verification of experience:

- Transcripts, licenses or certifications
- Standard letters (on letterhead) from employers
- Performance evaluations that describe duties performed
- DHR Employment Verification form
- PeopleSoft records or appointment processing form
- W2 form
- Income tax returns
- Paycheck stubs

Findings

All of the appointees reviewed for this audit were deemed by their respective department appointing officers or designees to have met the minimum qualifications for the position to which they were appointed. However, Commission staff requested and reviewed the documentation of each candidate/appointee for each of these inspection reviews and identified one exempt appointee that was incorrectly assessed as qualified. MTA Human Resources staff was requested to re-verify qualifications of the appointee and to take applicable corrective action if required. There was one applicant that submitted an inadequate/incomplete letter of work experience-verification. HR staff accepted this document without questioning the validity of the document and its incompleteness. It was recommended by Commission staff that HR staff review their selection and verification process

to ensure that required documents are valid and provide sufficient information to assess and determine that a candidate meets the required qualifications for the position appointment. The Department of Human Resources policy requires that all documents related to verification of minimum qualifications are to be obtained prior to the appointment date of the candidate and are to be in the OEPF exhibiting compliance of procedures and policies. This applies to all candidates selected for permanent civil service, provisional or exempt appointments.

EXEMPT APPOINTMENTS

In accordance with its Charter authority, the Commission has adopted Rules and policies that allow the Director of Transportation (for "service-critical" positions at the Municipal Transportation Agency ("MTA")) to approve exempt positions in Group III, subject to appeal to the Civil Service Commission.

Findings

The Exempt Request Justification Forms were audited for presence and completeness. This audit included three (3) recruitments for Permanent Exempt status positions. The Exempt Justification forms were provided for each appointment and the reasons for exemption met the criteria of the Charter. One of the appointees was not correctly assessed as qualified as referenced previously in the section "Minimum Qualifications of Appointees".

CONFLICT OF INTEREST - FINDINGS

One review/complaint cited favoritism as a basis for the hiring of a selected candidate. The review found the selection process was in accordance with Charter, Commission Rules, policies and procedures. There was no merit to the allegations. The City and County of San Francisco (City) Civil Service Commission is committed to maintaining a professional work environment free of conflicts of interest, nepotism, and favoritism.

EXAMINATION ADMINISTRATION - FINDINGS

Two reviews/complaints cited allegations that the administration of examinations for two (2) recruitments was unfair and inconsistent. The findings of these reviews confirmed that there was no merit to the allegations and that the examinations were administered in a fair and consistent manner.

SELECTION/POST-REFERRAL PROCESS - FINDINGS

Four (4) reviews focused on the selection/post-referral process. There were no findings of non-compliance of the Charter, Commission Rules or policies and procedures. Two of the recruitments were for Permanent Exempt status appointments which are not subject to civil service selection procedures.

OVERALL SUMMARY

This year's audit illustrates how the Merit System Audit Program is indeed a constructive mechanism utilized to assist departments in reviewing their internal procedures regarding the compliance of Civil Service Commission Rules, policies and Department of Human Resources procedures.