



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

JACQUELINE P. MINOR  
COMMISSIONER

SANDRA ENG  
ACTING EXECUTIVE OFFICER

## AGENDA Regular Meeting December 16, 2019

2:00 p.m.  
ROOM 400, CITY HALL  
1 Dr. Carlton B. Goodlett Place

A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (415) 252-3247 and confirmed in writing or by fax at (415) 252-3260.

### ***PUBLIC NOTICE:***

*The Commission will hold its holiday luncheon on Monday, December 16, 2019 at 11:30 a.m. at aMano (located at 450 Hayes Street). No Commission business will be discussed or actions taken. Members of the public may attend solely to hear and observe the luncheon.*

CALL TO ORDER & ROLL CALL

REQUEST TO SPEAK ON ANY MATTER WITHIN THE  
JURISDICTION OF THE CIVIL SERVICE COMMISSION BUT NOT  
APPEARING ON TODAY'S AGENDA

APPROVAL OF MINUTES

ANNOUNCEMENTS

HUMAN RESOURCES DIRECTOR'S REPORT

EXECUTIVE OFFICER'S REPORT

RATIFICATION AGENDA

CONSENT AGENDA

REGULAR AGENDA

SEPARATIONS AGENDA

COMMISSIONERS' ANNOUNCEMENTS/REQUESTS

ADJOURNMENT

**NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES****A. Commission Office**

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (415) 252-3247. The fax number is (415) 252-3260. The email address is [civilservice@sfgov.org](mailto:civilservice@sfgov.org) and the web address is [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/). Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

**B. Policy Requiring Written Reports**

It is the policy of the Civil Service Commission that except for appeals filed under Civil Service Commission Rule 111A Position-Based Testing, all items appearing on its agenda be supported by a written report prepared by Commission or departmental staff. All documents referred to in any Agenda Document are posted adjacent to the Agenda, or if more than one (1) page in length, available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

**C. Policy on Written Submissions by Appellants**

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4<sup>th</sup>) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original and nine (9) copies on 8 1/2-inch X 11-inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

**D. Policy on Materials being Considered by the Commission**

Copies of all staff reports and materials being considered by the Civil Service Commission are available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService), and in its office located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If any materials related to an item on this agenda have been distributed to the Civil Service Commission after distribution of the agenda packet, those materials will be available for public inspection at the Civil Service Commission's during normal office hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

**E. Policy and Procedure for Hearings to be Scheduled after 5:00 p.m. and Requests for Postponement**

A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (415) 252-3247 and confirmed in writing or by fax at (415) 252-3260.

A request for a postponement (continuance) to delay an item to another meeting may be directed to the Commission Executive Officer by telephone or in writing. Before acting, the Executive Officer may refer certain requests to another City official for recommendation. Telephone requests must be confirmed in writing prior to the meeting. Immediately following the "Announcement of Changes" portion of the agenda at the beginning of the meeting, the Commission will consider a request for a postponement that has been previously denied. Appeals filed under Civil Service Commission Rule 111A Position-Based Testing shall be considered on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources.

**F. Policy and Procedure on Hearing Items Out of Order**

Requests to hear items out of order are to be directed to the Commission President at the beginning of the agenda. The President will rule on each request. Such requests may be granted with mutual agreement among the affected parties.

**G. Procedure for Commission Hearings**

All Commission hearings on disputed matters shall conform to the following procedures: The Commission reserves the right to question each party during its presentation and, in its discretion, to modify any time allocations and requirements.

If a matter is severed from the *Consent Agenda* or the *Ratification Agenda*, presentation by the opponent will be for a maximum time limit of five (5) minutes and response by the departmental representative for a maximum time limit of five (5) minutes. Requests by the public to sever items from the [*Consent Agenda* or] *Ratification Agenda* must be provided with justification for the record.

For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

For items on the *Separations Agenda*, presentation by the department followed by the employee or employee's representative shall be for a maximum time limit of ten (10) minutes for each party unless extended by the Commission.

Each presentation shall conform to the following:

1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

The Commission may allocate five (5) minutes for each side to rebut evidence presented by the other side.

**H. Policy on Audio Recording of Commission Meetings**

As provided in the San Francisco Sunshine Ordinance, all Commission meetings are audio recorded in digital form. These audio recordings of open sessions are available starting on the day after the Commission meeting on the Civil Service Commission website at [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/).

**I. Speaking before the Civil Service Commission**

Speaker cards are not required. The Commission will take public comment on all items appearing on the agenda at the time the item is heard. The Commission will take public comment on matters not on the Agenda, but within the jurisdiction of the Commission during the "Requests to Speak" portion of the regular meeting. Maximum time will be three (3) minutes. A subsequent comment after the three (3) minute period is limited to one (1) minute. The timer shall be in operation during public comment. Upon any specific request by a Commissioner, time may be extended.

**J. Public Comment and Due Process**

During general public comment, members of the public sometimes wish to address the Civil Service Commission regarding matters that may come before the Commission in its capacity as an adjudicative body. The Commission does not restrict this use of general public comment. To protect the due process rights of parties to its adjudicative proceedings, however, the Commission will not consider, in connection with any adjudicative proceeding, statements made during general public comment. If members of the public have information that they believe to be relevant to a matter that will come before the Commission in its adjudicative capacity, they may wish to address the Commission during the public comment portion of that adjudicative proceeding. The Commission will not consider public comment in connection with an adjudicative proceeding without providing the parties an opportunity to respond.

**K. Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings**

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

**Information on Disability Access**

The Civil Service Commission normally meets in Room 400 (Fourth Floor) City Hall, 1 Dr. Carlton B. Goodlett Place. However, meetings not held in this room are conducted in the Civic Center area. City Hall is wheelchair accessible. The closest accessible BART station is the Civic Center, located 2 ½ blocks from City Hall. Accessible MUNI lines serving City Hall are 47 Van Ness Avenue, 9 San Bruno and 71 Haight/Noriega, as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call (415) 923-6142. Accessible curbside parking has been designated at points in the vicinity of City Hall adjacent to Grove Street and Van Ness Avenue.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our ADA coordinator at (415) 252-3254 or (415) 252-3247 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

**Know your Rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, or to obtain a free copy of the Sunshine Ordinance, contact Victor Young, Administrator of the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689 at (415) 554-7724, by fax: (415) 554-7854, by e-mail: [sotf@sfgov.org](mailto:sotf@sfgov.org), or on the City's website at [www.sfgov.org/bdsupvrs/sunshine](http://www.sfgov.org/bdsupvrs/sunshine).

**San Francisco Lobbyist Ordinance**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3112 and web site <http://www.sfgov.org/ethics/>.

City and County of San Francisco  
Civil Service Commission

Agenda for Regular Meeting  
December 16, 2019  
2:00 p.m.

**ITEM NO.**

**(1) CALL TO ORDER AND ROLL CALL**

President Elizabeth Salveson  
Vice President Kate Favetti  
Commissioner Douglas S. Chan  
Commissioner F. X. Crowley  
Commissioner Jacqueline P. Minor

**(2) REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF  
THE CIVIL SERVICE COMMISSION BUT NOT APPEARING ON TODAY'S  
AGENDA**

**(3) APPROVAL OF MINUTES - Action Item**

Regular Meeting of December 2, 2019

**Recommendation:** Adopt the minutes.

**(4) ANNOUNCEMENTS**

Announcement of changes to the agenda.

Other announcements.

**(5) HUMAN RESOURCES DIRECTOR'S REPORT**

**(6) EXECUTIVE OFFICER'S REPORT**

**RATIFICATION AGENDA**

All matters on the Ratification Agenda are considered by the Civil Service Commission to be non-contested and will be acted upon by a single vote of the Commission. There will be no separate discussion on these items unless a request is made; in which event, the matter shall be removed from the Ratification Agenda and considered as a separate item. Each individual addressing the Commission will be limited to a maximum time limit of five minutes for all items severed from the Ratification Agenda.

**(7) Review of Request for Approval of Proposed Personal Services Contracts.  
(File No. 315-19-8) – Action Item**

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
44506-19/20	Human Services	\$950,000	<p>The Contractor shall provide the following parallel services during the term of this contract: A) SafeMeasures B) Structured Decision Making; C) Ad Hoc Analytics; and D) On-Site training and coaching to FCS staff, supervisors and managers.</p> <p>A. SafeMeasures: The California Department of Social Services provides the Contractor with bi-weekly extracts from the statewide child welfare database. The Contractor conducts an analysis to display the data in tables that are related to the Division 31 Requirements that regulate child welfare operations. The Contractor organizes the data into a user-friendly, point-and-click format that allows managers, supervisors, and child welfare workers to view data by program, by office site, by unit, and by individual. The Contractor is one of two entities who has access to the state's database. SafeMeasures is a tool that supports measurement of both processes and outcomes.</p> <p>B. Structured Decision-Making: The FCS program utilizes an actuarial-based safety assessment tool, Structured Decision-Making (SDM) to improve its understanding of child risk and to improve case decision-making. The Contractor manages the data generated by these assessments and produces an annual management report, which compiles information from child welfare assessments. SDM is a logic tool based on probabilities, statistics, and research on outcomes.</p> <p>C. Ad Hoc Analytics: Using data extracts from SafeMeasures and the Structured Decision-Making tools, the Contractor will provide, on a monthly basis or as requested, ongoing reports related to various outcome measures as identified in the Family and Children Services (FCS) System Improvement Plan, including disproportionality, differential response, standardize assessments, and permanency. The Contractor will also provide comprehensive quarterly reports that include information related to foster care placement patterns, with particular focus on racial disproportion, distance of placement from home, adolescents in placement and length of time in care, children in institutional care, and placements moves.</p> <p>D. On-Site training and coaching to FCS staff, supervisors and managers: The Contractor will provide Safety Organized Practice (SOP) to Domestic Violence (DV) training and coaching for Protective Services Worker, coaches and Protective Service Supervisors. The Contractor will also provide management training for leadership development and implementation of the tools. The training will be conducted in connection with the SDM tool, to teach staff how to apply the material in the evidence-based decision making tool regarding domestic violence and moving it through SOP.</p>	Regular	6/30/2020

**Civil Service Commission Meeting Agenda**

**Regular Meeting of December 16, 2019**

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
44596-19/20	Public Utilities Commission	\$14,000,000	The proposed work is tunnel and geotechnical engineering design, and engineering support during construction for SFPUC's Kansas and Marin Streets Sewer Improvements Project. This project is proposing an 8-foot diameter tunnel (starting from the intersection of Kansas and Marin Streets, and running approximately 900-feet west towards Lot 31, which is within City Property), launching and receiving shafts, junction structures, and all related site investigation work (i.e. geotechnical and hazardous material). The primary purpose of the project is to increase hydraulic conveyance to alleviate flooding for a susceptible portion of the City.	Regular	2/28/2022
45106-19/20	Public Utilities Commission	\$4,000,000	Project Pull is a summer internship program established to provide professional guidance in a work experience setting within the City Agencies to motivate students to continue their education so they may seek employment opportunities in the public service sector or other highly disciplined career fields. Students selected from the program demonstrate an ability and interest in professional careers such as architecture, business, engineering, science, finance, IT and communication/marketing. Consultant will manage the program and advance funds for all students interns' and team leaders' salaries and programs enrichment activities.	Regular	2/29/2024
47472-19/20	City Administrator	\$500,000	The City is seeking Consultants with proven expertise and experience in one or more multiple facets of earthquake hazard mitigation incorporated in, or necessary to accomplish the Community Action Plan for Seismic Safety (CAPSS)/Earthquake Safety Implementation Program (ESIP) and Tall Buildings Safety Strategy work plan. Tasks may have a particular focus on development of a non-ductile concrete and/or steel building retrofit program and associated standards, including initiating studies, performing analysis, developing standards, making policy recommendations, and assisting as needed in seismic engineering consulting to guide the development of a non-ductile concrete and/or steel building retrofit program and associated standards.	Regular	6/30/2023
45183-19/20	Human Resources	\$150,000	Provide valid test exam materials. Contractor will score candidate responses to the text.	Regular	6/30/2023
46550-17/18	Treasurer/Tax Collector	Current Approved Amount \$850,000 Increase Amount Requested \$1,500,000 New Total Amount Requested \$2,350,000	Perform supplemental collection services on delinquent business and medical accounts referred by various city departments; also perform credit reporting, skip tracing, and negotiation of payment plans. Contractor shall receive a maximum of 25% of collected funds as a commission fee. The amount of commission fees for medical debt collections will not exceed 250K. The remaining 600K for delinquent business accounts would not be an expense to the City, but instead a commission fee based on the collected funds.	Modification	01/01/2024
41338-13/14	Public Health	Current Approved Amount \$25,600,000 Increase Amount Requested \$28,800,000 New Total Amount Requested \$54,400,000	Services will include Third Party Pharmacy Adjudication (TPA) of claims and 340B Drug Pricing Program services for the Department of Public Health's (DPH's) integrated service delivery division, the San Francisco Health Network (SFHN). The SFHN provides health care services to San Francisco residents who are not eligible for and/or do not have third party coverage for outpatient medication such as Medi-Cal or private insurance, including members of the San Francisco Health Plan (SFHP). TPA services will include verifying patient and provider eligibility status and adjudicate online claims 24/7. The 340B Drug Pricing Program requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices. 340B Program services will include inventory management, outpatient prescription claims adjudication services, and 340B contract pharmacy network management.	Modification	6/30/2026

Civil Service Commission Meeting Agenda

Regular Meeting of December 16, 2019

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
48070-13/14	Public Health	Current Approved Amount \$18,504,869 Increase Amount Requested \$19,000,000 New Total Amount Requested \$37,504,869	Contractor will utilize its legal staff to provide representation directly to clients to maximize client income in order to stabilize client living situations and provide client access to healthcare. The Department of Public Health (DPH) provides these advocacy services in administrative hearings and related legal processes in collaboration with the Human Services Agency (HSA) and other service providers, as these agencies are often serving the same clients, and among these partners, DPH Behavioral Health Services (BHS) contributes its clear experience and expertise in serving clients with behavioral health and HIV/AIDS diagnoses. Clients will be received primarily from referrals from HSA, DPH (civil service) mental health centers and/or providers serving People Living with HIV/AIDS (PLWHA) in San Francisco, and who are uninsured, underinsured, or at risk of losing insurance, in order to obtain or maintain Supplemental Security Income/Supplemental Disability Income/Cash Assistance for Immigrants (SSI/SSDI/CAPI) income and corresponding Medi-Cal/Medicare coverage. Clients likely will include people who have multiple diagnoses, have been incarcerated, have documented substance use disorders, who are homeless, single parents, people of color, immigrants, women, and/or part of the Lesbian/Gay/Bisexual/Transgender (LGBT) community, and may be monolingual or limited English-speaking, with fluency in a range of languages, including Spanish, Cantonese, Mandarin and Tagalog.	Modification	6/30/2027
48652-16/17	Public Health	Current Approved Amount \$192,080,000 Increase Amount Requested \$175,800,000 New Total Amount Requested \$367,880,000	These services will be provided by contractors responding to a new RFP to create a Drug Medi-Cal Organized Delivery System (DMC-ODS) pilot, which tests a new paradigm for the organized delivery of health care services for Medicaid eligible individuals with a substance use disorder. Its purpose is to demonstrate how such a system will increase the success of DMC beneficiaries while decreasing other system health care costs. Critical elements include: --Providing a continuum of care modeled after the American Society of Addiction Medicine (ASAM) Criteria for Substance Use Disorder (SUD) treatment services, which describes specific service levels within Opioid Treatment, Intensive Outpatient, and Residential SUD services; --Increasing local control and accountability, creating utilization controls, and increasing program oversight and integrity; --Requiring evidence-based practices and increasing coordination with other systems of care, including primary care and mental health; --Expanding the SUD treatment workforce by including Licensed Practitioners of Healing Arts; and --Providing more intensive services for the criminal justice population. Services will: --Prioritize services to specific populations, including persons who are Black/African American, homeless, incarcerated or involved with the criminal/juvenile justice systems/Drug Court, adolescents aged 10-18 years old, Transitional Aged Youth (TAY) aged 18-24 years old, Lesbian/Gay/Bisexual/Transgender/Queer/Questioning/Intersex/Ally/Two-Spirit, Pregnant/Parenting women with children, and/or whose primary substance is alcohol. --Prioritize services in specific geographic areas, including Hayes Valley/Tenderloin/North of Market, South of Market, Bernal Heights/Inner Mission/94110, Bayview Hunter's Point/94124, and Southeast/Visitacion Valley/Sunnydale/94134 --Include patient engagement and peer support, medication assisted treatment, withdrawal management, case management, and recovery services and supports, with appropriate integration of adolescent-specific considerations, pregnant women and women with dependent children residential treatment requirements, evidence-based practices, DMC-ODS compliant policies and regulations, electronic health records and data systems, evaluation and quality improvement, workforce development and staffing, ancillary treatment and outreach services.	Modification	6/30/2027



PSC#	Department	Amount	Type of Service	Type of Approval	Duration
2014-08/09	Public Health	Current Approved Amount \$531,600 Increase Amount Requested \$250,000 New Total Amount Requested \$781,600	Contractors will provide 24-hour perinatal, neonatal and pediatric consultation and transport services, consultation services: nursing, social services and respiratory therapy. They will also provide preceptorship programs to the perinatal outreach program, and full-day didactic classes to UCSF's Nursing Education and Training Program. Included will be comprehensive maternity care, e.g., physicians and certified nurse midwives for outpatient obstetrical visits, antenatal assessments, labor, delivery, obstetrically-related inpatient visits, and postpartum outpatient visits within eight weeks of delivery.	Modification	Continuous

**Recommendation:** Adopt the report. Approve the request for proposed Personal Services Contracts; Notify the Office of the Controller and the Office of Contract Administration.

**CONSENT AGENDA**

All matters on the Consent Agenda considered by the Civil Service Commission will be acted upon by a single vote of the Commission. There will be no separate discussion on these items unless a request is made; in which event, the matter shall be removed from the Consent Agenda and considered as a separate item. Each individual addressing the Commission will be limited to a maximum time limit of five minutes for all items severed from the Consent Agenda.

Copies of all staff reports and materials being considered by the Civil Service Commission are available for public view 72 hours prior to the Civil Service Commission meeting and are located in the Civil Service Commission office at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.

**(8) Municipal Transportation Agency Provisional Appointment Report. (File No. 0317-19-1) – Action Item**

**Recommendation:** Adopt the report.

**(9) Semi-Annual Position-Based Testing Report for the period of May through October 2019. (File No. 0318-19-1) – Action Item**

**Recommendation:** Adopt the report.

**(10) Bi-Annual Summary of Appealed Future Employment Restrictions Placed by the SFMTA. (File No. 0319-19-1) – Action Item**

**Recommendation:** Adopt the report.

**(11) Review of Request for Approval of Proposed Personal Services Contract Number 45169-19/20. (File No. 0301-19-8) – Action Item**

45169-19/20	Public Works	\$1,000,000	<p>The primary scope of service will include specialized or untried equipment for evaluation, and conduct special cleaning services above or outside of the Bureau's routine operating responsibilities, and/or conducting pilot cleaning programs that affect both public and private properties. Such specialized equipment shall include steam-cleaning, power-washing, gum removal, hazardous/human/animal waste removal equipment for the purpose of maintaining the City's sidewalks, curbs, gutters, and roadways.</p> <p>Supporting services, not to exceed 10% in services for the duration of the contract, may include the ability to organize community support, prepare educational or outreach materials, assist in developing and conducting outreach and education efforts, conduct neighborhood cleaning projects, organize community interest in establishment of Business Neighborhood Improvement Districts (BID/NID), and/or survey public opinion or conduct focus groups. Services may also include steam cleaning or power washing.</p>	Regular	9/29/2024
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**October 7, 2019:** Postponed to Future Meeting.

**Recommendation:** Adopt the report. Approve the request for proposed Personal Services Contracts; Notify the Office of the Controller and the Office of Contract Administration.

**(12) Appeal by Frederick Sequeira of the Human Resources Director's Determination to Administratively Close His Complaint of Harassment. (File No. 0273-19-6) – Action Item**

**Recommendation:** Postponed to the meeting of January 6, 2020 at the appellant's request.

**REGULAR AGENDA**

Copies of all staff reports and materials being considered by the Civil Service Commission are available for public view 72 hours prior to the Civil Service Commission meeting and are located in the Civil Service Commission office at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.

**(13) Review of Request for Approval of Proposed Personal Services Contract Number 41698-19/20. (File No. 0316-19-8) – Action Item**

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
41698-19/20	Public Health	\$10,000,000	The contractor(s) will be used on an as-needed basis to maintain and enhance existing applications used in various functional areas within the Department. Functional areas shall include both clinical and non-clinical areas, such as services supporting an integrated communicable disease data system, SharePoint development services, archiving and data management, data warehouse(s), laboratory information, connected diagnostic, financial analysis and eligibility, access to proprietary online databases, clinical and financial bench marking tools, and pharmaceutical systems. The value of this request covers estimated costs for licensing, maintenance, and related professional services such as training and consultation.	Regular	12/31/2024

**December 2, 2019:** Postponed PSC #41698-19/20 to the next Commission meeting of December 16, 2019.

**Recommendation:** Adopt the report. Approve the request for proposed Personal Services Contracts; Notify the Office of the Controller and the Office of Contract Administration.

**SEPARATIONS AGENDA**

**(14) Request for Hearing by Victoria E. Bellone on Her Future Employment Restrictions with the City and County of San Francisco. (File No. 0201-19-7) – Action Item**

**Recommendation:** Uphold the decision of the Director of SFMTA. Cancel any current examination and eligibility status; Future employment subject to the review and approval of the Human Resources Director after satisfactory completion of two years’ work experience outside the City and County Service; Must participate in an appropriate substance abuse program and receive a release to work from a certified substance abuse professional for any safety sensitive positions.

**(15) Request for Hearing by Alejandro Alvarez on His Future Employment Restrictions with the City and County of San Francisco. (File No. 0194-17-7) – Action Item**

**Recommendation:** Postpone to a future meeting at the request of Alejandro Alvarez.

**(16) COMMISSIONERS’ ANNOUNCEMENTS/REQUESTS**

**(17) ADJOURNMENT**

**CALL TO ORDER**  
**&**  
**ROLL CALL**

# REQUEST TO SPEAK

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# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

MINUTES  
Regular Meeting  
December 2, 2019

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

JACQUELINE P. MINOR  
COMMISSIONER

2:00 p.m.

ROOM 400, CITY HALL  
1 Dr. Carlton B. Goodlett Place

## CALL TO ORDER

2:00 p.m.

## ROLL CALL

President Elizabeth Salvesson	Present
Vice President Kate Favetti	Present
Commissioner Douglas S. Chan	Present
Commissioner F. X. Crowley	Present
Commissioner Jacqueline P. Minor	Excused Absence

President Elizabeth Salvesson presided.

## REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION BUT NOT APPEARING ON TODAY'S AGENDA (Item No. 2)

Alejandro F. Alvarez stated he was terminated from the San Francisco Municipal Transportation Agency (SFMTA) on June 15, 2017. He filed an appeal shortly after and has been waiting nearly 2 ½ years for SFMTA to provide a staff report. Mr. Alvarez is requesting contact information of the individual who may help get his staff report moving along.

## APPROVAL OF MINUTES (Item No. 3)

Regular Meeting of November 18, 2019

Action: Adopted the minutes. (Vote of 4 to 0)

THIS DOCUMENT SUPPORTS  
CALENDAR ITEM 3

SANDRA ENG  
ACTING EXECUTIVE OFFICER

**ANNOUNCEMENTS (Item No. 4)**

Sandra Eng, Acting Executive Director made two (2) announcements: (1) The Department of Public Health is requesting to postpone PSC #41698-19/20 to December 16, 2019. (2) A request for postponement was received on Sunday, December 1, 2019 for Item #9 (Request for Hearing by Serguei Kovalenko on His Future Employment Restrictions with the City and County of San Francisco.)

**HUMAN RESOURCES DIRECTOR’S REPORT (Item No. 5)**

Anna Biasbas, Deputy Director of Employment Services sat in on behalf of Micki Callahan, Human Resources Director’s absence. Ms. Biasbas provided updates on the executive recruitments that are currently in progress. She reported the following: (1) The Director of Transportation has been hired and will be starting mid-December. (2) The Chief Juvenile Probation Officer’s recruitment brochure has been posted. (3) Interviews have been scheduled for the Planning Director vacancy. (4) The recruitment for the Mayor’s Office of Housing Community Development Director is in progress. (5) The Diversity, Equity, Inclusion Manager vacancy for DHR has been reposted and is currently accepting applications. (6) Lastly, DHR will be assisting the Civil Service Commission on any matters regarding the recruitment for the Executive Officer position.

**EXECUTIVE OFFICER’S REPORT (Item No. 6)**

Sandra Eng, Acting Executive Director announced the Holiday Luncheon will be at a Mano on Monday, December 16, 2019 at 11:30 a.m. Commission staff will be providing public notice.

**0302-19-8 Review of Request for Approval of Proposed Personal Services Contracts.  
(Item No. 7)**

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
45213-19/20	City Administrator	\$700,000	Facilities selected will be charged with accepting, disposing and recycling treated sanitary biosolids on behalf of San Francisco International Airport (SFO) Mel Leong Treatment Plan and other City departments. Contractor will receive and dispose of one to three truckloads per week. Services are intermittent. All deliveries to the facility shall be made by City & County of San Francisco employees in a 45 foot sludge trailer.	Regular	10/30/2024
40794-19/20	City Administrator	\$8,000,000	The contractor will provide moving services for City and County of San Francisco departments on an intermittent, as-needed basis. These services will include, but not be limited to, moving items such as office furniture, documents, equipment, and related articles; the set-up and breakdown of cubicle walls and furniture; and move coordination/project management and planning, as may be required by departments..	Regular	10/31/2026

Civil Service Commission Meeting Minutes

Regular Meeting of December 2, 2019

PSC#	Department	Amount	Type of Service	Type of Approval	Duration
41628-19/20	Public Utilities Commission	\$8,000,000	The Emergency Firefighting Water System (EFWS), sometimes referred to as the Auxiliary Water Supply System (AWSS), is an independent high pressure water supply system dedicated to fire protection. It was installed in 1913 in response to the Great Earthquake and Fire of 1906 and consist of a 135-mile pipeline network, a high-evaluation reservoir with two large-capacity tanks, two pumping stations, three fireboats and underground water storage tanks (cisterns). The selected Consultant will work under the direction of the SFPUC to provide planning and engineering design services for the Emergency Firefighting Water System and City's Water Distributions System pipelines. Some assignments may require SFPUC Procedures and regulatory requirements/guidelines administered by the State Water Resources Control Board, Division of Drinking Water. Projects are expected to pertain to pipelines, pump stations, fireboat manifold systems.	Regular	6/9/2026
43198-19/20	Public Utilities Commission	\$3,000,000	The proposed work includes inspection and observation of testing of equipment, machinery and products to be furnished for Water and Wastewater Treatment Plants, water distribution and wastewater collection, and Power projects. Services include inspection, surveillance, sampling and testing of structural steel, fabricated steel pipe, mechanical and electrical equipment and large-diameter valves conducted at various procurement facilities, both national and international.	Regular	4/14/2025
49591-19/20	Public Utilities Commission	\$255,000	The purpose of this contract is to provide maintenance, calibration and repair services, and certification of the truck and hopper scales throughout the Wastewater Enterprise (WWE) for the City and County of San Francisco, Public Utilities Commission (SFPUC). Work under this contract may include maintenance and repair to the load cells, load stands, indicators, microcells, junction boxes, ticket printers and troubleshooting truck and hopper scale software programs. Work will also include load scale testing and calibration using contractor's certified test weights, test trailer and test truck.	Regular	3/1/2023
40445-19/20	Sheriff	\$333,160	The SFPUC Facilities Maintenance Manager is requesting the replacement of the obsolete TAC Intelligent Automation HVAC (Heating, Ventilation, Air Conditioning) Control System which regulate and monitor the operation of the heating and air conditioning system.	Regular	11/30/2020
41698-19/20  <i>Postponed to 12/16/19.</i>	Public Health	\$10,000,000	The contractor(s) will be used on an as-needed basis to maintain and enhance existing applications used in various functional areas within the Department. Functional areas shall include both clinical and non-clinical areas, such as services supporting an integrated communicable disease data system, SharePoint development services, archiving and data management, data warehouse(s), laboratory information, connected diagnostic, financial analysis and eligibility, access to proprietary online databases, clinical and financial bench marking tools, and pharmaceutical systems. The value of this request covers estimated costs for licensing, maintenance, and related professional services such as training and consultation.	Regular	12/31/2024
48448-18/19	Public Health	\$1,500,000	The Contractor will provide a fully hosted internet-based application to improve the Department's medical coding and clinical documentation knowledge. The application will include training assessments, training modules, testing, support, and administrator functions. The application and all related content will follow American Health Information Management Association (AHIMA) standards.	Regular	10/31/2023



PSC#	Department	Amount	Type of Service	Type of Approval	Duration
3048-10/11	Economic and Workforce Development	Current Approved Amount \$1,108,950 Increase Amount Requested \$350,000 New Total Amount Requested \$1,458,950	Purchase of subscription to database program with web interface to administer non-construction First Source (FS) Hiring program and facilitate hiring of candidates case managed by the City's network of One-Stop Career Centers. The program will allow case managers to efficiently screen, match, and refer appropriate candidates to job openings using a proprietary skill matching feature. It will facilitate the sharing of open positions to ensure workers are placed quickly, allow business to more effectively comply with the City's First Source Hiring requirements and allow tracking of compliance of non-construction contractors bound by First Source (Municipal Code Chapter 83).	Modification	6/30/2021
46973-18/19	Municipal Transportation Agency	Current Approved Amount \$3,500,000 Increase Amount Requested \$4,000,000 New Total Amount Requested \$7,500,000	Thales shall provide SFMTA the Base Support Services described herein to secure the reliability of the Automatic Train Control System (ATCS) for its design life by obtaining from Contractor maintenance support services. Base Support Services: • Maintenance Services Management • On-Call Remote Support • Emergency On-Site Support • Remote Technical Support • Obsolescence Management Report • Software Updates and Hardware Upgrades • Planned Software Releases • Semi-Annual Support visits • Refresher Training Sessions • ATCS Asset Evaluation <b>Scope Change:</b> Yes, including annual software releases as a standard for all system maintenance.	Modification	6/30/2026

**Speakers:** Joan Lubamersky and Daniel Sanchez, General Service Agency spoke on PSC #40794-19/20.  
 Ryan Fitzgerald, Public Utilities Commission spoke on PSC #43198-19/20.  
 Marissa Bloom, Economic Workforce Development spoke on PSC #3048-10/11.

- Action:**
- Continued PSC #40794-19/20 to a future meeting to allow more time to notify applicable unions and update PSC Form 1, question 1E. (Vote of 4 to 0)
  - Approved PSC #43198-19/20 with the condition PSC Form 1, question 6B is corrected. (Vote of 4 to 0)
  - Postponed PSC #41698-19/20 to the next Commission meeting of December 16, 2019. (Vote of 4 to 0)
  - Approved PSC #3048-10/11 with the condition a new PSC will be used at the next submission. (Vote of 4 to 0)
  - Adopted the report and approved all remaining requests for proposed Personal Services Contracts. Notify the Office of the Controller and Office of Contract Administration. (Vote of 4 to 0)

**0232-19-6 Appeal by Ronnie Jones of the Human Resources Director's Determination to Administratively Close His Complaint of Harassment. (Item No. 8)**

**Speakers:** None.

**Action:** Postponed to the meeting of January 6, 2020 at the appellant's request. (Vote of 4 to 0)

**0441-16-7 Request for Hearing by Serguei Kovalenko on His Future Employment Restrictions with the City and County of San Francisco. (Item No. 9)**

**Speakers:** Lawrence Lindisch, Municipal Transportation Agency

**Action:** The Commission voted to place this item off calendar for 180 days at which point the Civil Service Commission staff will determine if the item should be placed on calendar. (Vote of 4 to 0)

**COMMISSIONERS' ANNOUNCEMENTS/REQUESTS (Item No. 10)**

President Salveson expressed concern about comments that were made during public comment by Alejandro F. Alvarez. She was particularly concerned about the 2 ½ year delay of not having a staff report from MTA. Commissioner Chan suggested that CSC staff provide a recommendation on when to schedule his item whether or not a staff report has been completed.

President Salveson also announced DHR has contacted Alliance Recruiting Agency (Alliance). Alliance has been forwarded the applicable information to move forward with the Executive Officer recruitment.

Commissioner Chan also provided Sandra Eng, Acting Executive Director an article regarding difficulties with staff providing bilingual services at the Department of Public Health. This is an issue raised by SEIU, Local 1021. Commissioner Chan has requested staff to look into the matter.

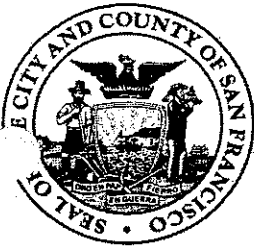
**ADJOURNMENT (Item No. 11)**

The meeting adjourned at 2:39 p.m.

# ANNOUNCEMENTS

# HUMAN RESOURCES DIRECTOR'S REPORT

# EXECUTIVE OFFICER'S REPORT



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

*Sent Via Electronic Mail*

December 5, 2019

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

JACQUELINE P. MINOR  
COMMISSIONER

## NOTICE OF CIVIL SERVICE COMMISSION MEETING

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS 44506-19/20; 44596-19/20; 45106-19/20; 47472-19/20; 45183-19/20; 46550-17/18; 41338-13/14; 48070-13/14; 48652-16/17; AND 2014-08/09.**

The above matter will be considered by the Civil Service Commission at a meeting to be held on **December 16, 2019 at 2:00 p.m. in Room 400**, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Ratification Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

*All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.*

SANDRA ENG  
ACTING EXECUTIVE OFFICER

CIVIL SERVICE COMMISSION

  
SANDRA ENG  
Acting Executive Officer

### Attachments

Cc: Jacquie Hale, Department of Public Health  
Ian Hart, Department of Human Resources  
Bill Irwin, Public Utilities Commission  
Daniel Kwon, Public Utilities Commission  
Joan Lubamersky, City Administrator  
John Tsutakawa, Human Services Agency  
Kimmie Wu, Treasurer and Tax Collector  
Commission File  
Commissioners' Binder  
Chron

# **PSC Submission**



London Breed  
Mayor

Micki Callahan  
Human Resources Director

Date: November 29, 2019

To: The Honorable Civil Service Commission

Through: Micki Callahan  
Human Resources Director *(Signature)*

From: John Tsutakawa, HSA  
Bill Irwin / Daniel Kwon, PUC  
Joan Lubamersky, ADM  
Ian Hart, HRD  
Kimmie Wu, TTX  
Jacquie Hale, DPH

Subject: **Personal Services Contracts Approval Request**

This report contains ten (10) personal services contracts (PSCs) in accordance with the revised Civil Service Commission (CSC) procedures for processing PSCs that became effective on November 5, 2014.

The services proposed by these contracts have been reviewed by Department of Human Resources (DHR) staff to evaluate whether the requesting departments have complied with City policy and procedures regarding PSCs. The proposed PSCs have been posted on the DHR website for seven (7) calendar days. CSC procedures for processing PSCs require that any appeal of these contracts be filed in the office of the CSC, Executive Officer during the posting period.

No timely appeals have been filed regarding the PSCs contained in this report. These proposed PSCs are being submitted to the CSC for ratification/approval.

DHR has prepared the following cost summary for personal services contracts that have been processed through the Department of Human Resources Fiscal Year 19/20 to date:

Total of this Report	YTD Expedited Approvals FY2019-2020	Total for FY2019-2020
\$244,950,000	\$108,386,638	\$1,109,441,561



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## POSTING FOR

December 16, 2019

### PROPOSED PERSONAL SERVICES CONTRACTS – REGULAR

Commission Hearing Date

2019-12-16

APPLY

PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
44506 - 19/20	HUMAN SERVICES	\$950,000.00	<p>The Contractor shall provide the following parallel services during the term of this contract: A) SafeMeasures; B) Structured Decision Making; C) Ad Hoc Analytics; and D) On-Site training and coaching to FCS staff, supervisors and managers.</p> <p>A. SafeMeasures: The California Department of Social Services provides the Contractor with bi-weekly extracts from the statewide child welfare database. The Contractor conducts an analysis to display the data in tables that are related to the Division 31 Requirements that regulate child welfare operations. The Contractor organizes the data into a user-friendly, point-and-click format that allows managers, supervisors, and child welfare workers to view data by program, by office site, by unit, and by individual. The Contractor is one of two entities who has access to the state's database. SafeMeasures is a tool that supports measurement of both processes and outcomes.</p> <p>B. Structured Decision-Making: The FCS program utilizes an actuarial-based safety assessment tool, Structured Decision-Making (SDM) to improve its understanding of child risk and to improve case decision-making. The Contractor manages the data generated by these assessments and produces an annual management report, which compiles information from child welfare assessments. SDM is a logic tool based on probabilities, statistics, and research on outcomes.</p> <p>C. Ad Hoc Analytics: Using data extracts from SafeMeasures and the Structured Decision-Making tools, the Contractor will provide, on a monthly basis or as requested, ongoing reports related to various outcome measures as identified in the Family and Children Services (FCS) System Improvement Plan, including disproportionality, differential response, standardized assessments, and permanency. The Contractor will also provide comprehensive quarterly reports that include information related to foster care placement patterns, with particular focus on racial disproportion, distance of placement from home, adolescents in placement and length of time in care, children in institutional care, and placement moves.</p> <p>D. On-Site training and coaching to FCS staff, supervisors and managers: The Contractor will provide Safety Organized Practice (SOP) to Domestic Violence (DV) training and coaching for Protective Services Workers, coaches and Protective Service Supervisors. The Contractor will also provide management training for leadership development and implementation of the tools. The training will be conducted in connection with the SDM tool, to teach staff how to apply the material in the evidence-based decision making tool regarding domestic violence and moving it through SOP.</p>	July 1, 2013	June 30, 2020	REGULAR
44596 - 19/20	PUBLIC UTILITIES COMMISSION	\$14,000,000.00	<p>The proposed work is tunnel and geotechnical engineering design, and engineering support during construction for SFPUC's Kansas and Marin Streets Sewer Improvements Project. This project is proposing an 8-foot diameter tunnel (starting from the intersection of Kansas and Marin Streets, and running approximately 900-feet west towards Lot 31, which is within City Property), launching and receiving</p>	January 4, 2020	February 28, 2022	REGULAR

PSC No	Dept Designation	PSC Amount	Description of Work	PSC Estimated Start Date	PSC Estimated End Date	Type of Approval
			shafts, junction structures, and all related site investigation work (i.e. geotechnical and hazardous material).The primary purpose of the project is to increase hydraulic conveyance to alleviate flooding for a susceptible portion of the City.			
45106 - 19/20	PUBLIC UTILITIES COMMISSION	\$4,000,000.00	Project Pull is a summer internship program established to provide professional guidance in a work experience setting within the City Agencies to motivate students to continue their education so they may seek employment opportunities in the public service sector or other highly disciplined career fields. Students selected from the program demonstrate an ability and interest in professional careers such as architecture, business, engineering, science, finance, IT and communication/marketing. Consultant will manage the program and advance funds for all students interns' and team leaders' salaries and program enrichment activities.	March 2, 2020	February 29, 2024	REGULAR
47472 - 19/20	GENERAL SERVICES AGENCY - CITY ADMIN	\$500,000.00	The City is seeking Consultants with proven expertise and experience in one or more multiple facets of earthquake hazard mitigation incorporated in, or necessary to accomplish the Community Action Plan for Seismic Safety (CAPSS)/Earthquake Safety Implementation Program (ESIP) and Tall Buildings Safety Strategy work plan. Tasks may have a particular focus on development of a non-ductile concrete and/or steel building retrofit program and associated standards, including initiating studies, performing analysis, developing standards, making policy recommendations, and assisting as needed in seismic engineering consulting to guide the development of a non-ductile concrete and/or steel building retrofit program and associated standards.	December 1, 2019	June 30, 2023	REGULAR
45183 - 19/20	HUMAN RESOURCES	\$150,000.00	Provide valid test exam materials. Contractor will score candidate responses to the test.	December 1, 2019	June 30, 2023	REGULAR

**TOTAL AMOUNT \$19,600,000**

11/20/2019

## Posting For December 16, 2019

### Proposed Modifications to Personal Services Contracts

**Commission Hearing Date**

2019-12-16

APPLY

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approv Type
46550 - 17/18 - MODIFICATIONS 2019	December 16,	TREASURER/TAX COLLECTOR -- TTX	\$1,500,000	\$2,350,000	Perform supplemental collection services on delinquent business and medical accounts referred by various city departments; also perform credit reporting, skip tracing, and negotiation of payment plans. Contractor shall receive a maximum of 25% of collected funds as a commission fee. The amount of commission fees for medical debt collections will not exceed 250K. The remaining 600K for delinquent business accounts would not be an expense to the City, but instead a commission fee based on the collected funds.	01/01/2024	01/01/2024	REGULA
41338 - 13/14 - MODIFICATIONS 2019	December 16,	PUBLIC HEALTH -- DPH	\$28,800,000	\$54,400,000	Services will include Third Party Pharmacy Adjudication (TPA) of claims and 340B Drug Pricing Program services for the Department of Public Health's (DPH's) integrated service delivery division, the San Francisco Health Network (SFHN). The SFHN provides health care services to San Francisco residents who are not eligible for and/or do not have third party coverage for outpatient medication such as Medi-Cal or private insurance, including members of the San Francisco Health Plan (SFHP). TPA services will include verifying patient and provider eligibility status and adjudicate online claims 24/7. The 340B Drug Pricing Program requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices. 340B Program services will include inventory management, outpatient prescription claims adjudication services, and 340B contract pharmacy network management.	07/01/2021	06/30/2026	REGULA
48070 - 13/14 - MODIFICATIONS 2019	December 16,	PUBLIC HEALTH -- DPH	\$19,000,000	\$37,504,869	Contractor will utilize its legal staff to provide representation directly to clients to maximize client income in order to stabilize client living situations and provide client access to healthcare. The Department of Public Health (DPH) provides these advocacy services in administrative hearings and related legal processes in collaboration with the Human Services Agency (HSA) and other service providers, as these agencies are often serving the same clients, and among these partners, DPH Behavioral Health Services (BHS) contributes its clear experience and expertise in serving clients with behavioral health and HIV/AIDS diagnoses. Clients will be received primarily from referrals from HSA, DPH (civil service) mental health centers and/or providers serving People Living with HIV/AIDS (PLWHA) in San Francisco, and who are uninsured, underinsured, or at risk of losing insurance, in order to obtain or maintain Supplemental Security Income/Supplemental Disability Income/Cash Assistance for Immigrants (SSI/SSDI/CAPI) income and corresponding Medi-Cal/Medicare coverage. Clients likely will include people who have multiple diagnoses, have been incarcerated, have documented substance use disorders, who are homeless, single parents, people of color, immigrants, women, and/or part of the Lesbian/Gay/Bisexual/Transgender (LGBT) community, and may be monolingual or limited English-speaking, with fluency in a range of languages, including Spanish, Cantonese, Mandarin and Tagalog.	07/01/2022	06/30/2027	REGULA
48652 - 16/17 - MODIFICATIONS 2019	December 16,	PUBLIC HEALTH -- DPH	\$175,800,000	\$367,880,000	These services will be provided by contractors responding to a new RFP to create a Drug Medi-Cal Organized Delivery System (DMC-ODS) pilot, which tests a new paradigm for the organized delivery of health care services for Medicaid eligible individuals with a substance use disorder. Its purpose is to demonstrate how such a system will increase the success of DMC beneficiaries while decreasing other system health care costs. Critical elements include: --Providing a continuum of care modeled after the American Society of Addiction Medicine (ASAM) Criteria for Substance Use Disorder (SUD) treatment services, which describes specific service levels within Opioid Treatment, Intensive Outpatient, and Residential SUD services; --Increasing local control and accountability, creating utilization controls, and increasing program oversight and	07/01/2022	06/30/2027	REGULA

PSC Number	Commission Hearing Date	Department	Additional Amount	Cumulative Total	Description	Start Date	End Date	Approv. Type
					integrity; --Requiring evidence-based practices and increasing coordination with other systems of care, including primary care and mental health; --Expanding the SUD treatment workforce by including Licensed Practitioners of Healing Arts; and --Providing more intensive services for the criminal justice population. Services will: --Prioritize services to specific populations, including persons who are Black/African American, homeless, incarcerated or involved with the criminal/juvenile justice systems/Drug Court, adolescents aged 10-18 years old, Transitional Aged Youth (TAY) aged 18-24 years old, Lesbian/Gay/Bisexual/Transgender/Queer/Questioning/Intersex/Ally/Two-Spirit, Pregnant/Parenting women with children, and/or whose primary substance is alcohol. --Prioritize services in specific geographic areas, including Hayes Valley/Tenderloin/North of Market, South of Market, Bernal Heights/Inner Mission/94110, Bayview Hunter's Point/94124, and Southeast/Visitation Valley/Sunnydale/94134 --Include patient engagement and peer support, medication assisted treatment, withdrawal management, case management, and recovery services and supports, with appropriate integration of adolescent-specific considerations, pregnant women and women with dependent children residential treatment requirements, evidence-based practices, DMC-ODS compliant policies and regulations, electronic health records and data systems, evaluation and quality improvement, workforce development and staffing, ancillary treatment and outreach services.			
2014-08/09 - MODIFICATIONS 2019	December 16,	PUBLIC HEALTH -- DPH	\$250,000	\$781,600	Contractors will provide 24-hour perinatal, neonatal and pediatric consultation and transport services, consultation services: nursing, social services and respiratory therapy. They will also provide preceptorship programs to the perinatal outreach program, and full-day didactic classes to UCSF's Nursing Education and Training Program. Included will be comprehensive maternity care, e.g., physicians and certified nurse midwives for outpatient obstetrical visits, antenatal assessments, labor, delivery, obstetrically-related inpatient visits, and postpartum outpatient visits within eight weeks of delivery.	09/09/2019	continuing	CONTIN

**TOTAL AMOUNT \$225,350,000**

**Regular/Continuing/Annual  
Personal Services Contracts**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN SERVICES -- DSS

Dept. Code: DSS

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Child Welfare Reporting and Analysis

Funding Source: 50% County; %50 Federal

PSC Amount: \$950,000

PSC Est. Start Date: 07/01/2013

PSC Est. End Date 06/30/2020

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The Contractor shall provide the following parallel services during the term of this contract: A) SafeMeasures; B) Structured Decision Making; C) Ad Hoc Analytics; and D) On-Site training and coaching to FCS staff, supervisors and managers.

A. SafeMeasures: The California Department of Social Services provides the Contractor with bi-weekly extracts from the statewide child welfare database. The Contractor conducts an analysis to display the data in tables that are related to the Division 31 Requirements that regulate child welfare operations. The Contractor organizes the data into a user-friendly, point-and-click format that allows managers, supervisors, and child welfare workers to view data by program, by office site, by unit, and by individual. The Contractor is one of two entities who has access to the state's database. SafeMeasures is a tool that supports measurement of both processes and outcomes.

B. Structured Decision-Making: The FCS program utilizes an actuarial-based safety assessment tool, Structured Decision-Making (SDM) to improve its understanding of child risk and to improve case decision-making. The Contractor manages the data generated by these assessments and produces an annual management report, which compiles information from child welfare assessments. SDM is a logic tool based on probabilities, statistics, and research on outcomes.

C. Ad Hoc Analytics: Using data extracts from SafeMeasures and the Structured Decision-Making tools, the Contractor will provide, on a monthly basis or as requested, ongoing reports related to various outcome measures as identified in the Family and Children Services (FCS) System Improvement Plan, including disproportionality, differential response, standardized assessments, and permanency. The Contractor will also provide comprehensive quarterly reports that include information related to foster care placement patterns, with particular focus on racial disproportion, distance of placement from home, adolescents in placement and length of time in care, children in institutional care, and placement moves.

D. On-Site training and coaching to FCS staff, supervisors and managers: The Contractor will provide Safety Organized Practice (SOP) to Domestic Violence (DV) training and coaching for Protective Services Workers, coaches and Protective Service Supervisors. The Contractor will also provide management training for leadership development and implementation of the tools. The training will be conducted in connection with the SDM tool, to teach staff how to apply the material in the evidence-based decision making tool regarding domestic violence and moving it through SOP.

**B. Explain why this service is necessary and the consequence of denial:**

The Contractor is a non-profit, Software as a Solution (SaaS) provider. The Contractor will provide the web



based SafeMeasures and the Standard Decision-Making (SDM) tool. SafeMeasures organizes case data according to performance requirements of the state legislature AB636. In addition, SafeMeasures allows staff to plan the Division 31 requirements and drill-down to individual, unit, and program performance. The SDM tool assists HSA in meeting their goals to promote the ongoing safety and well-being of children. The SDM tool is an evidence and research-based system that identifies the key points in the life of a child welfare case and uses structured assessments to improve the consistency and validity of each decision. SafeMeasures provides a child welfare database that is capable of organizing case data for state-mandated reports. State legislature AB636 requires counties to be responsible for reporting on a series of measurements that provide key indicators of program outcomes, process and receipt of critical services. The California Department of Social Services (CDSS) uses SafeMeasures for its audits of county compliance. The Contractor is the only SaaS provider that has access to the CDSS' confidential CWS/CMS (Child Welfare System/Case Management System) data extract to generate reports that is used to determine compliance with AB636 and reports that assist social workers with case work. The system gives up-to-date information on case management and compliance to ensure children are being seen, services are being provided, and the county is meeting the mandates. The state also mandates the use of a decision-making tool. Almost all of the counties in California uses SDM. The consequences for denial are that there would be poorer outcomes for families and children. The county would be out of compliance of state/federal requirements. And, a higher chance of critical incidences occurring that could have been preventable. The SafeMeasures tool extracts data from the child welfare state database used by all counties. The State has allowed the Contractor to use the data and make reports. Only the Contractor has the ability to do this. The City's IT department cannot run reports or pull data at the level in which the Contractor can.

- C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.  
These services have been provided by the current contractor since 2008. Most recently, the services were provided under PSC#2001-08/09.

- D. Will the contract(s) be renewed?  
Yes, in fiscal year 2021/22. A new sole source waiver request and PSC request will be submitted at that time. A new CWS/CMS system is currently being developed. This may impact the need for SafeMeasures and/or the Structured Decision-Making tool in the future.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.  
This contract was approved under the continuous PSC #2001-08/09 with the last amendment to the contract done in December 2017. We now need to modify the contract again to add funds for fiscal year 2019-2020 and would like to create a new PSC to cover the full term of the contract and not just the remaining years.

## 2. Reason(s) for the Request

- A. Indicate all that apply (be specific and attach any relevant supporting documents):

- Short-term or capital projects requiring diverse skills, expertise and/or knowledge.
- Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

- B. Explain the qualifying circumstances:

Access to the Contractor's databases, training, and reporting services are necessary to meet county-specific needs for the child welfare system. The City does not have the subject matter and technical expertise to provide these services on their own. The City also does not have a database program that is connected to the state's secure database.

### **3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: The Contractor is the only provider of a child welfare database that is capable of organizing cases for state-mandated reports. The California Department of Social Services currently uses SafeMeasures for its audits of county compliance with child welfare regulations. The Contractor is the only organization providing a child welfare data portal that fully meets the department's needs, providing county-specific progress measurements and responses to data requests. For SafeMeasures, the required skills and/or expertise are: Knowledge of the child welfare system's outcomes and indicators Technical expertise Access to state database For Structured Decision-Making, the required skills and/or expertise are: Research and knowledge of child welfare as it relates to case decision making (risk & safety, removal, return of the child; case closures, etc.) Technical expertise in program/evidence-based decision making tool Background in evaluation and testing of tools
- B. Which, if any, civil service class(es) normally perform(s) this work? 1033, IS Trainer-Senior; 1054, IS Business Analyst-Principal; 1064, IS Prg Analyst-Principal; 1232, Training Officer; 1823, Senior Administrative Analyst; 1824, Pr Administrative Analyst; 2944, Protective Services Supervisor;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

### **4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

None. The child welfare database is a proprietary system. The City does not have the expertise or the resources to develop two systems.

### **5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
This contract is specific to the child welfare system SafeMeasures and the Structured Decision-Making Tool. There is propriety control over both of these systems. The work requires subject matter experts in both systems and child welfare which are currently not available through civil service positions. The City does not have the combined field expertise and technical ability to create and maintain these systems.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. It is not practical to adopt a new civil service class to perform this work due to the two database systems being proprietary.

### **6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.  
Yes. The Contractor will provide highly technical training regarding domestic violence in the Safety Organized Practice/Structured Decision-Making Tools. The Contractor will also provide management training on how to properly use the two databases to run reports. Training on the basic use of the tool will be conducted by City staff.
- C. Are there legal mandates requiring the use of contractual services?  
Yes. The Contractor's system organizes case data according to performance requirements of the State legislature AB636. The state requires counties to use an SDM tool. Almost all counties use in California use the Contractor's tool.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
Yes: HSA Commission Memos 6/16, 12/17, 9/19

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

7. **Union Notification:** On 10/10/2019, the Department notified the following employee organizations of this PSC/RFP request:  
Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; SFIU 1021 Miscellaneous

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: John Tsutakawa Phone: 415-557-6299 Email: john.tsutakawa@sfgov.org

Address: 1650 Mission Street, Suite 300 San Francisco, CA

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 44506 - 19/20

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 12/16/2019

Civil Service Commission Action:

# **Receipt of Union Notification(s)**

## Acevedo, Annyse (HSA)

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**From:** Acevedo, Annyse (HSA)  
**Sent:** Thursday, November 21, 2019 11:53 AM  
**To:** Gail Byrdsong  
**Cc:** XiuMin Li; Jason Klumb; Meyers, Julie (HSA)  
**Subject:** RE: Receipt of Notice for new PCS over \$100K PSC # 44506 - 19/20

Good Morning All,

✓ Thank you for approving the PSC and waiving the 60 day union notification.

It is much appreciated.

Have a great day!

**Annyse Acevedo**  
Senior Administrative Analyst

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**From:** Gail Byrdsong [mailto:Gail.Byrdsong@seiu1021.org]  
**Sent:** Tuesday, November 19, 2019 11:15 AM  
**To:** Acevedo, Annyse (HSA) <annyse.acevedo@sfgov.org>  
**Cc:** XiuMin Li <XiuMin.Li@seiu1021.org>; Jason Klumb <Jason.Klumb@seiu1021.org>; Meyers, Julie (HSA) <Julie.Meyers@sfgov.org>  
**Subject:** Re: Receipt of Notice for new PCS over \$100K PSC # 44506 - 19/20

X Hi All. This was reviewed by my chapter Vice President and was approved.

Thank you,  
Gail Byrdsong  
SEIU 1021 Field Representative  
350 Rhode Island St., Ste. 100, South  
San Francisco, CA 94103  
[gail.byrdsong@seiu1021.org](mailto:gail.byrdsong@seiu1021.org)  
(415) 361-1994  
MRC/Member Resource Center  
1-877-687-1021

*"I am no longer accepting things I cannot change...I am changing things I can no longer accept". (Angela Davis)*

On Nov 19, 2019, at 11:08 AM, Acevedo, Annyse (HSA) <[annyse.acevedo@sfgov.org](mailto:annyse.acevedo@sfgov.org)> wrote:

Ok, thanks, XiuMin.

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [john.tsutakawa@sfgov.org](mailto:john.tsutakawa@sfgov.org)  
**To:** [Tsutakawa, John \(HSA\)](mailto:Tsutakawa.John@HSA); [Ricardo.lopez@sfgov.org](mailto:Ricardo.lopez@sfgov.org); [Basconcello, Katherine \(PUC\)](mailto:Basconcello.Katherine@PUC); [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [ted.zarzecki@seiu1021.net](mailto:ted.zarzecki@seiu1021.net); [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [ablood@cirseiu.org](mailto:ablood@cirseiu.org); [xiumin.ji@seiu1021.org](mailto:xiumin.ji@seiu1021.org); [Poon, Sin Yee \(HSA\)](mailto:Poon.SinYee@HSA); [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [jtanner940@aol.com](mailto:jtanner940@aol.com); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [Acevedo, Annyse \(HSA\)](mailto:Acevedo.Annyse@HSA); [DHR-PSCCoordinator, DHR \(HRD\)](mailto:DHR-PSCCoordinator@DHR)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 44506 - 19/20  
**Date:** Thursday, October 10, 2019 11:29:37 AM

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RECEIPT for Union Notification for PSC 44506 - 19/20 more than \$100k

The HUMAN SERVICES -- DSS has submitted a request for a Personal Services Contract (PSC) 44506 - 19/20 for \$950,000 for Initial Request services for the period 07/01/2013 – 06/30/2020. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/14047> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions

you intended to contact, the PSC Coordinator must change the state back to NOT

READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again, change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**



Edwin M. Lee, Mayor

Department of Human Services  
Department of Aging and Adult Services

Trent Rhorer, Executive Director

**MEMORANDUM**

**TO:** HUMAN SERVICES COMMISSION

**THROUGH:** TRENT RHORER, EXECUTIVE DIRECTOR

**FROM:** SYLVIA DEPORTO, DEPUTY DIRECTOR  
JOHN TSUTAKAWA, DIRECTOR OF CONTRACTS

**DATE:** JUNE 17, 2016

**SUBJECT:** NEW CONTRACT: NATIONAL COUNCIL ON CRIME AND DELINQUENCY (NON-PROFIT) FOR PROVISION OF CHILD WELFARE REPORTING AND ANALYSIS

<b>CONTRACT TERM:</b>	<u>Current</u> 7/1/16-6/30/21				
<b>CONTRACT AMOUNT:</b>	<u>Current</u>	<u>Contingency</u>	<u>Total</u>		
	\$521,050	\$52,105	\$573,155		
<b>ANNUAL AMOUNT:</b>	<u>FY 16/17</u>	<u>FY 17/18</u>	<u>FY 18/19</u>	<u>FY 19/20</u>	<u>FY 20/21</u>
	\$104,210	\$104,210	\$104,210	\$104,210	\$104,210
<b>Funding Source</b>	<u>County</u>	<u>State &amp; Federal</u>	<u>Contingency</u>	<u>Total</u>	
<b>FUNDING:</b>	\$286,577	\$234,473	\$52,105	\$573,155	
<b>PERCENTAGE:</b>	55%	45%		100%	

The Department of Human Services (DHS) requests authorization to enter into a new contract with National Council on Crime and Delinquency (NCCD) for the period of 7/1/16-6/30/21, in an amount of \$521,050 plus a 10% contingency of \$52,105 for a total amount not to exceed \$573,155. The purpose of this contract is to access SafeMeasures®, a web-based data-mart, and to obtain reporting services to meet county-specific data needs. The contract would also provide for management information reports, technical assistance and training to support the City's utilization of the Structured Decision Making (SDM) system for Family & Children's Services child welfare program.



### **Background**

This contract will provide access to case and assessment information for child welfare managers and to the agency's planning and evaluation team. The online data-mart and reports will improve the agency's quality of decision-making and planning, ultimately improving the outcomes for children and families who become involved in the child welfare system.

### **Services to be Provided**

The contractor shall provide the following parallel services during the term of this contract:

1. **Safe Measures:** The California Department of Social Services provides the National Council on Crime and Delinquency (NCCD) with bi-weekly extracts from the statewide child welfare database. NCCD conducts an analysis to display the data in tables that are related to the Division 31 Requirements that regulate child welfare operations. NCCD organizes the data into a user-friendly, point-and-click format that allows managers, supervisors, and child welfare workers to view data by program, by office site, by unit, and by individual.
2. **Ad Hoc Analytics:** Using data extracts from the California Department of Social Services, NCCD will provide, on a monthly basis or as requested, ongoing reports related to various outcome measures as identified in the F&CS System Improvement Plan, including disproportionality, differential response, standardized assessments, and permanency. NCCD will also provide comprehensive quarterly reports that include information related to foster care placement patterns, with particular focus on racial disproportion, distance of placement from home, adolescents in placement and length of time in care, children in institutional care, and placement moves.
3. **Structured Decision Making (SDM):** The FCS program uses the Structured Decision Making assessment tool to improve its understanding of child risk and to improve case decision making. NCCD manages the data generated by SDM assessments and produces two annual management reports. A first report compiles information from Substitute Care Provider assessments and a second summarizes information from child welfare assessments.

### **Selection**

NCCD is the sole source developer and trademark owner of the "SDM Assessment" system. NCCD's Safe Measure is the only system to provide a child welfare data portal that meets the Division 31 Requirements and organizes the data into a user-friendly, point-and-click format that allows managers, supervisors, and child welfare workers to view data by program, by office site, by unit, and by individual.

### **Funding**

Funding for this contract is provided through a combination of General Fund (55%) and State/Federal (45%) revenue.

### **ATTACHMENTS**

Appendix A – Services to be Provided

Appendix B – Calculation of Charges

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



February 3, 2004

ALL COUNTY LETTER: 04-05

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY PROBATION OFFICERS  
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS

SUBJECT: IMPLEMENTATION OF CHILD WELFARE SERVICES OUTCOME AND  
ACCOUNTABILITY SYSTEM

REFERENCE: WELFARE AND INSTITUTIONS CODE SECTION 10601.2,  
STATUTES OF 2001 (AB 636)

Pursuant to State Law (AB 636), effective January 2004, a new Child Welfare Services Outcome and Accountability System will begin operation in California. The new system, referred to as the California-Child and Family Services Review (C-CFSR), was developed in accordance with the provisions of WIC 10601.2 and focuses primarily on measuring outcomes in Safety, Permanence and Child and Family Well-Being. The new system replaces the former Child Welfare Services Oversight System which focused exclusively on regulatory compliance and brings California's oversight into alignment with the Federal Child and Family Service Review oversight system of the states.

**OVERVIEW**

The new system operates on a philosophy of continuous quality improvement, interagency partnerships, community involvement and public reporting of program outcomes. The principle components of the system include: Quarterly Outcome and Accountability Reports published by the California Department of Social Services (CDSS); County Self-Assessments; County Peer Quality Case Reviews; County System Improvement Plans and State Technical Assistance and Monitoring.

The features of each component include:

- Quarterly Outcome and Accountability County Data Reports - in early 2004, CDSS will begin issuing quarterly reports with key safety, permanence and well being indicators for each county. These quarterly reports provide summary level Federal and State program measures that will serve as the basis for the county self assessment reviews and be used to track State and county performance over time. The initial January 2004 report will serve as the baseline level of performance for each county and represents the starting point that each county

**REASON FOR THIS TRANSMITTAL**

- State Law Change  
 Federal Law or Regulation Change  
 Court Order  
 Clarification Requested by One or More Counties  
 Initiated by CDSS

will use to measure improvement. It is important that counties not draw comparisons to other counties or even to the State as a whole given the differences in demographics, resources and practice. The intent of the new system is for each county, through their self assessment, to determine the reasons for their current level of performance and to develop a plan for measurable improvement. (Note: the initial Quarterly Data Report does not contain all of the elements in the C-CFSR matrix listed in the CWS Outcomes and Accountability Conceptual Design. The remaining measures are under development and will be reported for the next self assessment cycle).

County Self-Assessment - is a focused analysis of the data from the January 2004 report performed by each county of its' own Child Welfare Services program including such services provided to probation youth. The county Child Welfare Agency in partnership with the county Probation Department, proportionate to their share of children in the system, will work together with public and private agencies, the judiciary and the community to complete the assessment. The Self-Assessment Outline and Instructions provide the requirements and format to ensure that the county examines all program areas. This is necessary to determine the basis for current level of performance and to identify procedural, systemic, practice or resource barriers to improved performance. Counties are strongly encouraged to utilize existing planning processes and/or existing community based groups to facilitate the public input into the self assessment process.

County Peer Quality Case Reviews (PQCR) -- an extension of the county's self-assessment process and is guided by questions raised by the analysis of outcome data and systemic factors. The goal of the PQCR is to analyze specific practice areas and to identify key patterns of agency strengths and concerns for the host county. The PQCR process uses peers from other counties to promote the exchange of best practice ideas within the host county and to peer reviewers. The peer reviewers provide objectivity to the process and serve as an immediate onsite training resource to the host county.

County System Improvement Plans - are developed by the lead agencies in collaboration with their local partners and are approved by the County Board of Supervisors and CDSS. The overall focus of the plan is a commitment to specific measurable improvements in performance outcomes that the county will achieve within a defined timeframe. The County System Improvement Plan will establish program priorities, define the actions steps to achieve improvement and establish the specific percentage increases in performance that the county will achieve within the term of the plan. The County System Improvement Plan is based on the previous components and it is recommended that all counties include early

involvement of the Board of Supervisors or their representatives in the county Self-Assessment to ensure timely submission of the Plan to the State.

State Technical Assistance and Monitoring – The CDSS staff will monitor the completion of all activities under the C-CFSR for each county, including: ongoing tracking of county performance measures, reviewing county self-assessments for completeness, participation in peer quality case reviews and review and approval of the county system improvement plans. The CDSS will provide guidance and technical assistance to counties during each phase of C-CFSR process and ultimately track and report on progress toward measurable goals set by each county in their plan. As the new C-CFSR system is fully implemented, CDSS will compile the county information to fulfill the requirements for a Statewide Self-Assessment and Program Improvement Plan under the Federal review process.

#### **IMPLEMENTATION REQUIREMENTS AND TIMEFRAMES**

The new C-CFSR system is effective beginning January 2004. When fully implemented, the C-CFSR process will be a tri-annual review with a third of the counties completing all steps in the review process every third year, with annual updates to their County System Improvement Plan. For the initial implementation of the new system, however, all counties are required to complete a County Self-Assessment and County System Improvement Plan.

The CDSS will issue instructions in future All County Letters regarding conversion of the C-CFSR to a tri-annual process and, any changes to the forms or instruments. The CDSS will also issue implementing regulations. For purposes of the initial implementation year the following actions must be taken no later than the date indicated:

- 1) **Quarterly Outcome and Accountability Data Reporting Begins:** January 2004  
The initial report will be sent to each county in early 2004.
- 2) **County Self-Assessment Reviews Completed and Submitted to CDSS:** June 30, 2004
- 3) **County System Improvement Plans Approved by the County Board of Supervisors and the California Department of Social Services:** Sept. 30, 2004

## INSTRUCTIONS AND FORMS

Attached you will find:

- a) A sample quarterly County Outcome and Accountability County Data Report (Attachment A) and the report Interpretation Guide (Attachment B), which defines the terms used and identifies additional sources of information for each item in the report. It is important that counties as part of their analysis of performance review the underlying breakout of information, which will include breakouts by age, ethnicity and placement type. In this way, the analysis can focus on specific issues impacting the unique needs of the subset of population that make up each county caseload.
- b) The County Self-Assessment Outline and Instructions (Attachment C) which describes the content of the self-assessment and who must participate.
- c) The County Peer Quality Case Review guide, instructions and forms (Attachment D). For the implementation year counties are not required to conduct a PQCR. Several counties on a voluntary basis will test the peer quality case review process, which will subsequently be refined based on input and incorporated into the future tri-annual reviews.
- d) The County System Improvement Plan Instructions (Attachment C) which provides the instructions for the format, content and who must participate.

The implementation of the new C-CFSR is a significant event in the evolution of the Child Welfare Services system in California. It represents a fundamental shift from monitoring process activities to evaluating improved outcomes for the children and families served by this important program. It also represents an opportunity to involve all aspects of the system and the community into the discussion on how to achieve better outcomes for children and families.

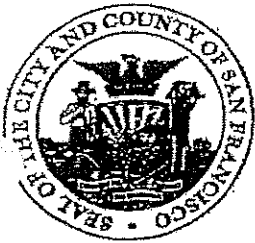
If you have any questions, you may contact Ellie Jones, Chief of the Children's Services Operations Bureau at (916) 681-8100.

Sincerely,

***Original Document Signed By:***

BRUCE WAGSTAFF  
Deputy Director  
Children & Family Services Division

Attachments



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM  
MAYOR

March 5, 2009

## NOTICE OF CIVIL SERVICE COMMISSION ACTION

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 2000-08/09 THROUGH 2009-08/09.**

At its meeting of March 2, 2009 the Civil Service Commission had for its consideration the above matter.

**PLEASE NOTE:** *It is important that a copy of this action be kept in the department files as you will need it in the future as proof of Civil Service Commission approval.*

It was the decision of the Commission to:

- (1) Postpone PSC #2002-08/09; 2003-08/09 and 2005-08/09 to the meeting of March 16, 2009 at the request of SEIU Local 1021. The Commission stipulated this will be the last continuance granted.
- (2) Adopt the Human Resources Director's report on PSC #2000-08/09; 2001-08/09; 2004-08/09 and 2007-08/09 through 2009-08/09 on the condition that: 1) IFPTE Local 21 and the Human Services Agency meet to discuss their concerns regarding funding options for the transition of work performed by Class 2819 and 2822 Health Educators and Assistant Health Educators back to the City, in conjunction with the Department of Public Health; 2) a written report on the progress submitted to the Civil Service Commission no later than six (6) months (September 7, 2009) and 3) Human Services Agency continue to meet and discuss in good faith with IFPTE Local 21 other classifications, the work of which could possibly be transitioned back to the City. Notify the offices of the Controller and the Purchaser.
- (3) Adopt the Human Resources Director's report on PSC #2006-08/09. Notify the offices of the Controller and the Purchaser.

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

ANITA SANCHEZ  
Executive Officer

### Attachment

- cc: Micki Callahan, Human Resources Director  
David Curto, Human Services Agency  
Jennifer Johnston, Department of Human Resources  
Naomi Kelly, Office of Contract Administration  
Brigitte Rockett, Department of Human Resources  
Ben Rosenfield, Controller  
Alexis Torres, IFPTE Local 21, 1182 Market Street, Ste. 425, SF, CA 94102  
Margot Reed, SEIU Local 1021, 350 Rhode Island St., Ste. 100 South Bldg, SF, CA 94103  
Commission File  
Chron

POSTING FOR  
February 02, 2009

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

PSC No.	Dept No	Department	Approval Type	Contract Amount	Description of work	Duration
2000-08/09	45	Human Services Agency	Continuing	\$ 7,600,000.00	Will provide orientations, induction training, home studies, and post-adoption services to the families, and facilitating the matching of adoptive families to San Francisco children in the foster care system.	30-Jun-14
2001-08/09	45	Human Services Agency	Continuing	\$ 85,000,000.00	Will provide training, respite care, counseling, crisis intervention, childcare and reunification efforts to help maintain foster children in their communities.	30-Jun-14
2002-08/09	45	Human Services Agency	Continuing	\$ 26,500,000.00	Will provide services to Community-based family resource centers that operate to serve all parents for specific parenting skills, parenting guides, crisis counseling and intervention.	30-Jun-14
2003-08/09	45	Human Services Agency	Continuing	\$ 180,000,000.00	Will provide childcare services to low-income and California families through partnerships with other state licensed providers in various identified target neighborhoods.	30-Jun-14
2004-08/09	45	Human Services Agency	Continuing	\$ 230,000,000.00	Will provide supportive housing services including case management, money management and tenant support to individuals and families living in shelters, single transient occupancy hotels and transitional or permanent housing.	30-Jun-14
2005-08/09	45	Human Services Agency	Continuing	\$ 38,500,000.00	Will provide outreach, counseling, employment services, vocational training, work readiness, referral and placement services, job relation support and follow-up to CalWorks and PAES (Personal Assisted Employment Services) and other low-income individuals.	30-Jun-14
2006-08/09	45	Human Services Agency	Continuing	\$ 26,415,000.00	Will provide support services to the Agency include but not are limited to the following: legal process service, courier service, fiscal intermediary (employer agent/ payroll services for welfare to work clients), credit checks, and equipment maintenance.	30-Jun-14
2007-08/09	45	Human Services Agency	Continuing	\$ 327,760,000.00	Will provide a central registry, enrollment in a comprehensive health benefit system, advocacy and support services for 18,000 homecare workers. Provides the contract mode HSE as mandated.	30-Jun-14
2008-08/09	45	Human Services Agency	Continuing	\$ 75,760,000.00	Will provide homeless individuals and families with emergency shelter services and meals. Services may include sleeping facilities (bed, bedding and storage space), meals/groceries, laundry facilities, and voluntary case management.	30-Jun-14
2009-08/09	46	Human Services Agency	Continuing	\$ 14,650,000.00	Will provide individuals and families who are homeless or at-risk for homelessness with drop-in access to services, shelter bed reservations and respite from the streets.	30-Jun-14
4086-08/09	22	Department of the Environment	Regular	\$ 80,000.00	Will provide Charter bus transportation for the School Education Program's environmental field trips for grades K-12 students.	31-Dec-13
4067-08/09	22	Department of the Environment	Regular	\$ 264,000.00	Will provide consulting to develop long-term strategy for Clean Air Program, advise on latest technology, and support and outline funding options for Clean Air projects.	30-Jun-13

CCSF, DHR  
PSCPSTNG

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC

Dept. Code: PUC

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Tunnel Design Services (DB-131)

Funding Source: Sewer System Improvement Program

PSC Duration: 2 years 8 weeks

PSC Amount: \$14,000,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The proposed work is tunnel and geotechnical engineering design, and engineering support during construction

for SFPUC's Kansas and Marin Streets Sewer Improvements Project. This project is proposing an 8-foot diameter

tunnel (starting from the intersection of Kansas and Marin Streets, and running approximately 900-feet west

towards Lot 31, which is within City Property), launching and receiving shafts, junction structures, and all related

site investigation work (i.e. geotechnical and hazardous material). The primary purpose of the project is to increase

hydraulic conveyance to alleviate flooding for a susceptible portion of the City.

**B. Explain why this service is necessary and the consequence of denial:**

These services are necessary because tunnel engineering and associated geotechnical engineering is specialized work that is not routinely performed by City engineers. The neighborhood near the intersection of Kansas and Marin Streets has been historically subject to flooding during moderate to heavy storms. The design of this project is part of the Sewer System Improvement Program (SSIP) Phase 1 to advance the City's goal of managing stormwater and minimizing flooding during the City's design storm. Without this project, the surrounding areas will remain vulnerable to flooding.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Yes. Previous projects include: PSC 4065-04/05 for CS-781 ( WD-2531 Bay Tunnel), PSC 41561 - 14/15 (CS-249 Mountain Tunnel), PSC 4104-07/08 for CS-730 (Polhemus Tunnel). PSC 44496 -19/20 was requested as a renewal of PSC 45698-17/18 which expired on June 18, 2019. PSC 44496-19/20 was withdrawn and replaced with this PSC 44596-19/20 to correctly state the PSC amount of \$14,000,000 representing both the design and construction estimates of Design-Build Contract DB-131.

**D. Will the contract(s) be renewed?**

No.



- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.  
N/A.

**2. Reason(s) for the Request**

- A. Indicate all that apply (be specific and attach any relevant supporting documents):

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

- B. Explain the qualifying circumstances:

The experience and skills to design a tunnel are not available among the City's civil service staff; therefore, the project needs designed with the diverse skills, expertise, and knowledge to build a tunnel.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Highly specialized expertise in tunnel engineering is required to assist City staff to provide engineering design services for a large-diameter (8-foot) sewer tunnel in an active seismic zone, including associated comprehensive geotechnical and hazardous material investigation. For geotechnical investigation, Geotechnical Interpretation Report and Geotechnical Baseline Report are expected to be produced by the consultant team. There will be optional services such as surveying, structural designs, etcetera with the Request For Proposal.

- B. Which, if any, civil service class(es) normally perform(s) this work? 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 5241, Engineer; 5362, Engineering Assistant; 5364, Engineering Associate 1; 5366, Engineering Associate 2;

- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, drilling equipment for site investigation may be required. Also, the contractor will provide plans and specifications for the construction of the final facilities, which are a tunnel and two junction structures.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

SFPUC Engineering Management Bureau has reviewed the staffing plan and confirmed that such expertise is not available within current City resources. All related services that the City can provide - such as project engineering efforts, coordination for utility conflicts and environmental approval work will be performed by City resources, in collaboration with the selected consultant team.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.

Typically, design and construction of tunnels occur infrequently and far in between - especially compared with other civil engineering work in the City. There is no reliable, continuous, long-term workload for tunnel designs; therefore, it does not warrant hiring long-term City employees for tunnel work. Note that this project will be performed jointly between City and consultant staffs.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. It would not be practical nor feasible to adopt a new civil service class to perform this work. There is insufficient continuous and long-term workload to support a long term staffing of tunnel engineers. Tunnels are considered as a high risk activity and the work does not occur frequently enough to justify.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
  
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
Yes. To foster the transfer of technical expertise relevant to tunnel design and construction to City staffs, this contract will include provisions for approximately 24-hours of consultant-led, in-office training sessions at the SFPUC. While training topics will be determined jointly with SFPUC during the Design Phase, potential topics may include: tunnel safety, maintenance and rehabilitation strategies for tunnels, construction management of tunnel projects, retrofitting of portals and pipelines for seismic hazards, geotechnical considerations related to rock or mixed soil tunnel design, tunnel lining design. Training will be relevant but not limited to: civil engineers, mechanical engineers, geotechnical engineers, structural engineers, resident engineers, construction managers, and project managers.
  
- C. Are there legal mandates requiring the use of contractual services?  
No.
  
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
  
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
  
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 10/21/2019, the Department notified the following employee organizations of this PSC/RFP request:  
Architect & Engineers, Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Bill Irwin Phone: 415-934-3975 Email: wirwin@swater.org

Address: 525 Golden Gate Avenue, 8th Floor San Francisco, CA

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 44596 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/16/2019

# **Receipt of Union Notification(s)**

**Irwin, William**

**From:** dhr-psccordinator@sfgov.org on behalf of irwin@sfwater.org  
**Sent:** Monday, October 21, 2019 3:25 PM  
**To:** Irwin, William; amakayan@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; Irwin, William; DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 44596 - 19/20

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RECEIPT for Union Notification for PSC 44596 - 19/20 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 44596 - 19/20 for \$14,000,000 for Initial Request services for the period 01/04/2020 - 02/28/2022. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrrupal/node/14116> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again, change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC

Dept. Code: PUC

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Tunnel and Geotechnical Engineering Design (PRO.0110)

Funding Source: Sewer System Improvement Program

PSC Duration: 3 years 4 days

PSC Amount: \$1,000,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The proposed work are tunnel and geotechnical engineering design, and engineering support during construction for SFPUC's Kansas and Marin Streets Sewer Improvements Project. This project is proposing a 8-foot diameter tunnel (starting from the intersection of Kansas and Marin Streets, and running approximately 900-feet west towards Lot 31, which is within City Property), launching and receiving shafts, junction structures, and all related site investigation work (i.e. geotechnical and hazardous material). The primary purpose of the project is to increase hydraulic conveyance to alleviate flooding for a susceptible portion of the City.

**B. Explain why this service is necessary and the consequence of denial:**

These services are necessary because tunnel engineering and associated geotechnical engineering are specialized work that is not routinely performed by City engineers. The neighborhood near the intersection of Kansas and Marin Streets has been historically subject to flooding during moderate to heavy storms. The design of this project is part of the Sewer System Improvement Program (SSIP) Phase 1 to advance the City's goal of managing stormwater and minimizing flooding during the City's design storm. Without this project, the surrounding areas will remain vulnerable to flooding.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

These services have not been provided in the past.

**D. Will the contract(s) be renewed?**

No.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

not applicable

**2. Reason(s) for the Request**

**A. Indicate all that apply (be specific and attach any relevant supporting documents):**

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

**B. Explain the qualifying circumstances:**

This capital project requires specialized skills, expertise and knowledge to complete the work.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Highly specialized expertise in tunnel engineering is required to assist City staff to provide engineering design services for a large-diameter (8-foot) sewer tunnel in an active seismic zone, including associated comprehensive geotechnical and hazardous material investigation. For geotechnical investigation, Geotechnical Interpretation Report and Geotechnical Baseline Report are expected to be produced by the consultant team. There will be optional services such as surveying, structural designs, etcetera with the Request For Proposal.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 5241, Engineer; 5362, Engineering Assistant; 5364, Engineering Associate 1; 5366, Engineering Associate 2;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, drilling equipment for site investigation may be required.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

SFPUC Engineering Management Bureau has reviewed the staffing plan and confirmed that such expertise is not available within current City resources. All related services that the City can provide - such as project engineering efforts, coordination for utility conflicts and environmental approval work will be performed by City resources, in collaboration with the selected consultant team.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
Typically, design and construction of tunnels occur infrequently and far in between - especially compared with other civil engineering work in the City. There is no reliable, continuous, long-term workload for tunnel designs; therefore, it does not warrant hiring long-term City employees for tunnel work. Note that this project will be performed jointly between City and consultant staffs.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. It would not be practical nor feasible to adopt a new civil service class to perform this work. There is insufficient continuous and long-term workload to support a long-term staffing of tunnel engineers.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
Yes. To foster the transfer of technical expertise relevant to tunnel design and construction to City staffs, this contract will include provisions for approximately 24-hours of consultant-led, in-office training sessions at the SFPUC. While training topics will be determined jointly with SFPUC during the Design Phase, potential topics may include: tunnel safety, maintenance and rehabilitation strategies for tunnels, construction management of tunnel projects, retrofitting of portals and pipelines for seismic hazards, geotechnical considerations related to rock or mixed soil tunnel design, tunnel lining design. Training will be relevant but not limited to: civil engineers, mechanical engineers, geotechnical engineers, structural engineers, resident engineers, construction managers, and project managers.

- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

7. **Union Notification:** On 04/10/2018, the Department notified the following employee organizations of this PSC/RFP request:  
Architect & Engineers, Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Shamica Jackson Phone: 415-554-0727 Email: SJackson@sfwater.org

Address: 525 Golden Gate Avenue, 8th Floor San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45698 - 17/18

DHR Analysis/Recommendation:

action date: 06/18/2018

Commission Approval Required

Approved by Civil Service Commission

06/18/2018 DHR Approved for 06/18/2018



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC

Dept. Code: PUC

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Tunnel Design Services (DB-131)

Funding Source: Sewer System Improvement Program

PSC Duration: 1 year 51 weeks

PSC Amount: \$750,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The proposed work are tunnel and geotechnical engineering design, and engineering support during construction

for SFPUC's Kansas and Marin Streets Sewer Improvements Project. This project is proposing a 8-foot diameter

tunnel (starting from the intersection of Kansas and Marin Streets, and running approximately 900-feet west

towards Lot 31, which is within City Property), launching and receiving shafts, junction structures, and all related

site investigation work (i.e. geotechnical and hazardous material).The primary purpose of the project is to increase

hydraulic conveyance to alleviate flooding for a susceptible portion of the City.

**B. Explain why this service is necessary and the consequence of denial:**

These services are necessary because tunnel engineering and associated geotechnical engineering are specialized work that is not routinely performed by City engineers. The neighborhood near the interaction of Kansas and Marin Streets has been historically subject to flooding during moderate to heavy storms. The design of this project is part of the Sewer System Improvement Program (SSIP) Phase 1 to advance the City's goal of managing stormwater and minimizing flooding during the City's design storm. Without this project, the surrounding areas will remain vulnerable to flooding.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Yes. Previous projects include: WD-2531 (Bay Tunnel), CS-249 (Mountain Tunnel), WD-2498 (Polhemus Tunnel), and WW-487 (Sunnydale Tunnel).PSC 44496 -19/20 is a renewal of PSC 45698-17/18 which expired on June 18, 2019.

**D. Will the contract(s) be renewed?**

No.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.  
N/A.

**2. Reason(s) for the Request**

- A. Indicate all that apply (be specific and attach any relevant supporting documents):

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

- B. Explain the qualifying circumstances:

The experience and skills to design a tunnel are not available among the City's civil service staff; therefore, the project needs designed with the diverse skills, expertise, and knowledge to build a tunnel.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Highly specialized expertise in tunnel engineering is required to assist City staff to provide engineering design services for a large-diameter (8-foot) sewer tunnel in an active seismic zone, including associated comprehensive geotechnical and hazardous material investigation. For geotechnical investigation, Geotechnical Interpretation Report and Geotechnical Baseline Report are expected to be produced by the consultant team. There will be optional services such as surveying, structural designs, etcetera with the Request For Proposal.
- B. Which, if any, civil service class(es) normally perform(s) this work? 5201, Junior Engineer; 5203, Asst Engr; 5207, Assoc Engineer; 5211, Eng/Arch/Landscape Arch Sr; 5212, Engineer/Architect Principal; 5241, Engineer; 5362, Engineering Assistant; 5364, Engineering Associate 1; 5366, Engineering Associate 2;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, drilling equipment for site investigation may be required. Also, the contractor will provide plans and specifications for the construction of the final facilities, which are a tunnel and two junction structures.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

SFPUC Engineering Management Bureau has reviewed the staffing plan and confirmed that such expertise is not available within current City resources. All related services that the City can provide - such as project engineering efforts, coordination for utility conflicts and environmental approval work will be performed by City resources, in collaboration with the selected consultant team.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
Typically, design and construction of tunnels occur infrequently and far in between - especially compared with other civil engineering work in the City. There is no reliable, continuous, long-term workload for tunnel designs; therefore, it does not warrant hiring long-term City employees for tunnel work. Note that this project will be performed jointly between City and consultant staffs.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. It would not be practical nor feasible to adopt a new civil service class to perform this work. There is insufficient continuous and long-term workload to support a long term staffing of tunnel engineers. Tunnels are considered as a high risk activity and the work does not occur frequently enough to justify.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation. No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

Yes. To foster the transfer of technical expertise relevant to tunnel design and construction to City staffs, this contract will include provisions for approximately 24-hours of consultant-led, in-office training sessions at the SFPUC. While training topics will be determined jointly with SFPUC during the Design Phase, potential topics may include: tunnel safety, maintenance and rehabilitation strategies for tunnels, construction management of tunnel projects, retrofitting of portals and pipelines for seismic hazards, geotechnical considerations related to rock or mixed soil tunnel design, tunnel lining design. Training will be relevant but not limited to: civil engineers, mechanical engineers, geotechnical engineers, structural engineers, resident engineers, construction managers, and project managers.

C. Are there legal mandates requiring the use of contractual services? No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement. No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action. No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain. No.

**7. Union Notification:** On 08/12/2019, the Department notified the following employee organizations of this PSC/RFP request:

Architect & Engineers, Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Bill Irwin Phone: 415-934-3975 Email: wirwin@sfgwater.org

Address: 525 Golden Gate Avenue San Francisco, CA 94102

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 44496 - 19/20

DHR Analysis/Recommendation:  
Commission Approval Required  
10/07/2019 DHR Approved for 10/07/2019

action date: 10/07/2019  
Other

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION

Dept. Code: PUC

Type of Request:  Initial  Modification of an existing PSC (PSC # 41561 - 14/15)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Engineering Design Services for Mountain Tunnel Improvements (CS-249;PRO.0137)

Funding Source: Joint Water/Power Revenue Bonds

PSC Original Approved Amount: \$21,000,000

PSC Original Approved Duration: 02/01/16 - 01/31/27 (11 years 2 days)

PSC Mod#1 Amount: \$1,500,000

PSC Mod#1 Duration: no duration added

PSC Cumulative Amount Proposed: \$22,500,000

PSC Cumulative Duration Proposed: 11 years 2 days

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The San Francisco Public Utilities Commission (SFPUC) has initiated an extensive Capital Improvement Program for the Hetch Hetchy Water and Power(HHWP) Enterprise to improve reliability of its water, power, and joint water/power facilities. This work consists of engineering and design services for a new 12-mile water tunnel, as well as the interim rehabilitation of the existing Mountain Tunnel located in Moccasin, CA.

**B. Explain why this service is necessary and the consequence of denial:**

Expertise in tunnel engineering is not available within SFPUC or other City department. Denial would not provide the SFPUC the opportunity to upgrade the Hetch Hetchy system which will hinder improving reliability of water delivery to SFPUC customers.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

No.

**D. Will the contract(s) be renewed?**

Yes if permitting or construction is significantly delayed.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

**2. Reason(s) for the Request**

**A. Display all that apply**

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

Explain the qualifying circumstances:

Expertise in tunnel engineering is not available within SFPUC or other City department.

B. Reason for the request for modification:

The San Francisco Public Utilities Commission (SFPUC) is seeking individual expert consultants within fields related to the design and construction of tunnels and associated structures and facilities, including but not limited to tunnel design/engineering, tunnel construction and constructability, geotechnical engineering, seismology and engineering geology, fluid mechanics/hydraulics to provide technical advisory services for Mountain Tunnel, Central Bayside System Improvement Project, Folsom Tunnel, Kansas/Marin, and other SFPUC Tunnel projects. The consultants shall participate as members of a panel of independent technical experts. The panel, hereafter designated as the Tunnel Technical Advisory Panel (TTAP), will be composed of one or more experts with highly specialized expertise in tunnel design/engineering, tunnel construction, geotechnical/seismology engineering, tunnel structural engineering, structural/shoring and/or fluid mechanics/hydraulics.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Expertise is required for the preparation of engineering detail design package for tunnel facilities including tunnel, tunnel portal shafts, vent or intermediate structures, new control structures, and ancillary appurtenances along tunnel. Engineering expertise also requires experience to define and implement a geotechnical investigation and site characterization program to determine required design parameters and to assess ground and groundwater conditions along the alignment of the tunnel facilities and to prepare baseline reports for the contract documents.

B. Which, if any, civil service class(es) normally perform(s) this work? none

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Civil service classes are not applicable because the majority of the work required is for specialized geotechnical investigations and tunnel engineering. The City does not have this expertise on staff required to complete the project design.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: It will be impractical to adopt a new civil service class to perform this work as there is insufficient continuous, long term workload to support a staff of tunnel engineers.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.

Tunnel lining repair - 20 hours - Civil Engineers.

C. Are there legal mandates requiring the use of contractual services?

No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

No.

7. **Union Notification:** On 02/07/19, the Department notified the following employee organizations of this PSC/RFP request:

all unions were notified

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Bill Irwin Phone: 415-934-3975 Email: wirwin@sfwater.org

Address: 525 Golden Gate Avenue, 8th Floor, San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41561 - 14/15

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 02/25/2019




**San Francisco  
Water Power Sewer**

Services of the San Francisco Public Utilities Commission

Contract Administration Bureau  
1155 Market Street, 9th Floor  
San Francisco, CA 94103  
T 415.551.4603  
F 415.554.3225

**MEMORANDUM**

DATE: December 5, 2011  
TO: Maria Ryan, DHR-PSC Coordinator  
Department of Human Resources (Dept. 33)  
FROM: David E. Scott, PSC Coordinator   
San Francisco Public Utilities Commission (Dept. # 40)  
RE: Request for Administrative Approval of PSC Modification (less than 50%)

PSC No:	<u>4104-07/08</u>	CSC Approval Date (Original):	<u>03/05/2008</u>
Description of Service(s):	The work under this contract agreement consists of detailed analysis and design for the tunnel including required supplemental geotechnical characterization; assisting in the preparation of construction contract documents including plans, specifications, and cost estimates; support during the environmental certification of the project; and engineering support during construction and close out phases of the project. (CS-730).		
Original Approved Amount:	<u>\$ 2,799,191</u>	Original Approved Duration:	<u>03/05/2008 to 03/31/2012</u>
Modification One Amount:	<u>\$0</u>	Modification of Duration:	<u>12/08/2012 to 05/25/2012</u>
Total Amount as Modified:	<u>\$0</u>	Total Duration as Modified:	<u>03/05/2008 to 05/25/2012</u>

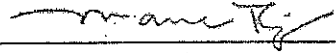
Reason for the modification:

**This modification will align the approved Civil Service authority term in the executed contract.**

Attachments: Copy of PSC Summary sent to DHR.

-----  
**FOR DEPARTMENT OF HUMAN RESOURCES USE**

DHR ACTION:  Approved  
Approval Date: 12/8/11

By:   
FOR Micki Callahan, Human Resources Director

- Edwin M. Lee  
Mayor
- Francesca Viator  
President
- Anson Moran  
Vice President
- Ann Wotter Caen  
Commissioner
- Art Torres  
Commissioner
- Vince Courtney  
Commissioner
- Ed Harrington  
General Manager





PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION – PUC

Dept. Code: PUC

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Project Pull Citywide Internship

Funding Source: Departmental Funds

PSC Duration: 3 years 52 weeks

PSC Amount: \$4,000,000

**1. Description of Work**

A. Scope of Work/Services to be Contracted Out:

Project Pull is a summer internship program established to provide professional guidance in a work experience

setting within the City Agencies to motivate students to continue their education so they may seek employment

opportunities in the public service sector or other highly disciplined career fields. Students selected from the

program demonstrate an ability and interest in professional careers such as architecture, business, engineering, science, finance, IT and communication/marketing. Consultant will manage the program and advance funds for all students interns' and team leaders' salaries and program enrichment activities.

B. Explain why this service is necessary and the consequence of denial:

This service is necessary to ensure that the program is administered efficiently with the essential goal of enriching the lives and providing opportunities to high school and college bound students. Denial of this service could result in the cancellation of the program which could affect the objective of this program which is to motivate students to strive for excellence, develop good working behaviors and complete their studies to enhance their future employment opportunities.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

This service was provided in the past under PSC No. 47498-1415 (PRO.0029).

D. Will the contract(s) be renewed?

Yes.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.

Not Applicable.

**2. Reason(s) for the Request**

A. Indicate all that apply (be specific and attach any relevant supporting documents):

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

B. Explain the qualifying circumstances:

The original contract PRO.0029 has reached its contract capacity, and therefore a new contract is necessary in order to continue the internship program.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Knowledge and expertise in the management of youth programs, mentoring for student, and managing funds such as payroll administration, program expenses and monthly invoices for minors hired for seasonal internship.

B. Which, if any, civil service class(es) normally perform(s) this work? none

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain:  
No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

None. This specialized service is an intermittent position for an eight (8) week summer program that requires a multi-disciplined organization to recruit students, evaluate their performance, provide mentoring match-ups, training workshops and enrichment activities and provide for advance funding for the program to pay student salaries and other program expenses.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Civil services classes are not applicable because this specialized service is an intermittent position for an eight (8) week summer program that requires a multi-disciplined organization to recruit students, evaluate their performance, provide mentoring match-ups, training workshops and enrichment activities and provide for advance funding for the program to pay student salaries and other program expenses.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. It would not be practical to adopt a new civil service class because the program is seasonal and the scope of work is limited.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. No training will be provided by the contractor.

C. Are there legal mandates requiring the use of contractual services?  
No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.

- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

7. **Union Notification:** On 11/12/2019, the Department notified the following employee organizations of this PSC/RFP request:  
all unions were notified

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Daniel Kwon Phone: 415-934-5722 Email: dkwon@swater.org

Address: 525 Golden Gate Ave 8th Floor San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45106 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/16/2019

## **Receipt of Union Notification(s)**

**From:** [dhr-psccordinator@sfgov.org](mailto:dhr-psccordinator@sfgov.org) on behalf of [dkwon@sfwater.org](mailto:dkwon@sfwater.org)  
**To:** [Kwon, Daniel](mailto:Kwon.Daniel@local39.org); [seichenberger@local39.org](mailto:seichenberger@local39.org); [Camaguey@sfmea.com](mailto:Camaguey@sfmea.com); [ablood@cirseiu.org](mailto:ablood@cirseiu.org); [kcartermartinez@cirseiu.org](mailto:kcartermartinez@cirseiu.org); [ecassidy@ifpte21.com](mailto:ecassidy@ifpte21.com); [WendyWong26@yahoo.com](mailto:WendyWong26@yahoo.com); [wendywong26@yahoo.com](mailto:wendywong26@yahoo.com); [sarah.wilson@seiu1021.org](mailto:sarah.wilson@seiu1021.org); [kschumacher@ifpte21.org](mailto:kschumacher@ifpte21.org); [kpage@ifpte21.org](mailto:kpage@ifpte21.org); [tjenkins@uapd.com](mailto:tjenkins@uapd.com); [eerbach@ifpte21.org](mailto:eerbach@ifpte21.org); [tmathews@ifpte21.org](mailto:tmathews@ifpte21.org); [amakayan@ifpte21.org](mailto:amakayan@ifpte21.org); [jb@local16.org](mailto:jb@local16.org); [Ricardo.lopez@sfgov.org](mailto:Ricardo.lopez@sfgov.org); [Basconillo, Kathy](mailto:Basconillo.Kathy@seiu1021.me); [Sandeep.lal@seiu1021.me](mailto:Sandeep.lal@seiu1021.me); [pcamarillo\\_seiu@sbcglobal.net](mailto:pcamarillo_seiu@sbcglobal.net); [MRainsford@local39.org](mailto:MRainsford@local39.org); [Wendy.Frigillana@seiu1021.org](mailto:Wendy.Frigillana@seiu1021.org); [pscreview@seiu1021.org](mailto:pscreview@seiu1021.org); [pkim@ifpte21.org](mailto:pkim@ifpte21.org); [agonzalez@iam1414.org](mailto:agonzalez@iam1414.org); [ted.zardecki@seiu1021.net](mailto:ted.zardecki@seiu1021.net); [leah.berlianga@seiu1021.org](mailto:leah.berlianga@seiu1021.org); [gail@sffdlocal798.org](mailto:gail@sffdlocal798.org); [cityworker@sfcwu.org](mailto:cityworker@sfcwu.org); [davidmkersten@gmail.com](mailto:davidmkersten@gmail.com); [djohnson@opcmialocal300.org](mailto:djohnson@opcmialocal300.org); [ramontliuna261@gmail.com](mailto:ramontliuna261@gmail.com); [ablood@cirseiu.org](mailto:ablood@cirseiu.org); [pkarinen@nccrc.org](mailto:pkarinen@nccrc.org); [tony@dc16.us](mailto:tony@dc16.us); [stevek@bac3-ca.org](mailto:stevek@bac3-ca.org); [xiumin.li@seiu1021.org](mailto:xiumin.li@seiu1021.org); [Poon, Sin Yee \(HSA\)](mailto:Poon, Sin Yee (HSA)); [smcarrv@nccrc.org](mailto:smcarrv@nccrc.org); [rmitchell@twusf.org](mailto:rmitchell@twusf.org); [groic@local39.org](mailto:groic@local39.org); [jduritz@uapd.com](mailto:jduritz@uapd.com); [staff@sfmea.com](mailto:staff@sfmea.com); [mike@dc16.us](mailto:mike@dc16.us); [khughes@ibew6.org](mailto:khughes@ibew6.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [sfmsa@gmail.com](mailto:sfmsa@gmail.com); [mshelley@dc16.us](mailto:mshelley@dc16.us); [david.canham@seiu1021.org](mailto:david.canham@seiu1021.org); [jtanner940@aol.com](mailto:jtanner940@aol.com); [pashworth@ibew6.org](mailto:pashworth@ibew6.org); [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [LIUNA.local261@gmail.com](mailto:LIUNA.local261@gmail.com); [local200twu@sbcglobal.net](mailto:local200twu@sbcglobal.net); [speedy4864@aol.com](mailto:speedy4864@aol.com); [Christina@sfmea.com](mailto:Christina@sfmea.com); [ecdernvoter@aol.com](mailto:ecdernvoter@aol.com); [thomas.vitale@seiu1021.org](mailto:thomas.vitale@seiu1021.org); [Kwon, Daniel](mailto:Kwon, Daniel); [DHR-PSCCoordinator](mailto:DHR-PSCCoordinator); [DHR \(HRD\)](mailto:DHR (HRD))  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45106 - 19/20  
**Date:** Tuesday, November 12, 2019 3:45:20 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RECEIPT for Union Notification for PSC 45106 - 19/20 more than \$100k

The PUBLIC UTILITIES COMMISSION -- PUC has submitted a request for a Personal Services Contract (PSC) 45106 - 19/20 for \$4,000,000 for Initial Request services for the period 03/02/2020 – 02/29/2024. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/14185> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT

READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again, change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC UTILITIES COMMISSION -- PUC

Dept. Code: PUC

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Project Pull Citywide Internship (PRO.0029)

Funding Source: Departmental Funds

PSC Duration: 5 years 2 days

PSC Amount: \$2,500,000

**1. Description of Work**

A. Scope of Work/Services to be Contracted Out:

Project Pull is a summer internship program established to provide professional guidance in a work experience setting within the City Agencies to motivate students to continue their education so they may seek employment opportunities in the public service sector or other highly disciplined career fields. Students selected from the program demonstrate an ability and interest in professional careers such as architecture, business, engineering and science. Consultant will manage the program and advance funds for all students interns' and team leaders' salaries and program enrichment activities.

B. Explain why this service is necessary and the consequence of denial:

This service is necessary to ensure that the program is administered efficiently with the essential goal of enriching the lives and providing opportunities to high school and college bound students. Denial of this service could result in the cancellation of the program which could affect the objective of this program which is to motivate students to strive for excellence, develop good working behaviors and complete their studies to enhance their future employment opportunities.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

This service was provided in the past by the Department of Public Works.

D. Will the contract(s) be renewed?

Yes.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.

not applicable

**2. Reason(s) for the Request**

A. Indicate all that apply (be specific and attach any relevant supporting documents):

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

B. Explain the qualifying circumstances:

This specialized service is an intermittent position for an eight (8) week summer program that requires a multi-disciplined organization to recruit students, evaluate their performance, provide mentoring match-ups, training workshops and enrichment activities and provide for advance funding for the program to pay student salaries and other program expenses.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Knowledge and expertise in the management of youth programs, mentoring for student, and managing funds such as payroll administration, program expenses and monthly invoices for minors hired for seasonal internship.

B. Which, if any, civil service class(es) normally perform(s) this work? none

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

None. This specialized service is an intermittent position for an eight (8) week summer program that requires a multi-disciplined organization to recruit students, evaluate their performance, provide mentoring match-ups, training workshops and enrichment activities and provide for advance funding for the program to pay student salaries and other program expenses.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Civil services classes are not applicable because this specialized service is an intermittent position for an eight (8) week summer program that requires a multi-disciplined organization to recruit students, evaluate their performance, provide mentoring match-ups, training workshops and enrichment activities and provide for advance funding for the program to pay student salaries and other program expenses.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. It would not be practical to adopt a new civil service class because the program is seasonal and the scope of work is limited.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

C. Are there legal mandates requiring the use of contractual services?  
No.



- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 03/11/2015, the Department notified the following employee organizations of this PSC/RFP request:  
all unions were notified

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Shamica Jackson Phone: 415-554-0727 Email: SJackson@sfgwater.org

Address: 525 Golden Gate Avenue, 8th Floor San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47498 - 14/15

DHR Analysis/Recommendation:

action date: 04/20/2015

Commission Approval Required

Approved by Civil Service Commission

04/20/2015 DHR Approved for 04/20/2015

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - CITY ADMIN -- ADM

Dept. Code: ADM

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Seismic Safety Consulting Services

Funding Source: Capital Planning & Resilience Budget

PSC Duration: 3 years 30 weeks

PSC Amount: \$500,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The City is seeking Consultants with proven expertise and experience in one or more multiple facets of earthquake hazard mitigation incorporated in, or necessary to accomplish the Community Action Plan for Seismic Safety (CAPSS)/Earthquake Safety Implementation Program (ESIP) and Tall Buildings Safety Strategy work plan. Tasks may have a particular focus on development of a non-ductile concrete and/or steel building retrofit program and associated standards, including initiating studies, performing analysis, developing standards, making policy recommendations, and assisting as needed in seismic engineering consulting to guide the development of a non-ductile concrete and/or steel building retrofit program and associated standards.

**B. Explain why this service is necessary and the consequence of denial:**

The United States Geological Survey (USGS) predicts there is a 72% chance of a magnitude 6.7 or greater earthquake occurring in the Bay Area before 2042. The Earthquake Safety Implementation Program is a 30-year, 50-task strategy to improve the seismic performance of privately owned buildings in San Francisco. This service is necessary to access world leading experts in seismic engineering and related expertise. Consequences of denial would be ignoring the imminent threat of an expected and overdue earthquake, which could potential result in several billion dollars of damage to both public and private buildings. A recent study by the Federal Emergency Management Agency (FEMA) Multi-hazard Mitigation Council reports that each dollar spent on mitigation saves an average of four dollars.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

This service has never been provided to the City in the past. The original CAPSS study was performed under PSC 3116-99/00 and follow on ESIP tasks were performed under PSC 4080-12/13. This contract will address new ESIP tasks that have not yet been completed and tasks identified in the Tall Buildings Safety Strategy.

**D. Will the contract(s) be renewed?**

No.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**  
not applicable

**2. Reason(s) for the Request**

A. Indicate all that apply (be specific and attach any relevant supporting documents):

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

B. Explain the qualifying circumstances:

City employees do not have the skills, expertise and knowledge required for this limited term project.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Technical analysis and policy development, as well as program research and support, such as the implementation of new technical standards used to analyze existing structures in seismic events, estimating the costs and benefits of various retrofit schemes.

B. Which, if any, civil service class(es) normally perform(s) this work? 1823, Senior Administrative Analyst; 1824, Principal Administrative Analyst; 5218, Structural Engineer; 5219, Senior Structural Engineer;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

These resources are not available within the City. Aspects of the tasks may be performed by various levels of structural engineers and plan reviewers, such as 5218 Structural Engineer and 5219 Senior Structural Engineer and Analysts such as 1823 Senior Administrative Analyst and 1824 Principal Resilience Analyst. Part of the focus of the work will focus on private housing, a building type not usually addressed by City engineers.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Civil service classes have the specialized knowledge and skills needed to perform this work. This information is rapidly changing and advancing.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. This is a limited term, one time project. These skills are not likely to be needed after this project.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

No. Knowledge transfer will be a component of this project, however no training will take place under this contract.

C. Are there legal mandates requiring the use of contractual services?

No.

- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

7. **Union Notification:** On 10/07/2019, the Department notified the following employee organizations of this PSC/RFP request:  
Architect & Engineers, Local 21

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Joan Lubamersky Phone: 4155544859 Email: joan.lubamersky@sfgov.org

Address: One Carlton B. Goodlett Place, Room 362 San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 47472 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/16/2019

## **Receipt of Union Notification(s)**

**Lubamersky, Joan (ADM)**

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**From:** dhr-psccordinator@sfgov.org on behalf of joan.lubamersky@sfgov.org  
**Sent:** Monday, October 07, 2019 10:07 PM  
**To:** Lubamersky, Joan (ADM); ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; Lubamersky, Joan (ADM); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 47472 - 19/20  
**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

RECEIPT for Union Notification for PSC 47472 - 19/20 more than \$100k

The GENERAL SERVICES AGENCY - CITY ADMIN -- ADM has submitted a request for a Personal Services Contract (PSC) 47472 - 19/20 for \$500,000 for Initial Request services for the period 12/01/2019 – 06/30/2023. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/14054> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

# **Additional Attachment(s)**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - CITY ADMIN

Dept. Code: ADM

Type of Request:  Initial  Modification of an existing PSC (PSC # 4080 12/13)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Seismic safety consulting services

Funding Source: Earthquake Safety Budget

PSC Original Approved Amount: \$1,000,000

PSC Original Approved Duration: 07/01/13 - 07/01/17 (4 years 1 day)

PSC Mod#1 Amount: \$325,000

PSC Mod#1 Duration: 07/02/17-07/01/19 (2 years)

PSC Mod#2 Amount: no amount added

PSC Mod#2 Duration: 07/01/19-07/31/19 (4 weeks 2 days)

PSC Cumulative Amount Proposed: \$1,325,000

PSC Cumulative Duration Proposed: 6 years 4 weeks

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The City is seeking Consultants with proven expertise and experience in one or more of the multiple facets of earthquake hazard mitigation incorporated in, or necessary to accomplish, the Community Action Plan for Seismic Safety (CAPSS) Earthquake Safety Implementation Program work plan. This will include the implementing the mandatory soft story retrofit ordinance by training city staff to implement cutting edge technical standards that have recently been published, assist in as needed seismic engineering consultation and developing future standards for seismic performances of various occupancies' such as private schools.

**B. Explain why this service is necessary and the consequence of denial:**

This process allows the City to tap world leading professionals in this area of expertise. Consequences of denial would be ignoring the imminent threat of an expected and overdue seismic event which could potentially result in several billion dollars of damage to both public and private buildings. A recent study by the Federal Emergency Management Agency (FEMA) Multi-hazard Mitigation Council shows "that each dollar spent on mitigation saves an average of four dollars

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

By contract

**D. Will the contract(s) be renewed?**

Unknown

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

We request one additional month to complete some work remaining.



**2. Reason(s) for the Request**

A. Display all that apply

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

Explain the qualifying circumstances:

A wide variety of skills are required to perform tasks required including multiple engineering specialities at a high level, seismology, geotechnical, and finance cost/benefit assessments.

B. Reason for the request for modification:

To add one month to duration

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Technical and policy development as well as program research and support such as the implementation of new technical standards used to model existing structures in seismic events, researching the socio-economic impacts of seismic upgrades on economically disadvantaged residents and development of Neighborhood Support Centers throughout San Francisco.

B. Which, if any, civil service class(es) normally perform(s) this work? 5214, Building Plans Engineer; 5218, Structural Engineer; 5219, Senior Structural Engineer; 6331, Building Inspector;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: To be determined. In some cases demonstration laboratories may be used such as "shake tables" which simulate a seismic event. The laboratories would be used by consultants for their research would not be provided to the City.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

No civil service classes have the specialized knowledge base and skills of the leading earthquake professionals required for this work. This information is rapidly changing and advancing and can only be done by outside contract by these specialists and managed by ESIP staff within the city.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. This is a 5 year project and these skills will likely not be needed after this consulting period. Additionally, the specialized skills required will change during the different phases of the project.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

Training will consist of teaching new technical standards to the Department of Building Inspection (DBI) plan check and inspection staff. Largely DBI will be tasked with the plan review and physical inspection of new mandatory seismic upgrades and currently they have not been trained to review these projects using the new FEMA adopted standards. Approximately 80 employees would learn these new standards. They would be typically be DBI plan check staff such as structural engineer classes 5214, 5218 and 5219 and building inspector classes such as 6331, 6333 and 6334

C. Are there legal mandates requiring the use of contractual services?

No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

The current contractor will continue their seismic safety work

7: **Union Notification:** On 06/26/19, the Department notified the following employee organizations of this PSC/RFP request:  
Architect & Engineers, Local 21;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Joan Lubamersky Phone: 4155544859 Email: joan.lubamersky@sfgov.org

Address: One Dr. Carlton B. Goodlett Place Room 362, San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 4080 12/13

DHR Analysis/Recommendation:

08/05/2019

Commission Approval Required

Approved by Civil Service Commission

08/05/2019 DHR Approved for 08/05/2019

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: HUMAN RESOURCES – HRD

Dept. Code: HRD

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Test Materials

Funding Source: General Fund

PSC Amount: \$150,000

PSC Est. Start Date: 12/01/2019

PSC Est. End Date 06/30/2023

**1. Description of Work**

A. Scope of Work/Services to be Contracted Out:

Provide valid test exam materials. Contractor will score candidate responses to the test.

B. Explain why this service is necessary and the consequence of denial:

This service is necessary because Sheriff Department has requested to assess emotional intelligence. The contractor will provide valid proprietary test materials and will score the candidate responses.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

Yes.

D. Will the contract(s) be renewed?

To be determined.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.  
not applicable

**2. Reason(s) for the Request**

A. Indicate all that apply (be specific and attach any relevant supporting documents):

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

B. Explain the qualifying circumstances:

There will be no formalized training. However, there will be a transfer of knowledge with regard to current best practices through working with the consultant.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Contractor must have a validated test for measuring emotional intelligence in a custody environment, and must have expert experience in psychometrics and statistical analysis, and experience providing depositions and testifying as an expert witness in State and Federal courts in defense of the test materials.

B. Which, if any, civil service class(es) normally perform(s) this work? 1241, Personnel Analyst; 1244, Senior Personnel Analyst; 1246, Principal Personnel Analyst; 0931, Manager III; 1241, Human Resources Analyst; 1244, Senior Human Resources Analyst; 1246, Principal Human Resources Analyst;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The City does not have a validated test to measure emotional intelligence in a custody environment.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Civil service classes are not applicable because staff do not have the credentials to provide expert testimony in court. Also, the vendor will be providing proprietary materials.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. It would not be practical to adopt a new civil service class because human resource analysts perform the majority of tasks related to development and administration of the selection process.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. There will be no formalized training. However, there will be a transfer of knowledge with regard to current best practices through working with the consultant.

C. Are there legal mandates requiring the use of contractual services?  
No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification: On 10/22/2019, the Department notified the following employee organizations of this PSC/RFP request:**

Architect & Engineers, Local 21; Management & Superv Local 21; Municipal Executive Association; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; Professional & Tech Engrs, SFAPP

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Ian Hart Phone: 415-557-4912 Email: Ian.Hart@sfgov.org

Address: 1 South Van Ness Ave., 4th Floor San Francisco, CA 94103

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45183 - 19/20

DHR Analysis/Recommendation:  
Commission Approval Required  
DHR Approved for 12/16/2019

Civil Service Commission Action:

## **Receipt of Union Notification(s)**

**Choi, Suzanne (HRD)**

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**From:** dhr-psccordinator@sfgov.org on behalf of Ian.Hart@sfgov.org  
**Sent:** Tuesday, October 22, 2019 9:57 AM  
**To:** Hart, Ian (HRD); amakayan@ifpte21.org; camaguey@sfmea.com (contact); Christina@sfmea.com; staff@sfmea.com; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; Choi, Suzanne (HRD); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC #.45183 - 19/20

RECEIPT for Union Notification for PSC 45183 - 19/20 more than \$100k

The HUMAN RESOURCES -- HRD has submitted a request for a Personal Services Contract (PSC) 45183 - 19/20 for \$150,000 for Initial Request services for the period 12/01/2019 – 06/30/2023. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/14119> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

**Modification**  
**Personal Services Contracts**



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: TREASURER/TAX COLLECTOR

Dept. Code: TTX

Type of Request:  Initial  Modification of an existing PSC (PSC # 46550 - 17/18)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Delinquent Collection Services

Funding Source: General Fund on medical collection only

PSC Original Approved Amount: \$850,000

PSC Original Approved Duration: 11/01/18 - 01/01/24 (5 years 8 weeks)

PSC Mod#1 Amount: \$1,500,000

PSC Mod#1 Duration: no duration added

PSC Cumulative Amount Proposed: \$2,350,000 PSC Cumulative Duration Proposed: 5 years 8 weeks

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Perform supplemental collection services on delinquent business and medical accounts referred by various city departments; also perform credit reporting, skip tracing, and negotiation of payment plans. Contractor shall receive a maximum of 25% of collected funds as a commission fee. The amount of commission fees for medical debt collections will not exceed 250K. The remaining 600K for delinquent business accounts would not be an expense to the City, but instead a commission fee based on the collected funds.

**B. Explain why this service is necessary and the consequence of denial:**

The Bureau of Delinquent Revenue (BDR), the City's official collection agency, received over 15,000 delinquent accounts per month from various city departments for collection. This amount exceeds any reasonable workload for the Section on a per Collector basis. If denied, the City will not have the available resources to pursue debts below a certain value thoroughly and in a timely manner.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Yes, under PSC 46550-17/18

**D. Will the contract(s) be renewed?**

Yes.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

The work will be on-going as the Bureau of Delinquent Revenue(BDR) anticipates continued accounts to flow through the section. As BDR receives more accounts, it will become necessary to outsource the accounts with a value of \$10,000 or less in order to keep pace with an increasing portfolio. The referred accounts have an average age of 5 years for medical debt and 3.5 years for business debt. PSC# 4049-09/10.

**2. Reason(s) for the Request**

**A. Display all that apply**

Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

Accounts assigned to the Bureau of Delinquent Revenue below a certain value exceed the resources of the section to be thoroughly worked and collected by the prior to the Statute of Limitations expiring.

B. Reason for the request for modification:

Increasing dollar amount.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: A minimum of 5 years collection experience and work with public agencies is required. Also, experience with medical and municipal/business tax debt collection is required.

B. Which, if any, civil service class(es) normally perform(s) this work? 4308, Senior Collections Officer;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

The 4308 CSC Senior Collections Officer currently performs the collections services for other City departments and the workload amount exceeds limitations.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. Debt collection efforts have been exhausted on these already aged and low value cases by the CSC 4308 Senior Collection Officers. The accounts have been gone through extensive skip-tracing, asset research, multiple collection calls, and received multiple notices and detailed summaries of the debtors' liabilities. Collection rate of return on these types of accounts remains at less than 2%.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

The contractor will be working on their own systems. City employees will not be working on accounts assigned to the contractors or on their system.

C. Are there legal mandates requiring the use of contractual services?

No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

Yes, under PSC 46550-17/18, we are using the same contractor.

7. **Union Notification:** On 09/12/19, the Department notified the following employee organizations of this PSC/RFP request:

SEIU 1021 Miscellaneous;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Kimmie Wu Phone: 415-554-4513 Email: Kimmie.wu@sfgov.org

Address: 1 Dr. Carlton B. Goodlett Place, Room 140, San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 46550 - 17/18

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/16/2019

# **Receipt of Union Notification(s)**

**From:** dhr-psccordinator@sfgov.org on behalf of Kimmie.wu@sfgov.org  
**To:** Wu, Kimmie (TTX); Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC); pcamarillo\_seiu@sbcglobal.net; Wendy.Frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); david.canham@seiu1021.org; jtanner940@aol.com; Wentworth, Amanda.(TTX); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 46550 - 17/18 - MODIFICATIONS  
**Date:** Thursday, September 12, 2019 3:55:36 PM

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PSC RECEIPT of Modification notification sent to Unions and DHR

The TREASURER/TAX COLLECTOR -- TTX has submitted a modification request for a Personal Services Contract (PSC) for \$1,500,000 for services for the period January 1, 2024 – January 1, 2024. For all Modification requests, there is

a

7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is

a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/13964>

Email sent to the following addresses: jtanner940@aol.com  
david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org xiumin.li@seiu1021.org  
ablood@cirseiu.org davidmkersten@gmail.com ted.zarzecki@seiu1021.net  
pscreview@seiu1021.org Wendy.Frigillana@seiu1021.org  
pcamarillo\_seiu@sbcglobal.net Kbasconcillo@sfgwater.org  
Ricardo.lopez@sfgov.org

## **Additional Attachment(s)**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: TREASURER/TAX COLLECTOR -- TTX

Dept. Code: TTX

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Delinquent Collection Services

Funding Source: General Fund on medical collection only

PSC Amount: \$850,000

PSC Est. Start Date: 11/01/2018

PSC Est. End Date 01/01/2024

**1. Description of Work**

A. Scope of Work/Services to be Contracted Out:

Perform supplemental collection services on delinquent business and medical accounts referred by various city departments; also perform credit reporting, skip tracing, and negotiation of payment plans. Contractor shall receive a maximum of 25% of collected funds as a commission fee. The amount of commission fees for medical debt collections will not exceed 250K. The remaining 600K for delinquent business accounts would not be an expense to the City, but instead a commission fee based on the collected funds.

B. Explain why this service is necessary and the consequence of denial:

The Bureau of Delinquent Revenue (BDR), the City's official collection agency, received over 15,000 delinquent accounts per month from various city departments for collection. This amount exceeds any reasonable workload for the Section on a per Collector basis. If denied, the City will not have the available resources to pursue debts below a certain value thoroughly and in a timely manner.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

PSC 4049 - 09/10.

D. Will the contract(s) be renewed?

Yes.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.

The work will be on-going as the Bureau of Delinquent Revenue(BDR) anticipates continued accounts to flow through the section. As BDR receives more accounts, it will become necessary to outsource the accounts with a value of \$10,000 or less in order to keep pace with an increasing portfolio. The referred accounts have an average age of 5 years for medical debt and 3.5 years for business debt. PSC# 4049-09/10.

**2. Reason(s) for the Request**

A. Indicate all that apply (be specific and attach any relevant supporting documents):

Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

B. Explain the qualifying circumstances:

Accounts assigned to the Bureau of Delinquent Revenue below a certain value exceed the resources of the section to be thoroughly worked and collected by the prior to the Statute of Limitations expiring.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: A minimum of 5 years collection experience and work with public agencies is required. Also, experience with medical and municipal/business tax debt collection is required.
- B. Which, if any, civil service class(es) normally perform(s) this work? 4308, Senior Collections Officer;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The Bureau of Delinquent Revenue is the City's collection agency. The accounts that will be referred to the Outside Collection Agencies will have been already assigned to BDR and worked by the staff prioritizing the type of debt and dollar amount.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
The 4308 CSC Senior Collections Officer currently performs the collections services for other City departments and the workload amount exceeds limitations.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. Debt collection efforts have been exhausted on these already aged and low value cases by the CSC 4308 Senior Collection Officers. The accounts have been gone through extensive skip-tracing, asset research, multiple collection calls, and received multiple notices and detailed summaries of the debtors' liabilities. Collection rate of return on these types of accounts remains at less than 2%.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. The contractor will be working on their own systems. City employees will not be working on accounts assigned to the contractors or on their system.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

- 7. Union Notification:** On 09/06/2017, the Department notified the following employee organizations of this PSC/RFP request:  
SEIU 1021 Miscellaneous



I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Kimmie Wu Phone: 415-554-4513 Email: Kimmie.wu@sfgov.org

Address: 1 Dr. Carlton B. Goodlett Place, Room 140 San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 46550 - 17/18

DHR Analysis/Recommendation:

action date: 12/18/2017

Commission Approval Required

Approved by Civil Service Commission

12/18/2017 DHR Approved for 12/18/2017

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 41338 - 13/14)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Third Party Pharmacy Administrator/340B Drug Pricing Program

Funding Source: General Fund

PSC Original Approved Amount: \$21,000,000

PSC Original Approved Duration: 07/01/14 - 06/30/19 (5 years)

PSC Mod#1 Amount: \$4,600,000

PSC Mod#1 Duration: 11/01/15-12/30/20 (1 year 26 weeks)

PSC Mod#2 Amount: no amount added

PSC Mod#2 Duration: 07/01/16-06/30/21 (25 weeks 6 days)

PSC Mod#3 Amount: \$28,800,000

PSC Mod#3 Duration: 07/01/21-06/30/26 (5 years 1 day)

PSC Cumulative Amount Proposed: \$54,400,000

PSC Cumulative Duration Proposed: 12 years 2 days

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Services will include Third Party Pharmacy Adjudication (TPA) of claims and 340B Drug Pricing Program services for the Department of Public Health's (DPH's) integrated service delivery division, the San Francisco Health Network (SFHN). The SFHN provides health care services to San Francisco residents who are not eligible for and/or do not have third party coverage for outpatient medication such as Medi-Cal or private insurance, including members of the San Francisco Health Plan (SFHP). TPA services will include verifying patient and provider eligibility status and adjudicate online claims 24/7. The 340B Drug Pricing Program requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices. 340B Program services will include inventory management, outpatient prescription claims adjudication services, and 340B contract pharmacy network management.

**B. Explain why this service is necessary and the consequence of denial:**

The San Francisco Health Network (SFHN), comprised of San Francisco General Hospital (SFGH), DPH's primary and specialty care clinics on the SFGH campus, and 13 primary care clinics, provides health care services to San Francisco residents, regardless of their medical insurance status, including prescription benefits resulting in more than 350,000 prescriptions each year. Denial of this request will likely result in severe delays in providing care and corresponding severe negative effects on the health San Francisco residents, as well as lack of compliance with federal and hospital regulatory standards and reduced revenue.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Yes.

D. Will the contract(s) be renewed?

Yes.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:

Duration extension is 5 years, to exercise remaining options in contract as stated in Request For Proposals (RFP) under which the contract was awarded, and as approved by the Board of Supervisors. Before the end of the full contract term (with all options exercised), in order to enable continuation of services, the Department expects to solicit these services with a new RFP and at that time to also request approval for a new PSC.

**2. Reason(s) for the Request**

A. Display all that apply

Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

The City does not have the needed information systems (which are proprietary), administrative and clinical resources throughout the City to provide 24/7 adjudication and dispensing in the community.

B. Reason for the request for modification:

To extend the duration by 5 years with a corresponding increase in amount, in order to exercise the remaining options in the contract.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Ability to provide services noted above, including inventory management, outpatient prescription claims adjudication and contract pharmacy network management; upload patient eligibility data, identify when drugs may be replenished with 340B drug purchases, adjudicate claims at network pharmacies for eligible patients written by eligible providers for drugs on the SFHP Drug Formulary, and operate a network of retail community pharmacies located within the city of San Francisco.

B. Which, if any, civil service class(es) normally perform(s) this work? 2450, Pharmacist; 2454, Clinical Pharmacist;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractor will have an established pharmacy network in San Francisco, and services must be provided through an accessible network of participating retail pharmacies in the community.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

DPH already utilizes applicable Civil Service classes to provide pharmacy services during accessible hours at SFGH, Laguna Honda Hospital, Jail Health Services and DPH clinics. Additional services are needed which include online 24/7 claims adjudication and dispensing at retail pharmacies. Allowing clients to use existing community resources not only increases the likelihood of medication adherence, but it also plays a part in reducing stigma often faced by mental health clients.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. If the City were to operate the extensive network of community pharmacies needed, the classifications noted in question 3B above would likely be the key classifications needed.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
The purpose of these services is to adjudicate claims and 340B Drug Pricing Program services. Training will be provided to staff as needed to use these services effectively.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
Walgreens Co.

**7. Union Notification:** On 09/13/19, the Department notified the following employee organizations of this PSC/RFP request:  
SEIU 1021 Miscellaneous;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 41338 - 13/14

DHR Analysis/Recommendation:

Commission Approval Required

DHR Approved for 12/16/2019

Civil Service Commission Action:

## **Receipt of Union Notification(s)**

## Hale, Jacquie (DPH)

---

**From:** dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org  
**Sent:** Friday, September 13, 2019 10:50 AM  
**To:** Hale, Jacquie (DPH); Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC);  
pcamarillo\_seiu@sbcglobal.net; Wendy.Frigillana@seiu1021.org;  
pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com;  
ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA);  
david.canham@seiu1021.org; jtanner940@aol.com; DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 41338 - 13/14 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$28,800,000 for services for the period July 1, 2021

-- June 30, 2026. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/5714>

Email sent to the following addresses: jtanner940@aol.com david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org xiumin.li@seiu1021.org ablood@cirseiu.org davidmkersten@gmail.com ted.zarzecki@seiu1021.net pscreview@seiu1021.org Wendy.Frigillana@seiu1021.org pcamarillo\_seiu@sbcglobal.net Kbasconcillo@sfwater.org Ricardo.lopez@sfgov.org

## **Additional Attachment(s)**



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 41338 - 13/14)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Third Party Pharmacy Administrator/340B Drug Pricing Program

Funding Source: General Fund

PSC Original Approved Amount: \$21,000,000 PSC Original Approved Duration: 07/01/14 - 06/30/19 (5 years)

PSC Mod#1 Amount: \$4,600,000 PSC Mod#1 Duration: 11/01/15-12/30/20 (1 year 26 weeks)

PSC Mod#2 Amount: no amount added PSC Mod#2 Duration: 07/01/16-06/30/21 (25 weeks 6 days)

PSC Cumulative Amount Proposed: \$25,600,000 PSC Cumulative Duration Proposed: 7 years 1 day

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Services will include Third Party Pharmacy Adjudication (TPA) of claims and 340B Drug Pricing Program services for the Department of Public Health's (DPH's) integrated service delivery division, the San Francisco Health Network (SFHN). The SFHN provides health care services to San Francisco residents who are not eligible for and/or do not have third party coverage for outpatient medication such as Medi-Cal or private insurance, including members of the San Francisco Health Plan (SFHP). TPA services will include verifying patient and provider eligibility status and adjudicate online claims 24/7. The 340B Drug Pricing Program requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices. 340B Program services will include inventory management, outpatient prescription claims adjudication services, and 340B contract pharmacy network management.

**B. Explain why this service is necessary and the consequence of denial:**

The San Francisco Health Network (SFHN), comprised of San Francisco General Hospital (SFGH), DPH's primary and specialty care clinics on the SFGH campus, and 13 primary care clinics, provides health care services to San Francisco residents, regardless of their medical insurance status, including prescription benefits resulting in more than 350,000 prescriptions each year. Denial of this request will likely result in severe delays in providing care and corresponding severe negative effects on the health San Francisco residents, as well as lack of compliance with federal and hospital regulatory standards and reduced revenue.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

2010-08/09

D. Will the contract(s) be renewed?

Yes.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:  
Please see attachment.

**2. Reason(s) for the Request**

A. Display all that apply

Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

The City does not have the needed information systems (which are proprietary), administrative and clinical resources throughout the City to provide 24/7 adjudication and dispensing in the community.

B. Reason for the request for modification:

To extend duration to correspond to DPH's contract with Walgreen's Co. to administer DPH's/SFGH's 340B Drug Pricing Program, a federal program which requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Ability to provide services noted above, including inventory management, outpatient prescription claims adjudication and contract pharmacy network management, upload patient eligibility data, identify when drugs may be replenished with 340B drug purchases, adjudicate claims at network pharmacies for eligible patients written by eligible providers for drugs on the SFHP Drug Formulary, and operate a network of retail community pharmacies located within the city of San Francisco.

B. Which, if any, civil service class(es) normally perform(s) this work? 2450, Pharmacist; 2454, Clinical Pharmacist;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractor will have an established pharmacy network in San Francisco, and services must be provided through an accessible network of participating retail pharmacies in the community.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

DPH already utilizes applicable Civil Service classes to provide pharmacy services during accessible hours at SFGH, Laguna Honda Hospital, Jail Health Services and DPH clinics. Additional services are needed which include online 24/7 claims adjudication and dispensing at retail pharmacies. Allowing clients to use existing community resources not only increases the likelihood of

medication adherence, but it also plays a part in reducing stigma often faced by mental health clients.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. If the City were to operate the extensive network of community pharmacies needed, the classifications noted in question 3B above would likely be the key classifications needed.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
The purpose of these services is to adjudicate claims and 340B Drug Pricing Program services. Training will be provided to staff as needed to use these services effectively.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 05/13/16, the Department notified the following employee organizations of this PSC/RFP request:  
SEIU 1021 Miscellaneous;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41338 - 13/14

DHR Analysis/Recommendation:

Commission Approval Not Required

Approved by DHR on 07/14/2016

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTHDept. Code: DPHType of Request:  Initial  Modification of an existing PSC (PSC # 41338 - 13/14)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Third Party Pharmacy Administrator/340B Drug Pricing ProgramFunding Source: General FundPSC Original Approved Amount: \$21,000,000PSC Original Approved Duration: 07/01/14 - 06/30/19 (5 years)PSC Mod#1 Amount: \$4,600,000PSC Mod#1 Duration: 11/01/15-12/30/20 (1 year 26 weeks)PSC Cumulative Amount Proposed: \$25,600,000PSC Cumulative Duration Proposed: 6 years 26 weeks**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Services will include Third Party Pharmacy Adjudication (TPA) of claims and 340B Drug Pricing Program services for the Department of Public Health's (DPH's) integrated service delivery division, the San Francisco Health Network (SFHN). The SFHN provides health care services to San Francisco residents who are not eligible for and/or do not have third party coverage for outpatient medication such as Medi-Cal or private insurance, including members of the San Francisco Health Plan (SFHP). TPA services will include verifying patient and provider eligibility status and adjudicate online claims 24/7. The 340B Drug Pricing Program requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices. 340B Program services will include inventory management, outpatient prescription claims adjudication services, and 340B contract pharmacy network management.

**B. Explain why this service is necessary and the consequence of denial:**

The San Francisco Health Network (SFHN), comprised of San Francisco General Hospital (SFGH), DPH's primary and specialty care clinics on the SFGH campus, and 13 primary care clinics, provides health care services to San Francisco residents, regardless of their medical insurance status, including prescription benefits resulting in more than 350,000 prescriptions each year. Denial of this request will likely result in severe delays in providing care and corresponding severe negative effects on the health San Francisco residents, as well as lack of compliance with federal and hospital regulatory standards and reduced revenue.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

2010-08/09

**D. Will the contract(s) be renewed?**

Yes.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:  
Please see attachment.

**2. Reason(s) for the Request**

A. Display all that apply

- Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

The City does not have the needed information systems (which are proprietary), administrative and clinical resources throughout the City to provide 24/7 adjudication and dispensing in the community.

B. Reason for the request for modification:

To extend duration and increase amount to correspond to DPH's contract with Walgreen's Co. to administer DPH's/SFGH's 340B Drug Pricing Program, a federal program which requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Ability to provide services noted above, including inventory management, outpatient prescription claims adjudication and contract pharmacy network management, upload patient eligibility data, identify when drugs may be replenished with 340B drug purchases, adjudicate claims at network pharmacies for eligible patients written by eligible providers for drugs on the SFHP Drug Formulary, and operate a network of retail community pharmacies located within the city of San Francisco.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2450, Pharmacist; 2454, Clinical Pharmacist;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractor will have an established pharmacy network in San Francisco, and services must be provided through an accessible network of participating retail pharmacies in the community.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

DPH already utilizes applicable Civil Service classes to provide pharmacy services during accessible hours at SFGH, Laguna Honda Hospital, Jail Health Services and DPH clinics. Additional services are needed which include online 24/7 claims adjudication and dispensing at retail pharmacies. Allowing clients to use existing community resources not only increases the likelihood of

medication adherence, but it also plays a part in reducing stigma often faced by mental health clients.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No. If the City were to operate the extensive network of community pharmacies needed, the classifications noted in question 3B above would likely be the key classifications needed.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
The purpose of these services is to adjudicate claims and 340B Drug Pricing Program services. Training will be provided to staff as needed to use these services effectively.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification:** On 08/08/15, the Department notified the following employee organizations of this PSC/RFP request:  
SEIU 1021 Miscellaneous; SEIU 1021 Miscellaneous;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

\*\*\*\*\*

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 41338 - 13/14

DHR Analysis/Recommendation:  
Commission Approval Not Required  
Approved by DHR on 12/03/2015

Civil Service Commission Action:

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH -- DPH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Third Party Pharmacy Administrator/340B Drug Pricing Program

Funding Source: General Fund

PSC Amount: \$21,000,000

PSC Est. Start Date: 07/01/2014

PSC Est. End Date: 06/30/2019

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Services will include Third Party Pharmacy Adjudication (TPA) of claims and 340B Drug Pricing Program services for the Department of Public Health's (DPH's) integrated service delivery division, the San Francisco Health Network (SFHN). The SFHN provides health care services to San Francisco residents who are not eligible for and/or do not have third party coverage for outpatient medication such as Medi-Cal or private insurance, including members of the San Francisco Health Plan (SFHP). TPA services will include verifying patient and provider eligibility status and adjudicate online claims 24/7. The 340B Drug Pricing Program requires drug manufacturers to provide outpatient drugs to eligible health care organizations at significantly reduced prices. 340B Program services will include inventory management, outpatient prescription claims adjudication services, and 340B contract pharmacy network management.

**B. Explain why this service is necessary and the consequence of denial:**

The San Francisco Health Network (SFHN), comprised of San Francisco General Hospital (SFGH), DPH's primary and specialty care clinics on the SFGH campus, and 13 primary care clinics, provides health care services to San Francisco residents, regardless of their medical insurance status, including prescription benefits resulting in more than 350,000 prescriptions each year. Denial of this request will likely result in severe delays in providing care and corresponding severe negative effects on the health San Francisco residents, as well as lack of compliance with federal and hospital regulatory standards and reduced revenue.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

These services were previously provided under PSC 2010-08/09: With the advent of health care reform and the expansion of services to include the 340B program, DPH is requesting approval to establish a new PSC for these discrete services to correspond to a recently awarded RFP for these services.

**D. Will the contract(s) be renewed?**

Yes.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

Please see attachment.

**2. Reason(s) for the Request**

**A. Indicate all that apply (be specific and attach any relevant supporting documents):**

Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).



B. Explain the qualifying circumstances:

The City does not have the needed information systems (which are proprietary), administrative and clinical resources throughout the City to provide 24/7 adjudication and dispensing in the community.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Ability to provide services noted above, including inventory management, outpatient prescription claims adjudication and contract pharmacy network management, upload patient eligibility data, identify when drugs may be replenished with 340B drug purchases, adjudicate claims at network pharmacies for eligible patients written by eligible providers for drugs on the SFHP Drug Formulary, and operate a network of retail community pharmacies located within the city of San Francisco.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2450, Pharmacist; 2454, Clinical Pharmacist;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. Contractor will have an established pharmacy network in San Francisco, and services must be provided through an accessible network of participating retail pharmacies in the community.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
DPH already utilizes applicable Civil Service classes to provide pharmacy services during accessible hours at SFGH, Laguna Honda Hospital, Jail Health Services and DPH clinics. Additional services are needed which include online 24/7 claims adjudication and dispensing at retail pharmacies. Allowing clients to use existing community resources not only increases the likelihood of medication adherence, but it also plays a part in reducing stigma often faced by mental health clients.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. If the City were to operate the extensive network of community pharmacies needed, the classifications noted in question 3B above would likely be the key classifications needed.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. The purpose of these services is to adjudicate claims and 340B Drug Pricing Program services. Training will be provided to staff as needed to use these services effectively.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department?  
If so, please explain.  
No.

7. **Union Notification:** On 04/16/2014, the Department notified the following employee organizations of this PSC/RFP request:  
SEIU 1021 Miscellaneous

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307 San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41338 - 13/14

DHR Analysis/Recommendation:

action date: 07/21/2014

Commission Approval Required

Approved by Civil Service Commission

07/21/2014 DHR Approved for 07/21/2014

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 48070 - 13/14)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Assistance to Clients with Federal and Other Income Assistance Programs

Funding Source: Work Order

PSC Original Approved Amount: \$6,504,869

PSC Original Approved Duration: 04/01/14 - 06/30/18 (4 years 13 weeks)

PSC Mod#1 Amount: \$12,000,000

PSC Mod#1 Duration: 07/01/18-06/30/22 (4 years 1 day)

PSC Mod#2 Amount: \$19,000,000

PSC Mod#2 Duration: 07/01/22-06/30/27 (5 years 1 day)

PSC Cumulative Amount Proposed: \$37,504,869

PSC Cumulative Duration Proposed: 13 years 13 weeks

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Contractor will utilize its legal staff to provide representation directly to clients to maximize client income in order to stabilize client living situations and provide client access to healthcare. The Department of Public Health (DPH) provides these advocacy services in administrative hearings and related legal processes in collaboration with the Human Services Agency (HSA) and other service providers, as these agencies are often serving the same clients, and among these partners, DPH Behavioral Health Services (BHS) contributes its clear experience and expertise in serving clients with behavioral health and HIV/AIDS diagnoses. Clients will be received primarily from referrals from HSA, DPH (civil service) mental health centers and/or providers serving People Living with HIV/AIDS (PLWHA) in San Francisco, and who are uninsured, underinsured, or at risk of losing insurance, in order to obtain or maintain Supplemental Security Income/Supplemental Disability Income/Cash Assistance for Immigrants (SSI/SSDI/CAPI) income and corresponding Medi-Cal/Medicare coverage. Clients likely will include people who have multiple diagnoses, have been incarcerated, have documented substance use disorders, who are homeless, single parents, people of color, immigrants, women, and/or part of the Lesbian/Gay/ Bisexual/Transgender (LGBT) community, and may be monolingual or limited English-speaking, with fluency in a range of languages, including Spanish, Cantonese, Mandarin and Tagalog.

**B. Explain why this service is necessary and the consequence of denial:**

Clients eligible for SSI and other income assistance programs are more likely to become engaged in ongoing and preventive treatment, are more likely to have access to housing, and tend to better meet their nutritional needs. Denial of those services will result in an increase in disease, poor nutrition, homelessness, and crime.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

Services have been provided in the past through earlier PSC request. See 48070 - 13/14

D. Will the contract(s) be renewed?

Yes, if funding is available.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:

The Department expects the need for these services to continue.

**2. Reason(s) for the Request**

A. Display all that apply

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

Explain the qualifying circumstances:

These specialized legal services are provided on an as-needed basis as clients present themselves needing representation in order to get on SSI/SSDI, especially in helping with appeals.

B. Reason for the request for modification:

To extend the PSC duration with a corresponding increase in amount to enable the continuation of services.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Demonstrated legal expertise in Social Security Administration disability criteria, evidentiary rules and application process; demonstrated experience in providing legal representation for clients through the legal appeal and hearing stages.

B. Which, if any, civil service class(es) normally perform(s) this work? 2903, Eligibility Worker; 2905, Senior Eligibility Worker; 2907, Eligibility Worker Supervisor;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

There are no current civil service classes established to provide these services, which are provided only to clients with behavioral and other illnesses (not to employees or departments).

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No, as the services are as-needed and intermittent, depending on individual clients' needs.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.  
While the purpose of this PSC is not training, there may be some knowledge transfer, as the contractor works closely with civil service employees.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
Positive Resource Center

**7. Union Notification:** On 09/13/19, the Department notified the following employee organizations of this PSC/RFP request:  
SEIU 1021 Miscellaneous;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48070 - 13/14

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/16/2019

## **Receipt of Union Notification(s)**

## Hale, Jacquie (DPH)

---

**From:** dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org  
**Sent:** Friday, September 13, 2019 11:47 AM  
**To:** Hale, Jacquie (DPH); Ricardo.lopez@sfgov.org; Basconcillò, Katherine (PUC); pcamarillo\_seiu@sbcglobal.net; Wendy.Frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); david.canham@seiu1021.org; jtanner940@aol.com; Girma, Mahlet (DPH); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 48070 - 13/14 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$19,000,000 for services for the period July 1, 2022

-- June 30, 2027. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/11098>

Email sent to the following addresses: jtanner940@aol.com david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org xiumin.li@seiu1021.org ablood@cirseiu.org davidmkersten@gmail.com ted.zarzecki@seiu1021.net pscreview@seiu1021.org Wendy.Frigillana@seiu1021.org pcamarillo\_seiu@sbcglobal.net Kbasconcillo@sfgwater.org Ricardo.lopez@sfgov.org

## **Additional Attachment(s)**



PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 48070 - 13/14)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Assistance to Clients with Federal and Other Income Assistance Programs

Funding Source: Work Order

PSC Original Approved Amount: \$6,504,869 PSC Original Approved Duration: 04/01/14 - 06/30/18 (4 years 13 weeks)

PSC Mod#1 Amount: \$12,000,000 PSC Mod#1 Duration: 07/01/18-06/30/22 (4 years 1 day)

PSC Cumulative Amount Proposed: \$18,504,869 PSC Cumulative Duration Proposed: 8 years 13 weeks

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Contractor will utilize its legal staff to provide representation directly to clients to maximize client income in order to stabilize client living situations and provide client access to healthcare. The Department of Public Health (DPH) provides these advocacy services in administrative hearings and related legal processes in collaboration with the Human Services Agency (HSA) and other service providers, as these agencies are often serving the same clients, and among these partners, DPH Behavioral Health Services (BHS) contributes its clear experience and expertise in serving clients with behavioral health and HIV/AIDS diagnoses. Clients will be received primarily from referrals from HSA, DPH (civil service) mental health centers and/or providers serving People Living with HIV/AIDS (PLWHA) in San Francisco, and who are uninsured, underinsured, or at risk of losing insurance, in order to obtain or maintain Supplemental Security Income/Supplemental Disability Income/Cash Assistance for Immigrants (SSI/SSDI/CAPI) income and corresponding Medi-Cal/Medicare coverage. Clients likely will include people who have multiple diagnoses, have been incarcerated, have documented substance use disorders, who are homeless, single parents, people of color, immigrants, women, and/or part of the Lesbian/Gay/ Bisexual/Transgender (LGBT) community, and may be monolingual or limited English-speaking, with fluency in a range of languages, including Spanish, Cantonese, Mandarin and Tagalog.

**B. Explain why this service is necessary and the consequence of denial:**

Clients eligible for SSI and other income assistance programs are more likely to become engaged in ongoing and preventive treatment, are more likely to have access to housing, and tend to better meet their nutritional needs. Denial of those services will result in an increase in disease, poor nutrition, homelessness, and crime.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

yes

D. Will the contract(s) be renewed?

Yes, if funding is available.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:

The Department expects the need for these services to continue, as these services enable our clients to increase their income and improve their living conditions when they are able to successfully begin receiving SSI/SSDI benefits.

## 2. Reason(s) for the Request

A. Display all that apply

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

Explain the qualifying circumstances:

These specialized legal services are provided on an as-needed basis as clients present themselves needing representation in order to get on SSI/SSDI, especially in helping with appeals.

B. Reason for the request for modification:

increase amount and extend term

## 3. Description of Required Skills/Expertise

A. Specify required skills and/or expertise: Demonstrated legal expertise in Social Security Administration disability criteria, evidentiary rules and application process; demonstrated experience in providing legal representation for clients through the legal appeal and hearing stages.

B. Which, if any, civil service class(es) normally perform(s) this work? 2903, Eligibility Worker; 2905, Senior Eligibility Worker; 2907, Eligibility Worker Supervisor;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: No.

## 4. If applicable, what efforts has the department made to obtain these services through available resources within the City?

Not Applicable

## 5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out

A. Explain why civil service classes are not applicable.

There are no current civil service classes established to provide these services, which are provided only to clients with behavioral and other illnesses (not to employees or departments).

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No, as the services are as-needed and intermittent, depending on individual clients' needs.

## 6. Additional Information

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.

While the purpose of this PSC is not training, there may be some knowledge transfer, as the contractor works closely with civil service employees.

- C. Are there legal mandates requiring the use of contractual services?

No.

- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

No.

**7. Union Notification:** On 05/25/18, the Department notified the following employee organizations of this PSC/RFP request:

SEIU 1021 Miscellaneous;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacque Hale Phone: (415) 554-2609 Email: jacque.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48070 - 13/14

DHR Analysis/Recommendation:

10/15/2018

Commission Approval Required

Approved by Civil Service Commission

10/15/2018 DHR Approved for 10/15/2018

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 48652 - 16/17)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Substance Use Disorder (SUD) Treatment Services

Funding Source: State Drug MediCal, General Fund

PSC Original Approved Amount: \$192,080,000

PSC Original Approved Duration: 07/01/17 - 06/30/22 (5 years)

PSC Mod#1 Amount: \$175,800,000

PSC Mod#1 Duration: 07/01/22-06/30/27 (5 years 1 day)

PSC Cumulative Amount Proposed: \$367,880,000

PSC Cumulative Duration Proposed: 10 years 1 day

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

These services will be provided by contractors responding to a new RFP to create a Drug Medi-Cal Organized Delivery System (DMC-ODS) pilot, which tests a new paradigm for the organized delivery of health care services for Medicaid eligible individuals with a substance use disorder. Its purpose is to demonstrate how such a system will increase the success of DMC beneficiaries while decreasing other system health care costs. Critical elements include:

--Providing a continuum of care modeled after the American Society of Addiction Medicine (ASAM) Criteria for Substance Use Disorder (SUD) treatment services, which describes specific service levels within Opioid Treatment, Intensive Outpatient, and Residential SUD services;

--Increasing local control and accountability, creating utilization controls, and increasing program oversight and integrity;

--Requiring evidence-based practices and increasing coordination with other systems of care, including primary care and mental health;

--Expanding the SUD treatment workforce by including Licensed Practitioners of Healing Arts; and

--Providing more intensive services for the criminal justice population.

**Services will:**

--Prioritize services to specific populations, including persons who are Black/African American, homeless, incarcerated or involved with the criminal/juvenile justice systems/Drug Court, adolescents aged 10-18 years old, Transitional Aged Youth (TAY) aged 18-24 years old, Lesbian/Gay/Bisexual/Transgender/Queer/Questioning/Intersex/Ally/Two-Spirit, Pregnant/Parenting women with children, and/or whose primary substance is alcohol.

--Prioritize services in specific geographic areas, including Hayes Valley/Tenderloin/North of Market,

South of Market, Bernal Heights/Inner Mission/94110, Bayview Hunter's Point/94124, and Southeast/Visitacion Valley/Sunnydale/94134

--Include patient engagement and peer support, medication assisted treatment, withdrawal management, case management, and recovery services and supports, with appropriate integration of adolescent-specific considerations, pregnant women and women with dependent children residential treatment requirements, evidence-based practices, DMC-ODS compliant policies and regulations, electronic health records and data systems, evaluation and quality improvement, workforce development and staffing, ancillary treatment and outreach services.

B. Explain why this service is necessary and the consequence of denial:

The State funding that San Francisco receives for Substance Use Disorder treatment is now the result of California's Medi-Cal waiver, which received Federal approval August 2015 and was rolled out to counties in steps throughout 2016. This waiver allows counties to support a much wider range of options to people with low incomes who are on Medi-Cal. Without this funding, San Francisco's funding for SUD treatment would be severely limited and people needing these services would likely be untreated and/or require significant increases in repetitive primary care and mental health treatment, experiencing worsening symptoms, requiring more expensive treatment, and escalating mortality rates.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

Services have been provided in the past through earlier PSC request. See 48652 - 16/17

D. Will the contract(s) be renewed?

Yes, as funding is available.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:

The Department expects the need for the services to continue.

**2. Reason(s) for the Request**

A. Display all that apply

Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

Explain the qualifying circumstances:

The City does not have the facilities (including buildings for residential services) or capacity to provide these services, which provide an integral part of the City's system of care for people with substance abuse disorder diagnoses.

B. Reason for the request for modification:

To extend the PSC duration with a corresponding increase in amount to enable the continuation of services.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Contractors must provide services responsive to the requirements and goals of the new DMC-ODS pilot founded on values of a trauma-informed system of care, the practice of cultural humility and of whole person care, utilizing multi-dimensional assessments as specified by the American Society of Addiction Medicine (ASAM) criteria and an evidence-based, clinically/outcomes-driven treatment model that is person-centered, based on the person's illness and level of functioning, operating within the broad and flexible continuum of care, providing individualized treatment that can be stepped up or down to different care levels, and implemented with an interdisciplinary team approach in collaboration with the person's medical home, behavioral health clinics, and other services providers. All providers must also meet State and City requirements for Drug Medi-Cal certification, harm reduction, cultural and linguistic competency, Americans with Disabilities Act and other access requirements, as well as have the ability to serve priority service populations and geographic service areas.
- B. Which, if any, civil service class(es) normally perform(s) this work? 2110, Medical Records Clerk; 2305, Psychiatric Technician; 2320, Registered Nurse; 2328, Nurse Practitioner; 2552, Dir of Act, Therapy & Vol Svcs; 2574, Clinical Psychologist; 2585, Health Worker 1; 2586, Health Worker 2; 2587, Health Worker 3; 2588, Health Worker 4; 2589, Health Program Coordinator 1; 2591, Health Program Coordinator 2; 2593, Health Program Coordinator 3; 2822, Health Educator; 2908, Hospital Eligibility Worker; 2910, Social Worker; 2913, Program Specialist; 2915, Program Specialist Supervisor; 2920, Medical Social Worker; 2930, Psychiatric Social Worker; 2935, Sr Marriage, Fam & Cld Cnslr;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, contractors will provide their own treatment and office space, including buildings for residential treatment, as licensed/required by the State.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
Existing civil service classes are already overburdened with the current maximum level of delivery of local government-based services which can be provided by the City and County. The remainder of the substance use disorder treatment services within the City's system of care must be based in and often is best performed by community based organizations with the experience, focus, and often the trust of and credibility in the community, who are able to operate the flexible, grassroots-oriented programs.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: No, there are existing classifications performing this work, however, the demand for services exceeds the capacity of City facilities to provide them, so the City uses contractors to meet as many of the clients' needs as possible.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.

- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
The purpose of the services is does not include formal training of civil service staff, however, there may be transfer of knowledge through City staff's close coordination and collaboration with providers.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
Please see attached list of current contractors.

7. **Union Notification:** On 09/13/19, the Department notified the following employee organizations of this PSC/RFP request:  
SEIU Local 1021; SEIU 1021 Miscellaneous; Professional & Tech Engrs, SFAPP; Professional & Tech Engrs, Local 21; Prof & Tech Eng, Local 21; Management & Superv Local 21; Architect & Engineers, Local 21;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48652 - 16/17

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/16/2019

## **Receipt of Union Notification(s)**



## Hale, Jacquie (DPH)

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**From:** dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org  
**Sent:** Friday, September 13, 2019 1:03 PM  
**To:** Hale, Jacquie (DPH); sarah.wilson@seiu1021.org; thomas.vitale@seiu1021.org; Sandeep.lal@seiu1021.me; leah.berlanga@seiu1021.org; Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC); pcamarillo\_seiu@sbcglobal.net; Wendy.Frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); david.canham@seiu1021.org; jtanner940@aol.com; amakayan@ifpte21.org; ecassidy@ifpte21.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; kpage@ifpte21.org; eerbach@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; DHR- PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Modification Request to PSC # 48652 - 16/17 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH – DPH has submitted a modification request for a Personal Services Contract (PSC) for \$175,800,000 for services for the period July 1, 2022 – June 30, 2027. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/13979>

Email sent to the following addresses: L21PSCReview@ifpte21.org pkim@ifpte21.org eerbach@ifpte21.org kpage@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com ecassidy@ifpte21.com amakayan@ifpte21.org jtanner940@aol.com david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org xiumin.li@seiu1021.org ablood@cirseiu.org davidmkersten@gmail.com ted.zarzecki@seiu1021.net pscreview@seiu1021.org Wendy.Frigillana@seiu1021.org pcamarillo\_seiu@sbcglobal.net Kbasconcillo@sfgov.org Ricardo.lopez@sfgov.org leah.berlanga@seiu1021.org Sandeep.lal@seiu1021.me thomas.vitale@seiu1021.org sarah.wilson@seiu1021.org

## **Additional Attachment(s)**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH-- DPH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Substance Use Disorder (SUD) Treatment Services

Funding Source: State Drug MediCal, General Fund

PSC Duration: 5 years

PSC Amount: \$192,080,000

**1. Description of Work**

A: Scope of Work/Services to be Contracted Out:

These services will be provided by contractors responding to a new RFP to create a Drug Medi-Cal Organized Delivery System (DMC-ODS) pilot, which tests a new paradigm for the organized delivery of health care services for Medicaid eligible individuals with a substance use disorder. Its purpose is to demonstrate how such a system will increase the success of DMC beneficiaries while decreasing other system health care costs. Critical elements include:

--Providing a continuum of care modeled after the American Society of Addiction Medicine (ASAM) Criteria for Substance Use Disorder (SUD) treatment services, which describes specific service levels within Opioid Treatment, Intensive Outpatient, and Residential SUD services;

--Increasing local control and accountability, creating utilization controls, and increasing program oversight and integrity;

--Requiring evidence-based practices and increasing coordination with other systems of care, including primary care and mental health;

--Expanding the SUD treatment workforce by including Licensed Practitioners of Healing Arts; and

--Providing more intensive services for the criminal justice population.

Services will:

--Prioritize services to specific populations, including persons who are Black/African American, homeless, incarcerated or involved with the criminal/juvenile justice systems/Drug Court, adolescents aged 10-18 years old, Transitional Aged Youth (TAY) aged 18-24 years old, Lesbian/Gay/Bisexual/Transgender/Queer/Questioning/Intersex/Ally/Two-Spirit, Pregnant/Parenting women with children, and/or whose primary substance is alcohol.

--Prioritize services in specific geographic areas, including Hayes Valley/Tenderloin/North of Market, South of Market, Bernal Heights/Inner Mission/94110, Bayview Hunter's Point/94124, and Southeast/Visitacion Valley/Sunnydale/94134

--Include patient engagement and peer support, medication assisted treatment, withdrawal management, case management, and recovery services and supports, with appropriate integration of adolescent-specific considerations, pregnant women and women with dependent children residential treatment requirements, evidence-based practices, DMC-ODS compliant policies and regulations, electronic health records and data

systems, evaluation and quality improvement, workforce development and staffing, ancillary treatment and outreach services.

B. Explain why this service is necessary and the consequence of denial:

The State funding that San Francisco receives for Substance Use Disorder treatment is now the result of California's Medi-Cal waiver, which received Federal approval August 2015 and was rolled out to counties in steps throughout 2016. This waiver allows counties to support a much wider range of options to people with low incomes who are on Medi-Cal. Without this funding, San Francisco's funding for SUD treatment would be severely limited and people needing these services would likely be untreated and/or require significant increases in repetitive primary care and mental health treatment, experiencing worsening symptoms, requiring more expensive treatment, and escalating mortality rates.

C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.

These services were previously provided under PSCs 4150-09/10, 4154-09/10, and 4156/09/10.

D. Will the contract(s) be renewed?

Yes, as funding is available.

E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.

The Department anticipates continued need for these services.

2. **Reason(s) for the Request**

A. Indicate all that apply (be specific and attach any relevant supporting documents):

Services that require resources that the City lacks (e.g., office space, facilities or equipment with an operator).

B. Explain the qualifying circumstances:

The City does not have the facilities (including buildings for residential services) or capacity to provide these services, which provide an integral part of the City's system of care for people with substance abuse disorder diagnoses.

3. **Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Contractors must provide services responsive to the requirements and goals of the new DMC-ODS pilot founded on values of a trauma-informed system of care, the practice of cultural humility and of whole person care, utilizing multi-dimensional assessments as specified by the American Society of Addiction Medicine (ASAM) criteria and an evidence-based, clinically/outcomes-driven treatment model that is person-centered, based on the person's illness and level of functioning, operating within the broad and flexible continuum of care, providing individualized treatment that can be stepped up or down to different care levels, and implemented with an interdisciplinary team approach in collaboration with the person's medical home, behavioral health clinics, and other services providers. All providers must also meet State and City requirements for Drug Medi-Cal certification, harm reduction, cultural and linguistic competency, Americans with Disabilities Act and other access requirements, as well as have the ability to serve priority service populations and geographic service areas.

- B. Which, if any, civil service class(es) normally perform(s) this work? 2110, Medical Records Clerk; 2305, Psychiatric Technician; 2320, Registered Nurse; 2328, Nurse Practitioner; 2552, Dir of Act, Therapy & Vol Svcs; 2574, Clinical Psychologist; 2585, Health Worker 1; 2586, Health Worker 2; 2587, Health Worker 3; 2588, Health Worker 4; 2589, Health Program Coordinator 1; 2591, Health Program Coordinator 2; 2593, Health Program Coordinator 3; 2822, Health Educator; 2908, Hospital Eligibility Worker; 2910, Social Worker; 2913, Program Specialist; 2915, Program Specialist Supervisor; 2920, Medical Social Worker; 2930, Psychiatric Social Worker; 2935, Sr Marriage, Fam & Cld Cnslr;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes, contractors will provide their own treatment and office space, including buildings for residential treatment, as licensed/required by the State.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The Department is responsible for continually monitoring the abilities of its system of care to deliver services and utilizes civil service staff as well as community based organizations to provide services. The Department does not have the capacity, resources or the facilities to provide these services, so in order to provide services it must utilize contractors to meet as many of the clients' needs as possible.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
Existing civil service classes are already overburdened with the current maximum level of delivery of local government-based services which can be provided by the City and County. The remainder of the substance use disorder treatment services within the City's system of care must be based in and often is best performed by community based organizations with the experience, focus, and often the trust of and credibility in the community, who are able to operate the flexible, grassroots-oriented programs.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No, there are existing classifications performing this work, however, the demand for services exceeds the capacity of City facilities to provide them, so the City uses contractors to meet as many of the clients' needs as possible.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. The purpose of the services is does not include formal training of civil service staff, however, there may be transfer of knowledge through City staff's close coordination and collaboration with providers.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

7. **Union Notification:** On 03/25/2017, the Department notified the following employee organizations of this PSC/RFP request:  
Architect & Engineers, Local 21; Management & Superv Local 21; Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21; Professional & Tech Engrs, SFAPP; SEIU 1021 Miscellaneous; SEIU Local 1021

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307 San Francisco, CA 94103

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 48652 - 16/17

DHR Analysis/Recommendation:

action date: 06/19/2017

Commission Approval Required

Approved by Civil Service Commission

06/19/2017 DHR Approved for 06/19/2017

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # 2014-08/09)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Perinatal/Neonatal/Maternity Package Plan

Funding Source: Gen Fund, Private, Public Grant

PSC Original Approved Amount: \$420,000 PSC Original Approved Duration: 07/01/2009 - continuous

PSC Mod#1 Amount: \$61,600 PSC Mod#1 Duration: 07/01/15 - continuous

PSC Mod#2 Amount: \$50,000 PSC Mod#2 Duration: 07/01/19 - continuous

PSC Mod#3 Amount: \$250,000 PSC Mod#3 Duration: 09/09/19 - continuous

PSC Cumulative Amount Proposed: \$781,600 PSC Cumulative Duration Proposed: 07/01/2009 - continuous

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

Contractors will provide 24-hour perinatal, neonatal and pediatric consultation and transport services, consultation services: nursing, social services and respiratory therapy. They will also provide preceptorship programs to the perinatal outreach program, and full-day didactic classes to UCSF's Nursing Education and Training Program. Included will be comprehensive maternity care, e.g., physicians and certified nurse midwives for outpatient obstetrical visits, antenatal assessments, labor, delivery, obstetrically-related inpatient visits, and postpartum outpatient visits within eight weeks of delivery.

**B. Explain why this service is necessary and the consequence of denial:**

These multi-faceted services will help diagnose and treat conditions of pregnant women, often promoting the general well-being of often-marginalized current or newly-arrived residents of San Francisco who may not have the resources to attain services on their own. Many of these services help diagnose, treat and prevent conditions threatening the health of individuals and the public health as a whole. Denial of these services would jeopardize pregnant women without other resources from receiving comprehensive maternity care, the health of residents of San Francisco and would allow non-obstetric conditions to go undiagnosed and untreated, leading to more costly forms of treatment.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

yes

**D. Will the contract(s) be renewed?**

Yes.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

The Department expects the need for these services to continue.

**2. Reason(s) for the Request**

A. Display all that apply

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

Explain the qualifying circumstances:

24 hour perinatal, neonatal and pediatric consultation services. It's a comprehensive maternity care with physicians and certified nurse midwives for outpatient visits within 8 weeks of delivery. It's a multi faced services and current civil service classes are already at maximum capacity for providing services to this population.

B. Reason for the request for modification:

To increase amount to reflect annual funding for 24-hour prenatal, neonatal and pediatric consultation and transportation services contract.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Professional trained and licensed staff, including medical staff, who are knowledgeable, experienced and represent a wide range of disciplines and skills. Knowledge of immunizations, breast/cervical cancer, tuberculosis, STDs, HIV/AIDS and related monitoring, treatment and prevention. Skills in the field of Obstetrics, Gynecology and Reproductive Sciences. Extensive laboratory and research studies resources. Access to the multi-faceted resources of a medical school. (Continued on attachment)

B. Which, if any, civil service class(es) normally perform(s) this work? 1237, Training Coordinator; 1822, Administrative Analyst; 1823, Senior Administrative Analyst; 2110, Medical Records Clerk; 2220, Physician; 2230, Physician Specialist; 2305, Psychiatric Technician; 2320, Registered Nurse; 2328, Nurse Practitioner; 2416, Laboratory Technician II; 2450, Pharmacist; 2548, Occupational Therapist; 2585, Health Worker 1; 2586, Health Worker 2; 2589, Health Program Coordinator 1; 2591, Health Program Coordinator 2; 2593, Health Program Coordinator 3; 2830, Public Health Nurse; 2920, Medical Social Worker;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The contractors will provide services in licensed and approved facilities.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Employees in existing civil service classes work with UCSF employees under this contract to provide these services. Current civil service classes are already at maximum capacity for providing services to this population. UCSF provides a package of experience and expertise currently unavailable in civil service.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: The City currently has Civil Service classifications that are used to provide a portion of these services.

**6. Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.



B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

There are no training included in this PSC.

C. Are there legal mandates requiring the use of contractual services?

No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

Regents of the University of California at San Francisco

7. **Union Notification:** On 09/09/19, the Department notified the following employee organizations of this PSC/RFP request:

SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Physicians and Dentists - 8CC; Municipal Executive Association; Management & Superv Local 21;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

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**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 2014-08/09

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/16/2019

## **Receipt of Union Notification(s)**

**Wu, Cynthia (DPH)**

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**From:** DHR-PSCCoordinator, DHR (HRD) on behalf of Hale, Jacquie (DPH)  
**Sent:** Monday, September 9, 2019 4:45 PM  
**To:** Hale, Jacquie (DPH); kcartermartinez@cirseiu.org; Sandeep.lal@seiu1021.me; Ricardo.lopez@sfgov.org; Basconcillo, Katherine (PUC); pcamarillo\_seiu@sbcglobal.net; Wendy.Frigillana@seiu1021.org; pscreview@seiu1021.org; ted.zarzecki@seiu1021.net; davidmkersten@gmail.com; ablood@cirseiu.org; xiumin.li@seiu1021.org; Poon, Sin Yee (HSA); david.canham@seiu1021.org; jtanner940@aol.com; tjenkins@uapd.com; jduritz@uapd.com; camaguey@sfmea.com (contact); Christina@sfmea.com; staff@sfmea.com; WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; L21PSCReview@ifpte21.org; brenda\_mendieta@sfdph.org; DHR-PSCCoordinator, DHR (HRD).  
**Subject:** Receipt of Modification Request to PSC # 2014-08/09 - MODIFICATIONS

PSC RECEIPT of Modification notification sent to Unions and DHR

The PUBLIC HEALTH -- DPH has submitted a modification request for a Personal Services Contract (PSC) for \$250,000 for services for the period September 9, 2019 -- no date entered, contact dept coordinator. For all Modification requests, there is a 7-Day noticed to the union(s) prior to DHR Review.

If SEIU is one of the unions that represents the classes you identified in the initial PSC and the cumulative amount of the request is over \$100,000, there is a 60 day review period for SEIU

After logging into the system please select link below:

<http://apps.sfgov.org/dhrdrupal/node/6048>

Email sent to the following addresses: L21PSCReview@ifpte21.org pkim@ifpte21.org kschumacher@ifpte21.org tmathews@ifpte21.org wendywong26@yahoo.com WendyWong26@yahoo.com staff@sfmea.com Christina@sfmea.com Camaguey@sfmea.com jduritz@uapd.com tjenkins@uapd.com jtanner940@aol.com david.canham@seiu1021.org Sin.Yee.Poon@sfgov.org xiumin.li@seiu1021.org ablood@cirseiu.org davidmkersten@gmail.com ted.zarzecki@seiu1021.net pscreview@seiu1021.org Wendy.Frigillana@seiu1021.org pcamarillo\_seiu@sbcglobal.net Kbasconcillo@sfgwater.org Ricardo.lopez@sfgov.org Sandeep.lal@seiu1021.me kcartermartinez@cirseiu.org

## **Additional Attachment(s)**

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTHDept. Code: DPHType of Request:  Initial  Modification of an existing PSC (PSC # 2014-08/09)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Perinatal/Neonatal/Maternity Package PlanFunding Source: Gen Fund, Private, Public GrantPSC Original Approved Amount: \$420,000 PSC Original Approved Duration: 07/01/2009 - continuousPSC Mod#1 Amount: \$61,600 PSC Mod#1 Duration: 07/01/15 - continuousPSC Mod#2 Amount: \$50,000 PSC Mod#2 Duration: 07/01/19 - continuousPSC Cumulative Amount Proposed: \$531,600 PSC Cumulative Duration Proposed: 07/01/2009 - continuous**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Contractors will provide 24-hour perinatal, neonatal and pediatric consultation and transport services, consultation services: nursing, social services and respiratory therapy. They will also provide preceptorship programs to the perinatal outreach program, and full-day didactic classes to UCSF's Nursing Education and Training Program. Included will be comprehensive maternity care, e.g., physicians and certified nurse midwives for outpatient obstetrical visits; antenatal assessments, labor, delivery, obstetrically-related inpatient visits, and postpartum outpatient visits within eight weeks of delivery.

**B. Explain why this service is necessary and the consequence of denial:**

These multi-faceted services will help diagnose and treat conditions of pregnant women, often promoting the general well-being of often-marginalized current or newly-arrived residents of San Francisco who may not have the resources to attain services on their own. Many of these services help diagnose, treat and prevent conditions threatening the health of individuals and the public health as a whole. Denial of these services would jeopardize pregnant women without other resources from receiving comprehensive maternity care, the health of residents of San Francisco and would allow non-obstetric conditions to go undiagnosed and untreated, leading to more costly forms of treatment.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

Yes.

**D. Will the contract(s) be renewed?**

Yes.

- E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:  
The Department expects the need for these services to continue.

**2. Reason(s) for the Request**

A. Display all that apply

- Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

Explain the qualifying circumstances:

24 hour perinatal, neonatal and pediatric consultation services. It's a comprehensive maternity care with physicians and certified nurse midwives for outpatient visits within 8 weeks of delivery. It's a multi faced services and current civil service classes are already at maximum capacity for providing services to this population.

B. Reason for the request for modification:

To extend the contract term and increase the contract amount to enable continuation of services.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Professional trained and licensed staff, including medical staff, who are knowledgeable, experienced and represent a wide range of disciplines and skills. Knowledge of immunizations, breast/cervical cancer, tuberculosis, STDs, HIV/AIDS and related monitoring, treatment and prevention. Skills in the field of Obstetrics, Gynecology and Reproductive Sciences. Extensive laboratory and research studies resources. Access to the multi-faceted resources of a medical school. (Continued on attachment)

B. Which, if any, civil service class(es) normally perform(s) this work? 1237, Training Coordinator; 1822, Administrative Analyst; 1823, Senior Administrative Analyst; 2110, Medical Records Clerk; 2220, Physician; 2230, Physician Specialist; 2305, Psychiatric Technician; 2320, Registered Nurse; 2328, Nurse Practitioner; 2416, Laboratory Technician II; 2450, Pharmacist; 2548, Occupational Therapist; 2585, Health Worker 1; 2586, Health Worker 2; 2589, Health Program Coordinator 1; 2591, Health Program Coordinator 2; 2593, Health Program Coordinator 3; 2830, Public Health Nurse; 2920, Medical Social Worker;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The contractors will provide services in licensed and approved facilities.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Employees in existing civil service classes work with UCSF employees under this contract to provide these services. Current civil service classes are already at maximum capacity for providing services to this population. UCSF provides a package of experience and expertise currently unavailable in civil service.

B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: The City currently has Civil Service classifications that are used to provide a portion of these services.

6. **Additional Information**

A. Will the contractor directly supervise City and County employee? If so, please include an explanation.

No.

B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.

While there may be some knowledge transfer, the primary purpose of this PSC does not include training of civil service staff.

C. Are there legal mandates requiring the use of contractual services?

No.

D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.

No.

E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.

No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

Regents of the University of California at San Francisco

7. **Union Notification:** On 05/06/19, the Department notified the following employee organizations of this PSC/RFP request:

SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Physicians and Dentists - 8CC; Municipal Executive Association; Management & Superv Local 21;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 2014-08/09

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Not Required

Approved by DHR on 07/26/2019



## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTHDept. Code: DPHType of Request:  Initial  Modification of an existing PSC (PSC # 2014-08/09)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: Perinatal/Neonatal/Maternity Package PlanFunding Source: Gen Fund, Private, Public GrantPSC Original Approved Amount: \$420,000 PSC Original Approved Duration: 07/01/2009 - continuousPSC Mod#1 Amount: \$61,600 PSC Mod#1 Duration: 07/01/15 - continuousPSC Cumulative Amount Proposed: \$481,600 PSC Cumulative Duration Proposed: 07/01/2009 - continuous**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

Contractors will provide 24-hour perinatal, neonatal and pediatric consultation and transport services, consultation services: nursing, social services and respiratory therapy. They will also provide preceptorship programs to the perinatal outreach program, and full-day didactic classes to UCSF's Nursing Education and Training Program. Included will be comprehensive maternity care, e.g., physicians and certified nurse midwives for outpatient obstetrical visits, antenatal assessments, labor, delivery, obstetrically-related inpatient visits, and postpartum outpatient visits within eight weeks of delivery.

**B. Explain why this service is necessary and the consequence of denial:**

These multi-faceted services will help diagnose and treat conditions of pregnant women, often promoting the general well-being of often-marginalized current or newly-arrived residents of San Francisco who may not have the resources to attain services on their own. Many of these services help diagnose, treat and prevent conditions threatening the health of individuals and the public health as a whole. Denial of these services would jeopardize pregnant women without other resources from receiving comprehensive maternity care, the health of residents of San Francisco and would allow non-obstetric conditions to go undiagnosed and untreated, leading to more costly forms of treatment.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

yes

**D. Will the contract(s) be renewed?**

Yes.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why:**

**2. Reason(s) for the Request**

A. Display all that apply

 Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

Explain the qualifying circumstances:

24 hour perinatal, neonatal and pediatric consultation services. It's a comprehensive maternity care with physicians and certified nurse midwives for outpatient visits within 8 weeks of delivery. It's a multi faced services and current civil service classes are already at maximum capacity for providing services to this population.

B. Reason for the request for modification:

to extend term and increase amount accordingly

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Professional trained and licensed staff, including medical staff, who are knowledgeable, experienced and represent a wide range of disciplines and skills. Knowledge of immunizations, breast/cervical cancer, tuberculosis, STDs, HIV/AIDS and related monitoring, treatment and prevention. Skills in the field of Obstetrics, Gynecology and Reproductive Sciences. Extensive laboratory and research studies resources. Access to the multi-faceted resources of a medical school. (Continued on attachment)

B. Which, if any, civil service class(es) normally perform(s) this work? 1237, Training Coordinator; 1822, Administrative Analyst; 1823, Senior Administrative Analyst; 2110, Medical Records Clerk; 2220, Physician; 2230, Physician Specialist; 2305, Psychiatric Technician; 2320, Registered Nurse; 2328, Nurse Practitioner; 2416, Laboratory Technician II; 2450, Pharmacist; 2548, Occupational Therapist; 2585, Health Worker 1; 2586, Health Worker 2; 2589, Health Program Coordinator 1; 2591, Health Program Coordinator 2; 2593, Health Program Coordinator 3; 2830, Public Health Nurse; 2920, Medical Social Worker;

C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: Yes. The contractors will provide services in licensed and approved facilities.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

Not Applicable

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

A. Explain why civil service classes are not applicable.

Employees in existing civil service classes work with UCSF employees under this contract to provide these services. Current civil service classes are already at maximum capacity for providing services to this population. UCSF provides a package of experience and expertise currently unavailable in civil service.

- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain: The City currently has Civil Service classifications that are used to provide a portion of these services.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.  
There are no training included in this PSC.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
Regents of the University of California at San Francisco

**7. Union Notification:** On 04/27/16, the Department notified the following employee organizations of this PSC/RFP request:

SEIU, Local 1021 (Staff Nurse & Per Diem Nurse); SEIU 1021 Miscellaneous; Professional & Tech Engrs, Local 21; Physicians and Dentists - 8CC; Municipal Executive Association; Management & Superv Local 21;

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 101 Grove Street, Room 307, San Francisco, CA 94102

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 2014-08/09

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Not Required  
Approved by DHR on 05/13/2016



CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

GAVIN NEWSOM  
MAYOR

DONALD A. CASPER  
PRESIDENT

June 4, 2009

MORGAN R. GORRONS  
VICE PRESIDENT

NOTICE OF CIVIL SERVICE COMMISSION ACTION

JOY Y. BOATWRIGHT  
COMMISSIONER

SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 2014-08/09; 4151-08/09 THROUGH 4157-08/09; 4067-04/05; 4060-03/04; AND 4105-04/05.

MARY Y. JUNG  
COMMISSIONER

At its meeting of June 1, 2009 the Civil Service Commission had for its consideration the above matter.

E. DENNIS NORMANDY  
COMMISSIONER

PLEASE NOTE: It is important that a copy of this action be kept in the department files as you will need it in the future as proof of Civil Service Commission approval.


ANITA SANCHEZ  
EXECUTIVE OFFICER

It was the decision of the Commission to:

- (1) Postpone PSC #4153-08/09 to the meeting of June 15, 2009 by mutual agreement of the Airport Commission and IFPTE Local 21 to meet and attempt to resolve their issues with no further continuances.
- (2) Postpone PSC #4155-08/09 at the request of the Public Utilities Commission. Adopt the Human Resources Director's report on PSC #4151-08/09. Notify the offices of the Controller and the Purchaser. (Vote of 4 to 0; Commissioner Jung missed vote)
- (3) Adopt the Human Resources Director's report on PSC #4152-08/09 on the condition that existing Class 5298 Planner III Environmental Review, Class 5299 Planner IV Environmental Review and any other permanent civil service Planners involved oversee the environmental review work to be performed pursuant to the proposed contracts and coordinate with all interested agencies; The Airport Commission will report back to the Commission within four (4) months regarding the use of such classifications. Notify the offices of the Controller and the Purchaser.
- (4) Adopt the Human Resources Director's report on PSC #4154-08/09 on the conditions that: 1) the Hetch Hetchy management and the Public Utilities Commission meet with IFPTE Local 21 in good faith regarding the training of existing personnel in the work proposed to be contracted out; 2) apprise Local 21 to what extent the contractor will manage City employees; and 3) using existing permanent civil service employees to perform the work to the maximum extent as possible. Notify the offices of the Controller and the Purchaser.
- (5) Adopt the Human Resources Director's report on all remaining contracts. Notify the offices of the Controller and the Purchaser.

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

  
ANITA SANCHEZ  
Executive Officer

Attachment

POSTING FOR  
June 01, 2009

RECOMMENDED APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS

Agency	Contract No.	Contract Title	Contract Type	Contract Value	Contract Description	Contract End Date
2014-08/09	81	Department of Public Health	Continuing	\$420,000.00	WM provide 24-hour prenatal, neonatal and pediatric consultation and interpret services, consultation services: nursing, social and respiratory therapy.	30-Jun-14
4151-08/09	25	Mayor's Office of Housing	Regular	\$70,000.00	WM perform environmental review services for the Mayor's Office of Housing (MOH) and Mayor's Office of Community Investment (MOCI) project undertakings in accordance with the National Environmental Policy Act (NEPA).	30-Jun-10
4152-08/09	27	Alport Commission	Regular	\$3,750,000.00	WM provide complex environmental analysis, assessments, compliance monitoring and reporting tasks regarding specialized environmental planning expertise and familiarity of federal, state, and local environmental regulations.	30-Jun-14
4153-08/09	27	Alport Commission	Regular	\$150,000.00	WM establish a secure, separate, private access Wi-Fi network within and around Terminal 1, ground level Boarding Area C baggage handling and planside. The Wi-Fi network will extend current SFO wireless baggage network and compatible with existing Wi-Fi network.	28-Feb-10
4154-08/09	40	Alport Commission	Regular	\$4,500,000.00	WM provide design services and technical expertise during construction and rehabilitation of Herb Hecht Water and Power (HHWP) hydro-generation and power facilities.	10-Sep-12
4155-08/09	40	San Francisco Public Utilities Commission	Regular	\$200,000.00	WM design, permit, supply, install and commission three (3) fully integrated and operational solar PV systems with the following rated capacities and locations: a minimum of 100 kW at City Hall and min. of 214 kW at Davies Symphony Hall.	30-Jun-10
4156-08/09	40	San Francisco Public Utilities Commission	Regular	\$22,000,000.00	WM provide professional construction management services to oversee Peninsula Regional Water System Improvement Program construction projects (0).	31-Mar-14
4157-08/09	81	Department of Public Health	Regular	\$3,024,000.00	WM provide highly specialized medical and surgical subspecialty services to medically indigent adults, as well as clients under the San Francisco County Medical Assistance Program, the SF County In-Home Support Services Plan, and the In-Home Support Services Plan.	31-Dec-10

PERSONAL SERVICES CONTRACT SUMMARY

DATE: 4/1/09

DEPARTMENT NAME: DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT NUMBER: 81 & 82

TYPE OF APPROVAL: [ ] EXPEDITED [ ] REGULAR (OMIT POSTING [ ])
[X] CONTINUING [ ] ANNUAL

TYPE OF REQUEST: [X] INITIAL REQUEST [ ] MODIFICATION PSC #

TYPE OF SERVICE: Perinatal / Neonatal / Maternity Package Plan

FUNDING SOURCE: General Fund, Private, Public (State and Federal), Grant funds

Original PSC AMOUNT: \$84,000 per year; \$420,000/5 years PSC DURATION: 7/1/09-6/30/14

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

Contractors will provide 24-hour perinatal, neonatal and pediatric consultation and transport services, consultation services: nursing, social services and respiratory therapy. They will also provide preceptorship programs to the perinatal outreach program, and full-day didactic classes to UCSF's Nursing Education and Training Program. Included will be comprehensive maternity care, e.g., physicians and certified nurse midwives for outpatient obstetrical visits, antenatal assessments, labor, delivery, obstetrically-related inpatient visits, and postpartum outpatient visits within eight weeks of delivery.

B. Explain why this service is necessary and the consequence of denial:

These multi-faceted services will help diagnose and treat conditions of pregnant women, often promoting the general well-being of often-marginalized current or newly-arrived residents of San Francisco who may not have the resources to attain services on their own. Many of these services help diagnose, treat and prevent conditions threatening the health of individuals and the public health as a whole. Denial of these services would jeopardize pregnant women without other resources from receiving comprehensive maternity care, the health of residents of San Francisco and would allow non-obstetric conditions to go undiagnosed and untreated, leading to more costly forms of treatment.

C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number):

These services were previously approved and are currently accessed through PSC 2011-04/05 (public health prevention, primary health care, clinical, ancillary, training and consultation services).

D. Will the contract(s) be renewed? Yes.

2. UNION NOTIFICATION: Copy of this summary is to be sent to employee organizations as appropriate:

Table with 3 columns: Union Name, Signature of person mailing/faxing form, Date. Rows include IFPTE Local 21, SEIU Local 1021 Nurses, SEIU Local 1021 Misc, MEA, and UAPD SCC.

RFP sent to [Union Name], on [Date], Signature [Signature]

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 2014-08/09

STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION: June 1, 2009

**3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE**

**A. Specify required skills and/or expertise:**

Professionally trained and licensed staff, including medical staff, who are knowledgeable, experienced and represent a wide range of disciplines and skills. Knowledge of immunizations, breast/cervical cancer, tuberculosis, STDs, HIV/AIDS and related monitoring, treatment and prevention. Skills in the field of Obstetrics, Gynecology and Reproductive Sciences. Extensive laboratory and research studies resources. Access to the multi-faceted resources of a medical school. Experience in identifying needs for pregnant women for outpatient obstetrical treatment, antenatal assessments, providing services of labor, delivery and obstetrical related inpatient care, health education and providing outreach and information to individuals and groups in community settings. Culturally sensitive, bilingual, bicultural, and bi-literate staff with accessibility to high-risk and/or hard-to-reach populations, including recent immigrants. Knowledge of prevention, intervention, training, advocacy and or various support/resource systems. Familiarity with behavior change interventions. Extensive experience in the provision of technical support, training and program consultation.

**B. Which, if any, civil service class normally performs this work?**

MEA: 1237 Training Coordinator I; UAPD 8CC: 2220 Physician, 2230 Physician Specialist; SEIU Local 1021 Nurses: 2320 Registered Nurse, 2328 Nurse Practitioner, 2630 Public Health Nurse; SEIU Local 1021 Misc.: 2110 Medical Records Clerk, 2305 Psychiatric Technician; 2416 Bacteriological Laboratory Assistant, 2450 Pharmacist, 2585/6 Health Worker I, II, 2920 Medical Social Worker IFPTE Local 21: 1822 Administrative Analyst, 1823 Sr. Administrative Analyst, 2548 Occupational Therapist, 2589/91/93 Health Program Coordinator II, III.

**C. Will contractor provide facilities and/or equipment not currently possessed by the City? If yes, explain:**  
 Yes. The contractors will provide services in licensed and approved facilities.

**4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM**

**A. Explain why civil service classes are not applicable:**

Employees in existing civil service classes work with UCSF employees under this contract to provide these services. Current civil service classes are already at maximum capacity for providing services to this population. UCSF provides a package of experience and expertise currently unavailable in civil service.


**B. Would it be practical to adopt a new civil service class to perform this work? Explain.**

The City currently has Civil Service classifications that are used to provide a portion of these services.

**5. ADDITIONAL INFORMATION (if "yes," attach explanation)**

- |  | <u>Yes</u>                          | <u>No</u>                           |
|--|-------------------------------------|-------------------------------------|
| A. Will the contractor directly supervise City and County employees?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| B. Will the contractor train City and County employees?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| • Describe the training and indicate approximate number of hours.  |                                     |                                     |
| • Indicate occupational type of City and County employees to receive training (i.e., clerks, civil engineers, etc.) and approximate numbers to be trained.                           |                                     |                                     |
| C. Are there legal mandates requiring the use of contractual services?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| D. Are there federal or state grant requirements regarding the use of contractual services?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| E. Has a board or commission determined that contracting is the most effective way to provide this service?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Will the proposed work be completed by a contractor that has a current personal services contract with your department? Yes, the University of California at San Francisco (UCSF) | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

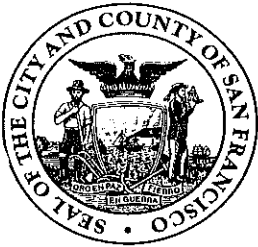
THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE & ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:

  
 \_\_\_\_\_  
 Signature of Departmental Personal Services Contract Coordinator

OR  
 \_\_\_\_\_  
 Jacquie Hale (415) 554-2609  
 Print or Type Name Telephone Number

101 Grove Street, Room 307, San Francisco, CA 94102  
 Address

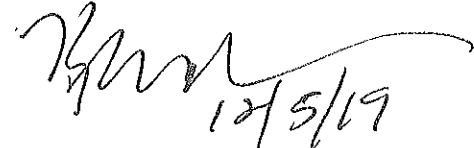




# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22MTA) Applicable to Municipal Transportation Agency Service-Critical Classes

Refer to Civil Service Commission Procedure for Staff - Submission of  
Written Reports MTA for Instructions on completing and processing this Form

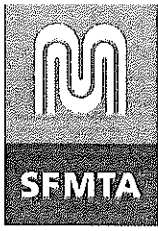
1. Civil Service Commission Register Number: \_\_\_\_\_ - \_\_\_\_\_ -
2. For Civil Service Commission Meeting of: December 16, 2019
3. Check One:            Ratification Agenda  
                                 Consent Agenda            X  
                                 Regular Agenda
4. Subject: SFMTA Provisional Appointment Report
5. Recommendation: Adopt the report.
6. Report prepared by: William Miles II Telephone number: 415-646-2863
7. Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A**
8. Reviewed and approved for Civil Service Commission Agenda:  
  
Municipal Transportation Agency Director:   
Date: 12/5/19
9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102**

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

<b>CSC RECEIPT STAMP</b>

Attachment



London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Steve Heminger, Director  
Cristina Rubke, Director  
Art Torres, Director

Tom Maguire, Interim Director of Transportation

## MEMORANDUM

**DATE:** December 5, 2019

**TO:** Honorable Civil Service Commission

**THROUGH:** Kimberly Ackerman   
Director, SFMTA Human Resources

**THROUGH:** Derek Kim   
People Analytics and HR Chief of Staff, SFMTA Human Resources

**FROM:** William Miles II  
Merit and Examinations Manager, SFMTA Human Resources

**SUBJECT:** SFMTA Provisional Appointment Report

---

The San Francisco Municipal Transportation Agency (SFMTA) has three (3) provisional appointments in Service-Critical classes as of November 30, 2019.

The classes for which provisional appointments currently exist are as follows:

<b>CLASS</b>	<b>Prov. #</b>
1241 Human Resources Analyst	1
1654 Principal Accountant	2

The Department of Human Resources (DHR) recently adopted an eligible list for the 1241 Human Resources Analyst classification, which will allow SFMTA to fill this position with a permanent civil service hire.

According to the citywide Class-Based Testing (CBT) examination plan, the Controller's Office projects to post the next recruitment for 1654 Principal Accountant in the third quarter (January – March) of Fiscal Year 19/20. It is expected that the two positions appointments in this class will be transitioned to permanent civil service once a new eligible list is established.



### **SFMTA Provisional History**

The chart below provides historical context for the number of SFMTA service-critical provisional appointments reported to the Civil Service Commission.

<b>Date of Provisional Data Pull</b>	<b>Provisional Appointments at Time of Report</b>
6/30/2015	0
12/31/2015	0
6/30/2016	2
12/31/2016	0
6/30/2017	2
12/31/2017	0
11/30/2019	3

Note: 2018 data is unavailable as there was no report provided during this time period.

### **Recommendation**

Adopt the report.



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22MTA) Applicable to Municipal Transportation Agency Service-Critical Classes

Refer to Civil Service Commission Procedure for Staff - Submission of  
Written Reports MTA for Instructions on completing and processing this Form

1. Civil Service Commission Register Number: \_\_\_\_\_ - \_\_\_\_\_ -
2. For Civil Service Commission Meeting of: December 16, 2019
3. Check One:            Ratification Agenda  
                                 Consent Agenda                            X  
                                 Regular Agenda
4. Subject: Semi-Annual Position-Based Testing Report for the period of May through October 2019
5. Recommendation: Adopt the report.
6. Report prepared by: William Miles II Telephone number: 415-646-2863
7. Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A**
8. Reviewed and approved for Civil Service Commission Agenda:  
Municipal Transportation Agency Director: *[Signature]*  
Date: *12/8/19*
9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102**

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

<b>CSC RECEIPT STAMP</b>
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CALENDAR YEAR

Attachment

CSC-22MTA (9/00)

9



London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Steve Heminger, Director  
Cristina Rubke, Director  
Art Torres, Director

Tom Maguire, Interim Director of Transportation

## MEMORANDUM

**DATE:** December 5, 2019

**TO:** Honorable Civil Service Commission

**THROUGH:** Kimberly Ackerman *K.A.*  
Director, SFMTA Human Resources

**THROUGH:** Derek Kim *D.K.*  
People Analytics and HR Chief of Staff, SFMTA Human Resources

**FROM:** William Miles II  
Merit and Examinations Manager, SFMTA Human Resources

**SUBJECT:** **Semi-Annual Position-Based Testing Report for the period from May through October 2019**

---

The purpose of this report is to update the Civil Service Commission (CSC) on the Position-Based Testing (PBT) recruitment process at SFMTA. This report covers the period from May 1, 2019 through October 31, 2019.

The following report is submitted pursuant to Civil Service Rule 411A.5, which originally required the Director of Transportation/Municipal Transportation Agency ("MTA") to provide quarterly reports to the Civil Service Commission ("Commission") on any examinations administered under the Position-based Testing Program ("PBT") for Service-Critical classes at the MTA pursuant to Rule 411A. Such reports were required for first three years following the adoption of Rule 411A, which occurred on April 21, 2014.

On June 3, 2019, the Commission agreed to require this report on a semi-annual basis instead of quarterly.

According to CSC Rule 411A.5, the report must include, but not be limited to the following information for each examination:

- Applicable certification rule
- Duration of the eligible list
- Number of applicants



- Number of applicants deemed qualified under the terms of the examination announcement
- Number of candidates who participated in the examination
- Number of candidates were placed on the eligible list
- Number and types of protests submitted to the Director of Transportation
- the disposition of any such protests to the Director of Transportation (i.e., the response of, or any action taken by the Director of Transportation in response; and whether they were appealed to the commission)

**Adopted PBT Lists**

The following table provides the requisite information for the PBT examinations that were adopted for MTA Service-Critical classes pursuant to Civil Service Rule 411A between May 1, 2019 and October 31, 2019.

<b>Job Code &amp; Title</b>	1824 Principle Administrative Analyst	5283 Planner V	6235 Heating & Ventilating Inspector	7249 Automotive Mechanic Supervisor I
<b>Adoption date</b>	6/3/19	10/02/19	8/13/19	10/11/19
<b>Certification rule</b>	Rule of 10	Rule of 5	Rule of 10	Rule of 3
<b>List duration</b>	12 months	12 months	12 months	12 months
<b># of applicants</b>	80	54	22	53
<b># deemed qualified</b>	7	45	8	26
<b># of candidates participated in the exam</b>	7	31	6	22
<b># of candidates placed on the eligible list</b>	3	22	5	20
<b># and type of protest</b>	None	None	None	None



**In-Progress PBT Examinations**

The following table provides the requisite information for the PBT examinations that are being administered for MTA Service-Critical classes pursuant to Civil Service Rule 411A that have been posted but were not adopted as of October 31, 2019.

<b>Job Code &amp; Title</b>	1052 IS Business Analyst	1054 IS Business Analyst - Principal	1822 Admin. Analyst	5303 Supervisor, Traffic & Street Signs	8219 Parking Enforcement Admin.
<b>Certification rule</b>	Rule of 3	Rule of 3	Rule of 10	Rule of 5	Rule of 3
<b>List duration</b>	6 months	6 months	12 months	12 months	12 months
<b># of applicants</b>	82	51	247	<i>TBD</i>	135
<b># deemed qualified</b>	49	40	167	<i>TBD</i>	<i>TBD</i>
<b># of candidates participated in the exam</b>	29	26	115	<i>TBD</i>	<i>TBD</i>
<b># and type of protest</b>	None	None	None	None	None

Note: Information provided is based on data on 10/31/2019. Since these lists were not adopted as of 10/31/19, it is possible for protests/appeals to occur in the future for the above examinations.



**Anticipated PBT Examinations**

The following is a list of Service-Critical position(s) or classification(s) for which MTA projects to administer a Position-Based Test under Civil Service Rule 411A within the next six months:

<b>Job Code</b>	<b>Title</b>
<b>1203</b>	Personnel Technician
<b>1823</b>	Senior Administrative Analyst
<b>1824</b>	Principal Administrative Analyst
<b>5302</b>	Traffic Survey Technician
<b>7126</b>	Mechanical Shop & Equipment Superintendent

**Probationary Releases**

According to the appointment history records, two MTA permanent civil service employees who were hired from a PBT eligible list have been released during the probationary period during the time period of this report. All two (100%) of these releases were non-disciplinary. The classifications that resulted in these releases were 1095 IT Operations Support Administrator V and 1931 Senior Parts Storekeeper.

**Recommendation**

Adopt the report.

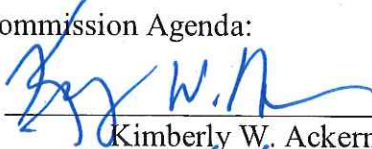




# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22MTA)

Applicable to S.F. Municipal Transportation Agency Service-Critical Classes  
Refer to Civil Service Commission Procedure for Staff - Submission of  
Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Number:    \_\_\_ - \_\_\_ - \_\_\_
2. For Civil Service Commission Meeting of:    December 16, 2019
3. Check One:                     Ratification Agenda  
                                      Consent Agenda .....XX  
                                      Regular Agenda  
                                      Separation Agenda
4. Subject:                     Bi-Annual Summary of Appealed Future Employment Restrictions Placed  
                                      by the SFMTA
5. Recommendation: Adopt report
6. Report prepared by: Christine Cayabyab Telephone number: 415.646.2058
7.                                     Notifications:             **(Attach a list of the person(s) to be notified in the  
  format described in IV. Commission Report Format -A).**
8. Reviewed and approved for Civil Service Commission Agenda:  
Municipal Transportation Agency Director:   
  Kimberly W. Ackerman  
Date: 12/5/19
9. Submit the original time-stamped copy of this form and person(s) to be notified  
(see Item 7 above) along with the required copies of the report to:  
**Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102**
10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

Attachment

CSC-22MTA (9/00)

<b><u>CSC RECEIPT STAMP</u></b>

LIST OF PERSONS TO BE NOTIFIED

Christine Cayabyab  
Employee & Labor Relations, HR  
1 South Van Ness Ave. 6<sup>th</sup> Floor  
San Francisco, CA 94103

Kimberly W. Ackerman  
Director of Human Resources  
1 South Van Ness Ave. 6<sup>th</sup> Floor  
San Francisco, CA 94103



London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Steve Heminger, Director  
Cristina Rubke, Director  
Art Torres, Director

Tom Maguire, Interim Director of Transportation

**MEMORANDUM**

**DATE:** December 4, 2019

**TO:** Civil Service Commission

**THROUGH:** Kimberly W. Ackerman *KWA*  
Director, Human Resources & Payroll

**FROM:** Christine Cayabyab  
Sr. Human Resources Analyst

**SUBJECT:** Bi-Annual Summary of Appealed Future Employment Restrictions Placed by the SFMTA

Attached for your review is a bi-annual summary report of future employment restrictions placed by the San Francisco Municipal Transportation Agency (SFMTA) for July 1, 2018 to June 30, 2019.

Total Number of Employees Dismissed	Number of SFMTA Future Employment Restrictions Appealed to the CSC	Number of appeals where restrictions were reduced or rescinded by the SFMTA	Number of appeals, where after restrictions were amended or the restrictions removed, were withdrawn or closed as administratively resolved
137	2	2	1

SFMTA Summary: Future Employment Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
1	9163			Transit Operator	7/6/2018	Medical Separations	No Restrictions
2	9163			Transit Operator	7/16/2018	Release from Probation	No Restrictions
3	9163			Transit Operator	7/18/2018	Resignation Unsatisfactory	No Restrictions
4	9163			Transit Operator	7/19/2018	Resignation Unsatisfactory	Future Employment subject to review and approval of Human Resources Director after satisfactorily completing of two (2) years work experience outside of SFMTA service
5	5201			Junior Engineer	7/21/2018	Release from Probation	No Restrictions
6	9163			Transit Operator	7/21/2018	Release from Probation	No Restrictions
7	9163			Transit Operator	8/2/2018	Release from Probation	No Restrictions
8	9163			Transit Operator	8/4/2018	Release from Probation	No Restrictions
9	1053			IS Business Analyst Senior	8/16/2018	Release from Probation	No Restrictions
10	9163			Transit Operator	8/18/2018	Resignation Unsatisfactory	No Restrictions
11	7371			Electrical Transit System Mechanic	8/23/2018	Release from Probation	No Restrictions
12	9131			Station Agent	8/25/2018	Dismissal	No Restrictions
13	1452			Executive Secretary II	8/28/2018	Medical Separations	No Restrictions
14	7381			Automotive Mechanic	8/31/2018	Release from Probation	No Restrictions
15	9163			Transit Operator	9/13/2018	Release from Probation	Future Restriction Administratively Resolved 6/12/19.
16	1241			Human Resources Analyst	9/13/2018	Release from Probation	No Restrictions

SFMTA Summary: Future Employment Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
17	9163			Transit Operator	9/13/2018	Release from Probation	No Restrictions
18	1024			IS Administrative Supervisor	9/14/2018	Release from Exempt Appointment	No Restrictions
19	9182			Manager VIII, Municipal Transportation Agency	9/15/2018	Release from Exempt Appointment	No Restrictions
20	8201			School Crossing Guard	9/17/2018	Release from Exempt Appointment	No Restrictions
21	8201			School Crossing Guard	9/17/2018	Release from Exempt Appointment	No Restrictions
22	1241			Program Specialist	9/18/2018	Release from Probation	No Restrictions
23	9163			Transit Operator	9/19/2018	Release from Probation	No Restrictions
24	9163			Transit Operator	9/22/2018	Dismissal	No Restrictions
25	9132			Transit Fare Inspector	10/6/2018	Dismissal	No Restrictions
26	9163			Transit Operator	10/10/2018	Medical Separations	No Restrictions
27	9163			Transit Operator	10/10/2018	Release from Probation	No Restrictions
28	5380			Student Design Trainee I Arch, Engineering and Planning	10/23/2018	Release from Exempt Appointment	No Restrictions
29	9132			Transit Fare Inspector	10/23/2018	Medical Separations	No Restrictions
30	9163			Transit Operator	10/23/2018	Medical Separations	No Restrictions
31	9163			Transit Operator	10/24/2018	Release from Probation	No Restrictions
32	9163			Transit Operator	10/25/2018	Release from Probation	No Restrictions

SFMTA Summary: Future Employer Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
33	9163			Transit Operator	11/1/2018	Medical Separations	No Restrictions
34	9163			Transit Operator	11/1/2018	Medical Separations	No Restrictions
35	1704			Communications Dispatcher I	11/1/2018	Release from Probation	No Restrictions
36	9163			Transit Operator	11/2/2018	Medical Separations	No Restrictions
37	7381			Automotive Mechanic	11/3/2018	Medical Separations	No Restrictions
38	9163			Transit Operator	11/5/2018	Release from Probation	No Restrictions
39	9163			Transit Operator	11/5/2018	Release from Probation	No Restrictions
40	9163			Transit Operator	11/16/2018	Medical Separations	No Restrictions
41	9163			Transit Operator	11/17/2018	Release from Probation	No Restrictions
42	9163			Transit Operator	11/17/2018	Dismissal	No Restrictions
43	9187			Deputy Director II, Municipal Transportation Agency	11/17/2018	Release from Exempt Appointment	No Restrictions
44	9163			Transit Operator	11/17/2018	Medical Separations	No Restrictions
45	9163			Transit Operator	11/22/2018	Medical Separations	No Restrictions
46	9163			Transit Operator	11/28/2018	Release from Probation	No Restrictions
47	9163			Transit Operator	11/29/2018	Release from Probation	No Restrictions
48	9163			Transit Operator	12/1/2018	Medical Separations	No Restrictions

SFMTA Summary: Future Employment Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
49	9163			Transit Operator	12/1/2018	Medical Separations	No Restrictions
50	9163			Transit Operator	12/10/2018	Dismissal	Two (2) year of Employment in non-9163 job
51	9163			Transit Operator	12/15/2018	Release from Probation	No Restrictions
52	9163			Transit Operator	12/29/2018	Release from Probation	Two (2) years of Employment in non-9163 job & Two (2) years restriction from operating city vehicles
53	8201			School Crossing Guard	12/29/2018	Release from Exempt Appointment	No Restrictions
54	2708			Custodian	1/3/2019	Medical Separations	No Restrictions
55	1844			Senior Management Assistant	1/5/2019	Release from Probation	No Restrictions
56	9163			Transit Operator	1/5/2019	Release from Probation	No Restrictions
57	9163			Transit Operator	1/5/2019	Medical Separations	No Restrictions
58	9163			Transit Operator	1/8/2019	Medical Separations	No Restrictions
59	9163			Transit Operator	1/9/2019	Release from Probation	No Restrictions
60	9163			Transit Operator	1/14/2019	Release from Probation	No Restrictions
61	9163			Transit Operator	1/17/2019	Release from Probation	No Restrictions
62	9163			Transit Operator	1/19/2019	Release from Probation	No Restrictions
63	9163			Transit Operator	1/19/2019	Release from Probation	No Restrictions
64	9163			Transit Operator	1/29/2019	Release from Probation	No Restrictions

SFMTA Summary: Future Employment Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
65	9183			Deputy Director I, Municipal Transportation Agency	2/2/2019	Release from Exempt Appointment	No Restrictions
66	9163			Transit Operator	2/3/2019	Resignation Unsatisfactory	No future employment with the SFMTA that requires a class B or BP Driver's License.
67	9163			Transit Operator	2/4/2019	Dismissal	Two (2) years work experience outside of City & County service & competition and release to work from Substance Abuse Professional
68	9163			Transit Operator	2/5/2019	Medical Separations	No Restrictions
69	9163			Transit Operator	2/7/2019	Release from Probation	No Restrictions
70	9163			Transit Operator	2/8/2019	Release from Probation	No Restrictions-Recission 3/18
71	9163			Transit Operator	2/14/2019	Release from Probation	No Restrictions
72	1231			Assistant Manager, EEO Programs	2/25/2019	Release from Exempt Appointment	No Restrictions
73	1222			Senior Payroll & Personnel Clerk	2/27/2019	Release from Probation	No Restrictions
74	9163			Transit Operator	3/1/2019	Dismissal	No restrictions
75	9163			Transit Operator	3/7/2019	Release from Probation	No Restrictions
76	8121			Transit Fare Inspector Supervisor/Investigator	3/7/2019	Dismissal	Permanent Restriction on all Citywide employment; cancel any current exam status
77	9163			Transit Operator	3/11/2019	Resignation Unsatisfactory	2-years Outside satisfactory work experience
78	9163			Transit Operator	3/15/2019	Medical Separations	No Restrictions
79	9163			Transit Operator	3/19/2019	Medical Separations	No Restrictions
80	9163			Transit Operator	3/21/2019	Release from Probation	No Restrictions



SFMTA Summary: Future Employment Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
81	9179			Manager V, Municipal Transportation Agency	3/23/2019	Release from Exempt Appointment	No Restrictions
82	9182			Manager VIII, Municipal Transportation Agency	3/23/2019	Release from Exempt Appointment	No Restrictions
83	7444			Parking Meter Repairer	3/28/2019	Release from Probation	No Restrictions
84	8214			Parking Control Officer	3/29/2019	Medical Separations	No Restrictions
85	9163			Transit Operator	3/29/2019	Release from Probation	No Restrictions
86	9163			Transit Operator	3/29/2019	Medical Separations	No Restrictions
87	9163			Transit Operator	3/29/2019	Release from Probation	No Restrictions
88	9163			Transit Operator	3/29/2019	Release from Probation	No Restrictions
89	9182			Manager VIII, Municipal Transportation Agency	4/6/2019	Release from Exempt Appointment	No Restrictions
90	9172			Transit Manager II	4/10/2019	Release from Exempt Appointment	No Restrictions
91	1312			Public Information Officer	4/12/2019	Release from Probation	No Restrictions
92	1823			Senior Administrative Analyst	4/18/2019	Release from Probation	No Restrictions
93	9163			Transit Operator	4/18/2019	Medical Separations	No Restrictions
94	1823			Senior Administrative Analyst	4/19/2019	Release from Exempt Appointment	No Restrictions
95	9152			Transportation Controller Trainee	4/24/2019	Release from Exempt Appointment	No Restrictions
96	9163			Transit Operator	4/24/2019	Medical Separations	No Restrictions

SFMTA Summary: Future Employment Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
97	9163			Transit Operator	5/3/2019	Release from Probation	No Restrictions
98	7514			General Laborer	5/4/2019	Release from Probation	No Restrictions
99	9163			Transit Operator	5/10/2019	Release from Probation	No Restrictions
100	9163			Transit Operator	5/11/2019	Release from Probation	No Restrictions
101	9163			Transit Operator	5/12/2019	Release from Probation	No Restrictions
102	9163			Transit Operator	5/14/2019	Release from Probation	No Restrictions
103	9163			Transit Operator	5/14/2019	Release from Probation	No Restrictions
104	9163			Transit Operator	5/16/2019	Release from Probation	No Restrictions
105	9163			Transit Operator	5/21/2019	Dismissal	No Restrictions
106	5201			Junior Engineer	5/24/2019	Release from Probation	No Restrictions
107	9163			Transit Operator	5/30/2019	Release from Probation	No Restrictions
108	7335			Senior Stationary Engineer	6/3/2019	Resignation Unsatisfactory	No Restrictions
109	9163			Transit Operator	6/6/2019	Medical Separations	No Restrictions
110	9163			Transit Operator	6/7/2019	Resignation Unsatisfactory	Future Employment subject to review and approval of Human Resources Director after satisfactorily completing of two (2) years work experience outside of SFMTA service
111	9163			Transit Operator	6/22/2019	Release from Probation	No Restrictions
112	9163			Transit Operator	6/26/2019	Release from Probation	No Restrictions

SFMTA Summary: Future Employment Restrictions July 1, 2018 - June 30, 2019

#	JOB CODE	LAST NAME	FIRST NAME	JOB TITLE	SEPARATION DATE	REASON	FUTURE EMPLOYMENT RESTRICTION NOTES
113	9163			Transit Operator	6/28/2019	Release from Probation	No Restrictions



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

*Sent Via Electronic Mail*

December 5, 2019

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

JACQUELINE P. MINOR  
COMMISSIONER

SANDRA ENG  
ACTING EXECUTIVE OFFICER

## NOTICE OF CIVIL SERVICE COMMISSION MEETING

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS 45169-19/20.**

The above matter will be considered by the Civil Service Commission at a meeting to be held on **December 16, 2019 at 2:00 p.m. in Room 400**, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Consent Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

*All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.*

CIVIL SERVICE COMMISSION

  
SANDRA ENG  
Acting Executive Officer

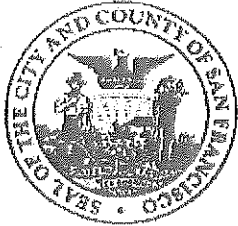
### Attachments

Cc: Alex Burns, Department of Public Works  
Don Sy, Department of Public Works  
Suzanne Choi, Department of Human Resources  
Olivia Lee, Department of Public Works  
Theresa Foglio, Laborers Local 261  
Wendy Wong  
IFPTE Local 21  
Commission File  
Commissioners' Binder  
Chron

THIS DOCUMENT SUPPORTS

CALENDAR ITEM 11

# **PSC Submission**




# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22)

Refer to Civil Service Commission Procedure for Staff - Submission of  
Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Number: \_\_\_\_\_
2. For Civil Service Commission Meeting of: 12/16/2019
3. Check One:
 

Ratification Agenda	_____
Consent Agenda	<u>  X  </u>
Regular Agenda	_____
Human Resources Director=s Report	_____
4. Subject: Review of Request for Approval of Proposed Personal Service Contract Number PSC #45169-19/20 with the Department of Public Works.
5. Recommendation: Adopt the report. Approve the request for proposed Personal Service Contract; Notify the Office of the Controller and the Office of Contract Administration.
6. Report prepared by: Don Sy Telephone number: (415) 554-6226
7. Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A).**
8. Reviewed and approved for Civil Service Commission Agenda:
 

Human Resources Director: 

Date: 12/18/19
9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer**  
**Civil Service Commission**  
**25 Van Ness Avenue, Suite 720**  
**San Francisco, CA 94102**

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

Attachment

CSC-22 (11/97)

<p><b><u>CSC RECEIPT STAMP</u></b></p>
--

## List of Contacts to be Notified

Don Sy	<a href="mailto:Don.Sy@SFDPW.org">Don.Sy@SFDPW.org</a>
Suzanne Choi	<a href="mailto:Suzanne.Choi@SFGOV.org">Suzanne.Choi@SFGOV.org</a>
Alex Burns	<a href="mailto:Alexander.Burns@SFDPW.org">Alexander.Burns@SFDPW.org</a>
Olivia Lee	<a href="mailto:Olivia.Lee@SFDPW.org">Olivia.Lee@SFDPW.org</a>
Theresa Foglio	<a href="mailto:laborers261@gmail.com">laborers261@gmail.com</a>
Wendy Wong	<a href="mailto:WendyWong26@yahoo.com">WendyWong26@yahoo.com</a>
No Name	<a href="mailto:Tmathews@ifpte21.org">Tmathews@ifpte21.org</a>



## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPWDept. Code: DPWType of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: As-Needed Steam Cleaning Program ServicesFunding Source: General FundsPSC Amount: \$1,000,000PSC Est. Start Date: 10/01/2019PSC Est. End Date: 09/29/2024**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The primary scope of service will include specialized or untried equipment for evaluation, and conduct special cleaning services above or outside of the Bureau's routine operating responsibilities, and/or conducting pilot cleaning programs that affect both public and private properties. Such specialized equipment shall include steam-cleaning, power-washing, gum removal, hazardous/human/animal waste removal equipment for the purpose of maintaining the City's sidewalks, curbs, gutters, and roadways.

Supporting services, not to exceed 10% in services for the duration of the contract., may include the ability to organize community support, prepare educational or outreach materials, assist in developing and conducting outreach and education efforts, conduct neighborhood cleaning projects, organize community interest in establishment of Business Neighborhood Improvement Districts (BID/NID), and/or survey public opinion or conduct focus groups. Services may also include steam cleaning or power washing.

**B. Explain why this service is necessary and the consequence of denial:**

The Department is attempting to change public behaviors and perception in the area. Keeping the city clean requires more than just regular routine cleaning. Community involvement and support is needed to maintain it. These services would not only provide much needed help for the city to combat waste and other cleaning challenges but will also launch programs to help maintain the cleanliness. If this PSC is not approved, it will limit the Department's ability to clean up and prevent health and safety risks to everyone in the city.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

It has not specifically been addressed in the past but a similar services has been provided previously through PSC 45768-16/17.

**D. Will the contract(s) be renewed?**

No

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

N/A

**2. Reason(s) for the Request****A. Indicate all that apply (be specific and attach any relevant supporting documents):**

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

B. Explain the qualifying circumstances:

Cleaning services are only required on an as-needed basis and does not require nor is sufficient for a new/existing civil service class to perform this work.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Knowledge, experience, ability, and resources to conduct special steam cleaning services above or outside of the Bureau's responsibilities; conduct pilot cleaning programs; provide specialized equipment for evaluation; or provide cleaning personnel for special events.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1312, Public Information Officer; 7281, Street Environ Svcs Oprs Supv; 7501, Environmental Service Worker; 7514, General Laborer;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: It is anticipated that the contractor may be asked to provide equipment for special projects – types of equipment that might be provided include equipment for removing stains from concrete or brick sidewalks or granite curbs.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The City has these resources. This work is only needed on an intermittent basis, so the use of additional civil service classes are not feasible.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
This work is only needed on an intermittent basis, so the use of additional civil service classes are not feasible.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. At this point in time, the amount of work anticipated is not sufficient in quantity or sufficiently different from the duties and responsibilities of existing classes to justify the creation of a new class.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
No. Training is not necessary as there are multiple civil service classes to perform these services.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.

F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.

No.

7. **Union Notification:** On 08/05/2019, the Department notified the following employee organizations of this PSC/RFP request:  
Laborers, Local 261; Prof & Tech Eng, Local 21

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Alexander Burns Phone: 415-554-6411 Email: alexander.burns@sfdpw.org

Address: 1155 Market Street 4th Floor San Francisco, CA 94103

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 45169 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 10/07/2019

## **Receipt of Union Notification(s)**

**Sy, Don (DPW)**

---

**From:** dhr-psccordinator@sfgov.org on behalf of alexander.burns@sfdpw.org  
**Sent:** Monday, August 05, 2019 4:05 PM  
**To:** Burns, Alexander (DPW); WendyWong26@yahoo.com; wendywong26@yahoo.com;  
tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org;  
L21PSCReview@ifpte21.org; LiUNA.local261@gmail.com; Sy, Don (DPW); DHR-PSCCoordinator, DHR  
(HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 45169 - 19/20

RECEIPT for Union Notification for PSC 45169 - 19/20 more than \$100k

The GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPW has submitted a request for a Personal Services Contract (PSC) 45169 - 19/20 for \$1,000,000 for Initial Request services for the period 10/01/2019 – 10/01/2024. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/13827> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

## **Additional Attachment(s)**

## PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: GENERAL SERVICES AGENCY - PUBLIC WORKS -- DPWDept. Code: DPWType of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)Type of Service: As-Needed Cleaning Program ServicesFunding Source: General FundsPSC Amount: \$1,200,000PSC Est. Start Date: 08/26/2016PSC Est. End Date: 12/31/2021**1. Description of Work****A. Scope of Work/Services to be Contracted Out:**

The primary scope of service will include specialized or untried equipment for evaluation, provide cleaning personnel for special events, conduct special cleaning services, graffiti abatement, or maintenance of plant materials services above or outside of the Bureau's routine operating responsibilities, and/or conducting pilot cleaning programs that affect both public and private properties. Supporting services, not to exceed 10% in services for the duration of the contract, may include the ability to organize community support, prepare educational or outreach materials, assist in developing and conducting outreach and education efforts, conduct neighborhood cleaning projects, organize community interest in establishment of Business Neighborhood Improvement Districts (BID/NID), and/or survey public opinion or conduct focus groups. Public Works is looking to award 3 contracts at \$400,000 each.

**B. Explain why this service is necessary and the consequence of denial:**

The Department is attempting to change public behaviors in the area of illegal dumping, graffiti, littering and the upkeep of private property, including sidewalks through a range of education and outreach programs. These services are needed to augment the Department's existing skill base in allowing the Department to test the effectiveness of outreach and educational programs, evaluate the new equipment, and to obtain direct program support from non-profit or community based organizations for limited duration special projects or when necessitated by grant conditions.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**

This service has been provided previously through PSC 4037-11/12.

**D. Will the contract(s) be renewed?**

No.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**

PSC exceed 5 years only to allow time for processing the award. The contract term will only be for no more than 5 years.

**2. Reason(s) for the Request****A. Indicate all that apply (be specific and attach any relevant supporting documents):**

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

**B. Explain the qualifying circumstances:**

Cleaning services are only required on an as-needed basis and does not require nor is sufficient for a new/existing civil service class to perform this work.

**3. Description of Required Skills/Expertise**

A. Specify required skills and/or expertise: Knowledge, experience, ability, and resources to conduct special cleaning services above or outside of the Bureau's responsibilities; conduct pilot cleaning programs; provide specialized equipment for evaluation; or provide cleaning personnel for special events.

- B. Which, if any, civil service class(es) normally perform(s) this work? 1312, Public Information Officer; 7281, Street Environ Svcs Oprs Supv; 7501, Environmental Service Worker; 7514, General Laborer;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain: It is anticipated that the contractor may be asked to provide equipment for special projects – types of equipment that might be provided include equipment for removing stains from concrete or brick sidewalks or granite curbs, removing graffiti from a variety of surfaces, or abating weeds.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The City has these resources, however, we would require multiple classifications to perform this work, whereas the contractor has positions that can perform all aspects of the work. This work is only needed on an intermittent basis, so the use of civil service classes are not feasible.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
It would not be possible to find a single class capable of providing the variety of required program support. This contract is intended to support a wide range of civil service employees engaged in these initiatives, making it possible to more rapidly and effectively evaluate programs while maintaining existing programs and responsibilities.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. No. At this point in time, the amount of work anticipated is not sufficient in quantity or sufficiently different from the duties and responsibilities of existing classes to justify the creation of a new class.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.
- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contact? If so, please explain what that will entail; if not, explain why not.  
Training is not necessary as there are multiple civil service classes to perform these services.
- C. Are there legal mandates requiring the use of contractual services?  
No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
No.

**7. Union Notification: On 08/26/2016, the Department notified the following employee organizations of this PSC/RFP request:**

Laborers, Local 261; Prof & Tech Eng, Local 21

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Stacey Camillo Phone: 415-554-4886 Email: stacey.camillo@sfdpw.org

Address: 1155 Market Street, 4th Floor San Francisco, CA 94103

\*\*\*\*\*



FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC# 45768 - 16/17

DHR Analysis/Recommendation:

Commission Approval Required

10/17/2016 DHR Approved for 10/17/2016

action date: 10/17/2016

Approved by Civil Service Commission with conditions

**(12) Appeal by Frederick Sequeira of the Human Resources Director's Determination to Administratively Close His Complaint of Harassment. (File No. 0273-19-6) – Action Item**

**Recommendation:** Postponed to the meeting of January 6, 2020 at the appellant's request.



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

*Sent Via Electronic Mail*

December 5, 2019

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

JACQUELINE P. MINOR  
COMMISSIONER

## NOTICE OF CIVIL SERVICE COMMISSION MEETING

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACTS 41698-19/20.**

The above matter will be considered by the Civil Service Commission at a meeting to be held on **December 16, 2019 at 2:00 p.m. in Room 400**, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

*All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.*

SANDRA ENG  
ACTING EXECUTIVE OFFICER

CIVIL SERVICE COMMISSION

SANDRA ENG  
Acting Executive Officer

### Attachments

Cc: Suzanne Choi, Department of Human Resources  
T. Mathews, IFPTE Local 21  
K. Schumacher, IFPTE Local 21  
P. Kim, IFPTE Local 21  
A. Makayan, IFPTE Local 21  
Wendy Wong  
IFPTE Local 21  
Commission File  
Commissioners' Binder  
Chron

THIS DOCUMENT SUPPORTS

CALENDAR ITEM

13

***PSC SUBMISSION***



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22)

Refer to Civil Service Commission Procedure for Staff - Submission of Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
2. For Civil Service Commission Meeting of: December 16, 2019
3. Check One: **Ratification Agenda**
4. Subject: Request for Approval of PSC 41698-19/20
5. Recommendation: Approve the request; Notify the Office of the Controller and the Office of Contract Administration.
6. Report prepared by: Jacquie Hale, PSC Coordinator, Department of Public Health  
Telephone number: (415) 255-3508

7. Notifications:

<i>Department of Human Resources (DHR/HRD)</i>	
DHR-PSCCoordinator, DHR (HRD)	Suzanne Choi
<i>IFPTE Local 21:</i>	
L21PSCReview@ifpte21.org	(general email box)
tmathews@ifpte21.org	T. Mathews
kschumacher@ifpte21.org	K. Schumacher
pkim@ifpte21.org	P. Kim
amakayan@ifpte21.org	A. Makayan
wendywong26@yahoo.com	Wendy Wong

8. Reviewed and approved for Civil Service Commission Agenda:

Human Resources Director: *Michael O'Brien*  
Date: *12/5/2019*

9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to: **Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102**
10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

**CSC RECEIPT STAMP**

PERSONAL SERVICES CONTRACT SUMMARY ("PSC FORM 1")

Department: PUBLIC HEALTH -- DPH

Dept. Code: DPH

Type of Request:  Initial  Modification of an existing PSC (PSC # \_\_\_\_\_)

Type of Approval:  Expedited  Regular  Annual  Continuing  (Omit Posting)

Type of Service: Various Software Licensing, Maintenance, and related services

Funding Source: General Fund, federal and State funds

PSC Duration: 5 years 4 weeks

PSC Amount: \$10,000,000

**1. Description of Work**

**A. Scope of Work/Services to be Contracted Out:**

The contractor(s) will be used on an as-needed basis to maintain and enhance existing applications used in various functional areas within the Department. Functional areas shall include both clinical and non-clinical areas, such as services supporting an integrated communicable disease data system, SharePoint development services, archiving and data management, data warehouse(s), laboratory information, connected diagnostic, financial analysis and eligibility, access to proprietary online databases, clinical and financial bench marking tools, and pharmaceutical systems. The value of this request covers estimated costs for licensing, maintenance, and related professional services such as training and consultation.

**B. Explain why this service is necessary and the consequence of denial:**

These services are necessary in order to maintain existing legacy applications and to provide enhancements as needed to such systems in order to maintain their effectiveness and achieve full functionality. The Department has established both clinical and operational workflows around these systems, and denial of this request would result in inefficiencies and impaired response capacity, lessening the quality of services provided.

**C. Has this service been provided in the past? If so, how? If the service was provided under a previous PSC, attach copy of the most recently approved PSC.**  
PSC 4124-12/13

**D. Will the contract(s) be renewed?**  
As needed and as funding is available.

**E. If this is a request for a new PSC in excess of five years, or if your request is to extend (modify) an existing PSC by another five years, please explain why.**  
The Department anticipates a continued need for these services.

**2. Reason(s) for the Request**

**A. Indicate all that apply (be specific and attach any relevant supporting documents):**

Short-term or capital projects requiring diverse skills, expertise and/or knowledge.

Services required on an as-needed, intermittent, or periodic basis (e.g., peaks in workload).

B. Explain the qualifying circumstances:

These services are utilized intermittently and as needed, and deal with proprietary products that are already developed and available for commercial use. The services are necessary in order to maintain existing legacy applications and provide enhancements as needed to such systems in order to maintain their effectiveness and to achieve full functionality.

**3. Description of Required Skills/Expertise**

- A. Specify required skills and/or expertise: Contractor(s) must have a commercially available product in the relevant field, and sufficient resources to provide implementation and development services and ongoing support, including guarantees that the application meets minimum performance standards.
- B. Which, if any, civil service class(es) normally perform(s) this work? 1022, IS Administrator 2; 1023, IS Administrator 3; 1024, IS Administrator-Supervisor; 1042, IS Engineer-Journey; 1043, IS Engineer-Senior; 1044, IS Engineer-Principal; 1052, IS Business Analyst; 1053, IS Business Analyst-Senior; 1054, IS Business Analyst-Principal; 1062, IS Programmer Analyst; 1063, IS Programmer Analyst-Senior; 1064, IS Prg Analyst-Principal; 1070, IS Project Director; 1824, Pr Administrative Analyst; 5502, Project Manager 1; 5504, Project Manager 2; 5506, Project Manager 3; 5508, Project Manager 4;
- C. Will contractor provide facilities and/or equipment not currently possessed by the City? If so, explain:  
No.

**4. If applicable, what efforts has the department made to obtain these services through available resources within the City?**

The City does not possess the resources to fulfill the services mentioned in this request. The services are intermittent, as-needed, project-based services.

**5. Why Civil Service Employees Cannot Perform the Services to be Contracted Out**

- A. Explain why civil service classes are not applicable.  
Civil Service classes are not applicable because these are proprietary products requiring services which include technical components beyond the scope of expertise of in-house staff to develop within quality parameters. Civil service staff will provide connectivity to the application and monitor connectivity issues at both the desktop and network levels.
- B. If there is no civil service class that could perform the work, would it be practical and/or feasible to adopt a new civil service class to perform this work? Explain. Services are intermittent and as-needed, and deal with proprietary products that are already developed and available for commercial use. Civil service staff will work with contractor(s) to obtain knowledge necessary for day-to-day use and upkeep of applications. Staff will also have the ongoing opportunity to gain insight and knowledge of current best practices for public health data system applications through their interactions with contractor and their product.

**6. Additional Information**

- A. Will the contractor directly supervise City and County employee? If so, please include an explanation.  
No.

- B. Will the contractor train City and County employees and/or is there a transfer of knowledge component that will be included in the contract? If so, please explain what that will entail; if not, explain why not.  
 No. Specific training in the use and operation of specific software solutions and business process improvements will be provided if the project requires such training. City staff will have the opportunity to learn industry best practices in a given field and the use of new applications. Employees who may receive training would be varied depending on the specific project, and could include the IS Engineer series 1042, 1043, 1052, 1053, and 1054; Medical Records Clerk 2210; Project Managers series 5502, 5504, 5506, and 5508; Administrative Analyst 1824; and Manager classifications 0923 and 0931.
- C. Are there legal mandates requiring the use of contractual services?  
 No.
- D. Are there federal or state grant requirements regarding the use of contractual services? If so, please explain and include an excerpt or copy of any such applicable requirement.  
 No.
- E. Has a board or commission determined that contracting is the most effective way to provide this service? If so, please explain and include a copy of the board or commission action.  
 No.
- F. Will the proposed work be completed by a contractor that has a current PSC contract with your department? If so, please explain.  
 No.

7. **Union Notification:** On 10/07/2019, the Department notified the following employee organizations of the PSC/RFP request:  
Prof & Tech Eng, Local 21; Professional & Tech Engrs, Local 21

I CERTIFY ON BEHALF OF THE DEPARTMENT THAT THE INFORMATION CONTAINED IN AND ATTACHED TO THIS FORM IS COMPLETE AND ACCURATE:

Name: Jacquie Hale Phone: (415) 554-2609 Email: jacquie.hale@sfdph.org

Address: 1380 Howard Street, 4th Floor San Francisco, CA 94103

\*\*\*\*\*

**FOR DEPARTMENT OF HUMAN RESOURCES USE**

PSC# 41698 - 19/20

DHR Analysis/Recommendation:

Civil Service Commission Action:

Commission Approval Required

DHR Approved for 12/02/2019



## Hale, Jacquie (DPH)

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**From:** dhr-psccordinator@sfgov.org on behalf of jacquie.hale@sfdph.org  
**Sent:** Monday, October 07, 2019 11:09 AM  
**To:** Hale, Jacquie (DPH); WendyWong26@yahoo.com; wendywong26@yahoo.com; tmathews@ifpte21.org; kschumacher@ifpte21.org; pkim@ifpte21.org; amakayan@ifpte21.org; L21PSCReview@ifpte21.org; Rossi, Ron (DPH); DHR-PSCCoordinator, DHR (HRD)  
**Subject:** Receipt of Notice for new PCS over \$100K PSC # 41698 - 19/20

RECEIPT for Union Notification for PSC 41698 - 19/20 more than \$100k

The PUBLIC HEALTH -- DPH has submitted a request for a Personal Services Contract (PSC) 41698 - 19/20 for \$10,000,000 for Initial Request services for the period 12/01/2020 – 12/31/2024. Notification of 30 days (60 days for SEIU) is required.

After logging into the system please select link below, view the information and verify receipt:

<http://apps.sfgov.org/dhrdrupal/node/14004> For union notification, please see the TO: field of the email to verify receipt. If you do not see all the unions you intended to contact, the PSC Coordinator must change the state back to NOT READY, make sure the classes and unions you want to notify are selected and SAVE. Then VIEW the record and verify the list of unions and emails. EDIT the document again , change the state back START UNION NOTIFICATION and SAVE. You should receive the email with all unions to the TO: field as intended

**From:** [Haie, Jacquie \(DPH\)](#)  
**To:** [L21PSCReview@ifpte21.org](mailto:L21PSCReview@ifpte21.org); [email union list;](#) [email union list;](#) [email union list;](#) [email union list;](#) [email union list;](#)  
**Bcc:** [Rossi, Ron \(DPH\)](#)  
**Subject:** PSC # 41698 - 19/20 correction  
**Date:** Wednesday, December 04, 2019 3:58:00 PM

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To: IFPTE Local 21 and DHR PSC Coordinator

This is to let you know that DPH has corrected a clerical error in its submission of Personal Services Contract (PSC) 41698 - 19/20, to make the PSC start date 12/01/2019, rather than 12/01/2020. IFPTE Local 21 was notified of this PSC on 10/07/2019. The PSC was originally calendared for the 12/04/2019 meeting of the Civil Service Commission. DPH requested that it be continued to the Commission's next meeting on 12/16/2019, so that this correction could be made. You will find the corrected PSC in the PSC database here: <http://apps.sfgov.org/dhrdrupal/node/14004>.

Please let me know if you need further information.

Thank you,

Jacquie Hale  
PSC Coordinator  
Department of Public Health, City and County of San Francisco  
1380 Howard Street, Room 421b, San Francisco, CA 94103  
(415) 255-3508

This e-mail is not a secured data transmission for Protected Health Information (PHI) as defined by the Healthcare Portability and Accountability Act (HIPAA), and it is the responsibility of all parties involved to take all reasonable actions to protect this message from non-authorized disclosure. This e-mail is intended for the recipient only. If you receive this e-mail in error, you should notify the sender and destroy the e-mail immediately. Disclosure of the information contained herein could subject to disclosure to civil or criminal penalties under state and federal privacy laws.

## Hale, Jacquie (DPH)

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**From:** Mail Delivery System <MAILER-DAEMON@z111.zixworks.com>  
**To:** L21PSCReview@ifpte21.org; amakayan@ifpte21.org; kschumacher@ifpte21.org;  
pkim@ifpte21.org; tmathews@ifpte21.org; wendywong26@yahoo.com  
**Sent:** Wednesday, December 04, 2019 3:58 PM  
**Subject:** Relayed: PSC # 41698 - 19/20 correction

This is the mail system at host z111.zixworks.com.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

### The mail system

<L21PSCReview@ifpte21.org>: delivery via vpmout: delivered via vpmout service

<amakayan@ifpte21.org>: delivery via vpmout: delivered via vpmout service

<kschumacher@ifpte21.org>: delivery via vpmout: delivered via vpmout service

<pkim@ifpte21.org>: delivery via vpmout: delivered via vpmout service

<tmathews@ifpte21.org>: delivery via vpmout: delivered via vpmout service

<wendywong26@yahoo.com>: delivery via vpmout: delivered via vpmout service



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE  
MAYOR

June 3, 2013

## NOTICE OF CIVIL SERVICE COMMISSION ACTION

**SUBJECT: REVIEW OF REQUEST FOR APPROVAL OF PROPOSED PERSONAL SERVICES CONTRACT NUMBERS 4115-12/13 THROUGH 4126-12/13; 4084-05/06; 4038-12/13; AND 3104-11/12.**

At its meeting of May 20, 2013 the Civil Service Commission had for its consideration the above matter.

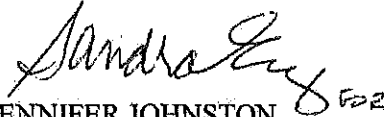
The Commission:

- 1) Continued PSC 4120-12/13 to the next meeting of June 3, 2013; clarify and amend the duration; previous PSC 4056-06/07 was approved by the Civil Service Commission through 2010; include an explanation and documentation on how the contract was renewed from 2010-2013 through an annual purchase order.
- 2) Adopted the report; Approved the requests for all remaining contracts. Notified the Office of the Controller and the Office of Contract Administration.

**PLEASE NOTE:** *It is important that a copy of this action be kept in the department files as you will need it in the future as proof of Civil Service Commission approval. Please share it with everyone responsible for follow-up.*

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

  
JENNIFER JOHNSTON  
Executive Officer

### Attachment

Cc: Cynthia Avakian, Airport Commission  
Jeanne Buick, Department of Human Resources  
Micki Callahan, Human Resources Director  
Leorah Dang, Department of Human Resources  
Gordon Choy, Department of Public Works  
Lily Conover, Controller's Office  
Jacquie Hale, Department of Public Health  
Karen Henderson, Mayor's Office of Housing  
William Lee, Department of Emergency Management  
Donna Marion, San Francisco Public Library  
Merrick Pascual, Mayor's Office of Economic & Workforce Dev.  
Shawn Wallace, San Francisco Police Department  
Fan-Wa Wong, San Francisco Health Service Systems  
Commission File  
Chron

POSTING FOK  
05/20/2013

PROPOSED PERSONAL SERVICES CONTRACTS - Regular

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4115-12/13	09	Controller	Regular	\$66,000	Vendor will provide proprietary hardware, software and related services for employee time collection as part of the second phase of the City's eMerge PeopleSoft Human Capital Management implementation. Services will include hardware and software installation configuration, integration with PeopleSoft 9.0, system testing and user training.	4/1/2013 - 12/31/2013
4116-12/13	21	Business, Economic Development	Regular	\$150,000	Conduct qualitative research of workforce system users in order to better understand their needs and how the workforce system can better meet those needs. The research process will include interviewing job seekers and employers, analysis of interview results, analysis of similar processes and systems, and a facilitated workshop for the creation of prototypical system users and areas for system improvement. The project will use internationally-recognized, award-winning person-centered design methodology.	5/21/2013 - 6/30/2015
4117-12/13	25	Mayor	Regular	\$520,000	Preparation of Federal Environmental Review Records (ERR) consistent with the requirements of the National Environmental Policy Act, Council on Environmental Quality Regulations and 24 Code of Federal Regulations (CFR) Part 58 for the Mayor's Office of Housing (MOH). MOH certifies to the United States Department of Housing and Urban Development (HUD) that ERRs prepared by non-profits agencies, as well as City Departments and the San Francisco Housing Authority have been prepared in accordance with the applicable federal laws, regulations and authorities. Additionally, MOH also is responsible for preparation of ERRs for various Community Development Block Grant (CDBG), HOME Investment Partnership Program, Emergency Shelter Grant (ESG) and Housing Opportunities for People with AIDS (HOPWA) funded projects managed in-house by City staff. The records required by Part 58 include Environmental Impact Statements, Environmental Assessments, Statutory Worksheets and Exemptions.	7/1/2013 - 6/30/2016
4118-12/13	27	Airport Commission	Regular	\$500,000	The Hotel Development Consultant will advise Airport staff on the planning and development of a proposed full service luxury hotel to be built on Airport property and leased to a Hotel operator. The consultant will perform in an advisory role providing support on tasks such as: initial planning, definition of the hotel concept in terms of number and size of guest rooms, ancillary facilities and hotel branding; hotel layout; selection of a qualified hotel operator, identification of key terms in the operation agreement; and advice for work performed by other consultants.	7/1/2013 - 6/30/2018
4119-12/13	27	Airport Commission	Regular	\$500,000	Consultant will conduct coastal and geotechnical studies for channel dredging that will provide access to SFO's Marine Emergency Response Facility (MERF), Marine Emergency Reception Dock (MERD) and the boat ramp. The existing water bottom around the Airport is too high and does not meet water depth guidelines set forth by the California Department of Boating and Waterways (CDBW) and US Army Corps of Engineers (USACE) for boat access during low tide hours. The consultant will provide bathymetry data, collect and characterize soil samples, and provide expert recommendation on channel design.	7/1/2013 - 1/31/2016
4120-12/13	41	Public Library	Regular	\$1,500,000	Provide online, live tutoring/homework help to students, elementary through college entry level, as well as adult learners, of the Public Library seven days a week from 2:00-9:00PST, at the library, home or other locations with computer access. Tutoring services will include Spanish and/or Cantonese language assistance in math and science subjects as well as English in all subjects.	8/1/2013 - 1/31/2021

**POSTING FOK**

05/20/2013

**PROPOSED PERSONAL SERVICES CONTRACTS - Regular**

PSC No	Dept No.	Dept Name	Approval Type	Contract Amount	Description of Work	Duration
4121-12/13	77	Emergency Management	Regular	\$240,000	This UASI 2012 Grant project is designed to replace the existing Mobile VPN System for the Department of Emergency Management, Police Department (PD) and Fire Department (FD). The Mobile VPN System operates daily to allow field officers from PD and FD to communicate with back-end CAD (Computer-aided Dispatch) and other applications. In addition to the purchase of proprietary software and hardware, vendor(s) will also provide professional services including system design, installation, testing, training, support, and overall project management.	6/1/2013 - 1/30/2013
4122-12/13	77	Emergency Management	Regular	\$450,000	Contractor will coordinate and evaluate pre-disaster planning, response, and resource sharing amongst the Bay Area UASI Region and private sector businesses in order to address community resiliency, infrastructure, and economic recovery gaps. Contractor will provide a Bay Area Public-Private Strategic Plan which will include communication and collaboration protocols to facilitate information sharing. The plan will also include resource and donation access, logistic/supply chain resumption, and a recovery plan with the private sector. Contractor will also conduct tabletop and virtual exercises to test protocols prior to finalizing the Strategic Plan.	5/1/2013 - 4/30/2016
4123-12/13	81	Public Health	Regular	\$1,220,000	Contractors will provide nutrition education and support services, with the goal of transforming environments in order to make healthy eating and physical activity possible in a variety of settings including schools, community-based organizations, childcare settings, youth-serving environments and faith-based organizations.	10/1/2013 - 9/30/2016
4124-12/13	81	Public Health	Regular	\$5,000,000	The contractor(s) will develop and implement an integrated communicable disease data system to coordinate data collection, processing, management, analysis and interpretation related to health, morbidity and program services to support public health actions (e.g., outbreak investigation, partner services, etc.) and preventative services, as well as delivering integrated services at both the individual and community level. *NOTE: The value of this request is the estimated cost of the professional services needed to implement the system, and does not include the license or maintenance cost of the software.	6/1/2013 - 6/30/2018
4125-12/13	81	Public Health	Regular	\$575,000	Part of the Affordable Care Act is establishing Nurse-Family Partnership (NFP) programs to help first-time mothers using a proven evidence-based community health program model that meets federal requirements and recommendations. This program establishes a partnership between a new mom early in her pregnancy with a registered nurse making ongoing home visits. This well-researched program is being federally funded on a national level as it has been proven to help families and communities become stronger while saving money for state, local and federal governments. These services will establish a direct connection with the federal NFP reporting system that aligns with DPH's Targeted Case Management (TCM) Online Billing System in order to meet all federal requirements for the documentation required to receive federal funding for both programs by providing a web-based case management system enabled for access by DPH Maternal and Child Health (MCAH) visiting nurses using handheld devices.	7/1/2013 - 6/30/2018
4126-12/13	90	Public Works	Regular	\$20,558,000	Department of Public Works (DPW) is seeking two qualified teams of architectural and engineering (A/E) consultants to provide architectural engineering design and construction support services for the new Office of Chief Medical Examiner (OCME) Facility and Forensic Services Division & Traffic Company (FSD/TC) Facility. The two contract amounts are approximately \$5,120,000 and \$15,438,000 for the OCME and FSD/TC facilities respectively.	4/1/2013 - 4/1/2019

**POSTING FOR**

05/20/2013

**PROPOSED PERSONAL SERVICES CONTRACTS - Regular**

<b>PSC No</b>	<b>Dept No.</b>	<b>Dept Name</b>	<b>Approval Type</b>	<b>Contract Amount</b>	<b>Description of Work</b>	<b>Duration</b>
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Total Amount - Regular: \$31,279,000

PROPOSED PERSONAL SERVICES CONTRACTS  
MODIFICATION TO INCREASE CONTRACT AMOUNT/DURATION

PSC No	DeptNo	Dept Description	Approval Type	Modified Amount	Cumulative Total	Description of Work	Start Date - End Date
4084-05/06	27	Airport Commission	Regular	\$2,500,000	\$11,525,000	Planning of airport facilities and resources to serve the core aviation business of the Airport. Scope of projects range from project-specific planning to integrated facilities master planning, including (1) forecasting future aviation activity levels, (2) developing common use standards for airport facilities and systems, (3) recommending facility improvements to enhance level of service and asset utilization, (4) updating airport layout plan, land use plan, and other planning documents, (5) planning support for airfield development projects, (6) airfield and airspace simulation modeling of NextGen and other advanced navigation technologies, (7) terminal and roadway simulation modeling in support of terminal and ground access planning projects, and (8) technical noise analysis in support of broader land use planning initiatives.	3/1/2006 - 6/30/2018
4084-12/13	38	Police	Regular	\$0	\$655,000	This service is necessary to expand the current system an additional six square miles. This will allow the Police Department to detect and locate gunshots in almost real time in a larger area of the City. This will allow for a quick response time and a reduction in crime. The purchase also includes a 32 month warranty period upon acceptance of the system.	11/1/2012 - 2/28/2018
3104-11/12	66	Health Service System	Regular	\$160,000	\$200,000	One-hour exercise and stress management sessions provided during lunch hours at City Hall, Airport and various other City offices. Sessions are provided by multiple contractors and are designed to promote health and well-being. Some of the sessions include: Yoga stretch, zumba, Qigong, and this year the additional offering of a University of California of San Francisco (UCSF)-led stress management class taught by UCSF faculty members. Classes are practiced in a group setting which enhances energy level and has a positive effect on individual's well-being. Sessions are designed to inform and educate people while physical classes relax muscles tensions, increase range of movement, improve circulation and center one emotionally.	7/1/2012 - 6/30/2016
				<b>Sum of Modified Amounts:</b>	<b>\$2,660,000</b>		



PERSONAL SERVICES CONTRACT SUMMARY

DATE: MAR 21 2013

DEPARTMENT NAME: Public Health DEPARTMENT NUMBER 81

TYPE OF APPROVAL: [ ] EXPEDITED [X] REGULAR (OMIT POSTING )
[ ] CONTINUING [ ] ANNUAL

TYPE OF REQUEST:
[X] INITIAL REQUEST [ ] MODIFICATION (PSC# )

TYPE OF SERVICE: Integrated Communicable Disease Data System and Training Services

FUNDING SOURCE: Federal Center for Disease Control Grant and limited General Funds

PSC AMOUNT: \$5,000,000\* PSC DURATION: June 1, 2013-June 30, 2018

1. DESCRIPTION OF WORK

A. Concise description of proposed work:

The contractor(s) will develop and implement an integrated communicable disease data system to coordinate data collection, processing, management, analysis and interpretation related to health, morbidity and program services to support public health actions (e.g., outbreak investigation, partner services, etc.) and preventative services, as well delivering integrated services at both the individual and community level. NOTE: The value of this request is the estimated cost of the professional services needed to implement the system, and does not include the license or maintenance cost of the software.

B. Explain why this service is necessary and the consequences of denial:

Current public health data systems are legacies of previous public health response actions related to different disease areas. At present, each area has its own system and its own protocol for system development, interoperability, data management, information sharing and security. The planned services are needed in order for DPH to continue Department-wide integration of systems and services while achieving service efficiencies, and to meet the needs of current populations. Denial will result in continued inefficiencies and impaired response capacity.

C. Explain how this service has been provided in the past (if this service was previously approved by the Civil Service Commission, indicate most recent personal services contract approval number):

This is new request.

D. Will the contract(s) be renewed: As needed and funding is available.

2. UNION NOTIFICATION: Copy of this summary is to be sent to employee organizations as appropriate (refer to instructions for specific procedures):

MAR 21 2013

IFPTE Local 21 Union Name Signature of person mailing/faxing form Date
Union Name Signature of person mailing/faxing form Date
RFP sent to Union Name, on Date Signature

FOR DEPARTMENT OF HUMAN RESOURCES USE

PSC#
STAFF ANALYSIS/RECOMMENDATION:

CIVIL SERVICE COMMISSION ACTION:

3. DESCRIPTION OF REQUIRED SKILLS/EXPERTISE

A. Specify required skills and/or expertise:

The contractor(s) must have a commercially available public health communicable disease data system and sufficient resources to provide implementation and development services and ongoing support, including guarantees that the application meets minimum performance standards.

B. Which, if any, civil service class normally performs this work?

IS Administrators (1022, 1023, 1024); IS Business Analysts (1052, 1053, 1054), IS Engineers (1042, 1043, 1044); IS Programmers (1062, 1063, 1064); IS Project Manager (1070); IS Manager (1071).

C. Will contractor provide facilities and/or equipment not currently possessed by the City? No. If yes, explain:

4. WHY CLASSIFIED CIVIL SERVICE CANNOT PERFORM

A. Explain why civil service classes are not applicable:

Civil Service classes are not applicable because this is a proprietary product with services which include technical components beyond the scope of expertise of in-house staff to develop within practical time and quality parameters. Civil Service classes will provide connectivity to the application and monitor connectivity issues at both the desktop and network level for this application.

B. Would it be practical to adopt a new civil service class to perform this work? Explain.

It is not practical to adopt a new Civil Service class because the services are intermittent and as-needed and deal with a proprietary product that is already developed and available for commercial use. Civil Service staff will work with the contractor(s) to obtain the necessary knowledge for the day-to-day upkeep of the application. In addition, Civil Service classes will also have the opportunity to gain insight and knowledge of current best practices for public health data system applications through their interactions with the contractor(s). Once implemented, ongoing support functions will be transitioned to the DPH IT team for effective operations.

5. ADDITIONAL INFORMATION (if "yes," attach explanation)

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

A. Will the contractor directly supervise City and County employees?

B. Will the contractor train City and County employees?

- Describe the training and indicate approximate number of hours.
- Indicate occupational type of City and County employees to receive training (i.e., clerks, civil engineers, etc.) and approximate number to be trained.

The contractor will train existing Civil Service staff on the implementation and ongoing support of the system. As part of the implementation process, DPH staff currently assigned to the Population Health and Prevention Division will work closely with the information vendor staff to install, implement and bring the system to full production status. DPH staff which will be involved in the implementation and support of the system include IT Project Management, Analyst, Programming and Engineering classifications as well as program clinical staff. It is anticipated that DPH IT staff classifications will receive at least 80 hours of training as the result of the implementation process, and that program clinical staff will receive training on a variable scale based on the required interaction with the system for clinical operational and regulatory reporting functions.

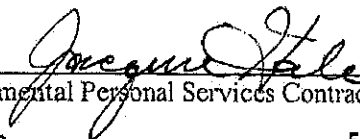
C. Are there legal mandates requiring the use of contractual services?

D. Are there federal or state grant requirements regarding the use of contractual services?

E. Has a board or commission determined that contracting is the most effective way to provide this service?

F. Will the proposed work be completed by a contractor that has a current personal services contract with your department?

THE ABOVE INFORMATION IS SUBMITTED AS COMPLETE AND ACCURATE ON BEHALF OF THE DEPARTMENT HEAD:

  
 \_\_\_\_\_  
 Signature of Departmental Personal Services Contract Coordinator  
**Jacquie Hale**  
 Print or Type Name  
 \_\_\_\_\_  
**554-2609**  
 Telephone Number

\_\_\_\_\_  
**101 Grove St. Rm. 307**  
**San Francisco, CA 94102**  
 Address

Robert  
Longhitano/DPH/SFGOV  
03/21/2013 01:15 PM

To L21PSCReview@ifpte21.org, atonisson@ifpte21.org,  
pcovington@ifpte21.org  
cc Jacquie Hale/DPH/SFGOV@SFGOV,  
Nonie.Cardona@sfgov1.onmicrosoft.com@SFGOV  
bcc

Subject Union Notification of PSC Summary to DHR

TO: Alex Tonnison, IFPTE, Local 21 (via Email Only)  
TO: Pam Covington, IFPTE, Local 21 (via Email Only)  
TO: Local 21pscreview (via Email Only)  
FROM: Jacquie Hale, Director of Contract Management and Compliance  
DATE: March 21, 2013  
SUBJECT: Union Notification of PSC Summary to DHR

Attached is the following PSC request which will be submitted to the Department of Human Resources for review on April 24, 2013 for consideration at the May 20, 2013 Civil Service Commission Meeting

1. Integrated Communicable Disease Data System and Training Services

The PDF File for the item listed above is attached to this email.



PHP software application.pdf

This e-mail is not a secured data transmission for Protected Health Information (PHI) as defined by the Healthcare Portability and Accountability Act (HIPAA), and it is the responsibility of all parties involved to take all reasonable actions to protect this message from non-authorized disclosure. This e-mail is intended for the recipient only. If you receive this e-mail in error, you should notify the sender and destroy the e-mail immediately. Disclosure of the information contained herein could subject to discloser to civil or criminal penalties under state and federal privacy laws.



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

*Sent via Electronic Mail and U.S. Mail*

December 5, 2019

## NOTICE OF CIVIL SERVICE COMMISSION MEETING

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

JACQUELINE P. MINOR  
COMMISSIONER

Victoria E. Bellone

**SUBJECT: REQUEST FOR HEARING BY VICTORIA BELLONE ON  
HER FUTURE EMPLOYMENT RESTRICTIONS WITH THE  
SAN FRANCISCO MUNICIPAL TRANSPORTATION  
AGENCY.**

Dear Victoria Bellone:

The above matter will be considered by the Civil Service Commission at a meeting to be held on **December 16, 2019 at 2:00 p.m. in Room 400**, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

The agenda will be posted for your review on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService) under "Meetings" no later than end of day on Wednesday, December 11, 2019. Please refer to the attached Notice for procedural and other information about Commission hearings. A copy of the department's staff report on your appeal is again attached for your review; however, a hard copy is also available for your review at the Civil Service Commission's office located at 25 Van Ness Avenue, Suite 720, San Francisco.

In the event that you wish to submit any additional documents in support of your appeal, the deadline for receipt in the Commission office is 5:00 p.m. on **Tuesday, December 10, 2019** (as a reminder, we require an original and nine copies of any supplemental materials you wish to submit—all double-sided, hole-punched, paper-clipped and numbered). Again, please be sure to redact your submission for any confidential or sensitive information that is not relevant to your appeal (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

SANDRA ENG  
ACTING EXECUTIVE OFFICER

THIS DOCUMENT SUPPORTS

CALENDAR ITEM

14

Attendance by you or an authorized representative is recommended. Should you or a representative not attend, the Commission will rule on the information previously submitted and any testimony provided at its meeting. Where applicable, the Commission has the authority to uphold, increase, reduce, or modify any restrictions recommended by the department. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

*All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.*

You may contact me at (415) 252-3247 or at [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) if you have any questions.

CIVIL SERVICE COMMISSION

  
SANDRA ENG  
Acting Executive Officer

Attachment

Cc: Kimberly Ackerman, Municipal Transportation Agency  
Christine Cayabyab, Municipal Transportation Agency  
Commission File  
Commissioners’ Binder  
Chron

**APPEAL**



**CIVIL SERVICE COMMISSION**  
**City and County of San Francisco**  
 25 Van Ness Avenue, Suite 720  
 San Francisco, California 94102-6033  
 Executive Officer  
 (415) 252-3247

CSC Register No.  
0201-19-7  
 To: X1 Reister  
P. Kim  
P. BOPARA  
 CC:

**APPEAL TO THE CIVIL SERVICE COMMISSION**

<b>INSTRUCTIONS:</b> Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above <b>within the designated number of days</b> following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. <b>(E-mail is not accepted.)</b> It is recommended that you include all relevant information and documentation in support of your appeal.	<b>TYPE OF APPEAL:</b> (Check One)
	<input type="checkbox"/> Examination Matters (by close of business on 5 <sup>th</sup> working day) <input type="checkbox"/> Employee Compensation Matters (by close of business on 7 <sup>th</sup> working day) - Limited application <input type="checkbox"/> Personal Service Contracts (Posting Period) <input type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days) <input type="checkbox"/> Future Employability Recommendations (See Notice to Employee)

Victoria E. Bellone (415) 554-9267 1899 Bryant St.  
 Full Name of Appellant Work Address <sup>NOTE</sup> Home Telephone  
9163 Transit Operator  
 Job Code Title Department  
 Residence Address City State Zip Home Telephone  
 Full Name of Authorized Representative (if any) Telephone Number of Representative (including Area Code)

**NOTE:** If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

**Email:** \_\_\_\_\_

**COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE. (Use additional page(s) if necessary)**

Does the basis of this appeal include new information not previously presented in the appeal to the Human Resources Director? If so, please specify.	Check One: Yes                      No
--	---

Victoria E. Bellone 8/12/2019  
 Original Signature of Appellant or Authorized Representative Date

CSC-12 (10/14) Date Received by Civil Service Commission: \_\_\_\_\_

State the basis of this appeal in detail. For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

I don't feel being Terminated from S.F. M.T.A. Should include a Restriction on my class B license and my ability to apply for jobs with City and County of San Francisco.

Doing so will affect my livelihood and my ability to get another job.

Including this Restriction is unnecessary and unbiased.

Thank You  
~~Robert B. Bellone~~





**NOTICE OF FUTURE EMPLOYMENT RESTRICTIONS**

Victoria Bellone  
Employee Name

Street Address

City State Zip

07/23/2019  
Mailing Date

SFMTA/Transit  
Department/Division

Permanent Civil Service  
Type of Appointment

This notice is to inform you that a future employment restriction is being imposed along with your separation action, or with the action of automatic resignation, reported to the Department of Human Resources separating you from your position in Class 9163, Title Transit Operator, effective 07/17/2019, for the reasons outlined in the attached document(s).

The items checked below are the restrictions made by the department on your future employability for positions covered by the San Francisco civil service system:

<input type="checkbox"/> No Restrictions on Employment	<input type="checkbox"/> Citywide	<input type="checkbox"/> Department(s): _____
<input type="checkbox"/> Permanent Restriction	<input type="checkbox"/> DOT/SAPP	<input checked="" type="checkbox"/> Job Code(s): <u>9163</u>
<input checked="" type="checkbox"/> Conditional Restriction	<input type="checkbox"/> Cancel Current Examination & Eligibility Status	

*Conditional restrictions may be lifted by proving you have satisfactorily met the following requirements:*

Requirement Type	Description:	Level of Measurement:	Measurement Value:
CER: Certification			
EXP: Work Experience			
LIC: Licensure			
SAP: Substance Abuse Program			
* Other:	B or BP license with SFMTA		

*In addition to the noted conditional restrictions, you are also restricted from specific attributes of a job class and/or department until you satisfactorily prove you meet the requirements to lift the restriction(s) as noted below:*

Future Employment Restrictions	Description:	Level of Measurement:	Measurement Value:
001: Vehicle/Heavy Machinery			
002: Vulnerable Populations			
003: Face to Face Contact w/Public			
004: Contact w/Animals			
005: Signing/Approving City Docs			
006: Financial Instruments			
007: Confidential/Privileged Information			
008: IT Infrastructure			
009: Means of Entry to Living Spaces			
010: Pharmaceutical/Drug Inventory			
011: CDC Defined Toxins			
012: Weapons/Explosives			
013: City Property Valued > \$100			
014: Electronic Voting Systems			

**CITY AND COUNTY OF SAN FRANCISCO  
NOTICE OF SEPARATION FROM EMPLOYMENT**

Name: Victoria Bellone

Mailing Date: 7/23/2019

Address:

Department/Division: SFMTA/Transit  
Type of Appointment: Permanent

City: State:

Type of Separation: Dismissal

This notice is to inform you that you are separated from your employment in Class: 9163  
Title: Transit Operator effective 7/17/2019 for the reasons outlined in the attached document(s).

You may request a hearing before the Civil Service Commission on your future employability with the civil service system of the City and County of San Francisco. The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. However, the Commission CANNOT reverse the department's decision to terminate your employment.

You may request a hearing for review of any restrictions on your future employability with the Civil Service Commission within 20 calendar days of the mailing date of this notice or from the date of separation, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 by 8/12/2019. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing or file an appeal, the Human Resources Director will take final administrative action and the restriction(s) recommended, if any, will be in effect.

The items checked below are the recommendations made by the department on your future employability for positions covered by the San Francisco civil service system:

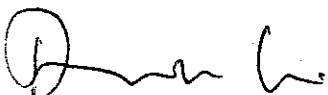
<input type="checkbox"/>	No restrictions on future employability.	<input type="checkbox"/>	Cancel any current examination and eligibility status.
<input type="checkbox"/>	Accept the resignation as certified.	<input type="checkbox"/>	No future employment with this department.
<input type="checkbox"/>	Dismiss from City and County service.	<input type="checkbox"/>	Return name to the eligible list from which appointed to this position.
<input type="checkbox"/>	Approve the separation.	<input type="checkbox"/>	No future employment with the City and County of San Francisco.
<input type="checkbox"/>	Future employment subject to the review and approval of the Human Resources Director after satisfactory completion of two (2) years of work experience in a non-9163 Transit Operator job classification		
<input type="checkbox"/>	Other (specify): Must participate in an appropriate substance abuse program and receive a release to work from a certified substance abuse professional for any safety sensitive positions.		
<input checked="" type="checkbox"/>	Other (specify): No future employment with SFMTA that requires a class B or BP driver's license.		

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6.

SEE REVERSE SIDE

**MUST BE COMPLETED BY DEPARTMENT:**

Rank: List # 00149  
SSN: [redacted in hrdb]  
Employee Organization:

  
 DEREK KIM  
 Acting Director of Human Resources, SFMTA

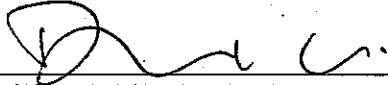
**METHOD OF SERVICE:**

Certified Mail  Hand Delivered  
Certified Mail # 7018 1130 0001 6193  
5871

Attachment(s)

You may request a hearing before the Civil Service Commission on your future employability with the City and County of San Francisco. The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. You may request a hearing for review of any restrictions on your future employability with the Civil Service Commission within 20 calendar days of the mailing date of this notice or from the date of separation, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 by 08/12/2019. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing or file an appeal, the Human Resources Director will take final administrative action to confirm the restriction(s) in effect on the date of separation (Note: Future Employment Restriction(s) effective immediately).

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6. (SEE BELOW)

<b>MUST BE COMPLETED BY DEPARTMENT</b>	
List #: <u>149</u> Rank #: <u>59</u>	<input type="checkbox"/> Pending <input checked="" type="checkbox"/> Final Status of Action
DSW: <u>020376</u>	
Emp Organization: _____	
METHOD OF SERVICE:	Derek Kim
<input type="checkbox"/> Hand Delivered	NAME
<input checked="" type="checkbox"/> Certified Mail #7018 1130 0001 6193 5E	Acting Director, SFMTA Human Resources
	TITLE

**INFORMATION FOR FORMER EMPLOYEE FOLLOWING SEPARATION**

1. This document serves as an official notice of future employment restrictions imposed with the Notice of Automatic Resignation from Employment to the former employee or with a Separation Action that is subject to the provisions of a collective bargaining agreement, to the Civil Service Commission, and the Department of Human Resources.
2. A separated employee may request a hearing before the Civil Service Commission only for review of any restrictions on their future employability with the City and County of San Francisco.
3. Such appeals or requests for hearing must be in writing and received from the employee or the employee's representative by the date specified on this notice, or within twenty (20) calendar days from the mailing date of this notice, or the effective date of the separation, whichever is later. The request must be submitted to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.
4. An employee who requests a hearing within the time limits is entitled to:
  - a. Representation by an attorney or authorized representative of her/his own choice.
  - b. Notification of date, time, and place of hearing at a reasonable time in advance.
  - c. Inspection by the employee's attorney or authorized representative of those records and materials on file with the Civil Service Commission which relate to the restrictions on future employability.
5. Any interested party may request that the hearing be continued or postponed.
6. The decision of the Civil Service Commission is final and not subject to reconsideration.
7. In the absence of a timely request for a hearing as provided above, no later request for a hearing will be considered.



**CITY AND COUNTY OF SAN FRANCISCO**  
DEPARTMENT OF HUMAN RESOURCES

INSTRUCTIONS: Please complete the Separation Report to:

1. Document internal departmental processes. Please do not send to DHR.
2. Document that the employee separation is not a complete separation from City service, Separation Report must be completed by the sending department and submitted to the receiving department to be attached to the AP ESR.
3. To process a layoff. Please send to the DHR layoff coordinator.
4. To administer a settlement agreement involving the separation of the employee-submit documentation to your Client Services Representative. (Reference TER\_RZA)\*

Date of Request: 7/23/2019

Department Contact: Yves Michael C. Valdez Email: yves.valdez@sfmta.com Phone: (415) 646-2509

**SECTION I: PERSONAL AND JOB INFORMATION**

Name (Last, First, M.I.): BELLONE, VICTORIA Employee I.D.: VB04302565

Job Code: 9163 Job Title: Transit Operator

Position Number: 00206704 Hourly Rate: \$27.8500 Step: 2 Effective Date: 7/17/2019

Empl. Class: PCS Work Schedule: Full-Time

Is the employee serving a probationary period at the time of the separation?  Yes  No

Is this a complete separation from City and County Service?  Yes  No

If no, continuing in:

Department Code: (Select One) Status: \_\_\_\_\_ Job Code: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Is employee granted leave pursuant to Civil Service Rule 120.31?  Yes  No

If no, is employee a transfer?  No  Yes, type of Transfer: (Select One)

**SECTION II: SEPARATION INFORMATION**

**Resignation**

Satisfactory Services (TER\_RSS)

Unsatisfactory Services (TER\_RUS)  
(Form DHR 1-13 must be on file)

By the appointee: I hereby freely and voluntarily resign from the above position. I request approval of this resignation as of the effective date with the full understanding that once approved, I may acquire another position in this class only as provided in the rules of the Civil Service Commission (see employee copy and CSC Rules 114&119).

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

**Lay-off**

Involuntary Leave (PCS\_LIL)  Elective Involuntary Leave (PCS\_EIL)

Involuntary Lay-off (PCS\_LIO)  Voluntary Lay-off (PCS\_LVO)

(PV & EX Only): (Select One)

Reason for lay-off: (Select One)

Employee acknowledges receipt of the DHR information leaflet.

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

SEPARATION REPORT

DEPARTMENT USE ONLY

Termination

Settlement Agreement (TER\_RZA)  
\*(Separation Report and Settlement Agreement must be forwarded to Client Services Rep.)

Release from appointment: (Select One) \_\_\_\_\_

Release from probation: (Select One) \_\_\_\_\_

Dismissal: PCS (DPE) \_\_\_\_\_

Terminated for cause (TFC) (TPV, NCS, & Exempts only)

Automatic Resignation (ARS)

Never Reported to Work (DSH)

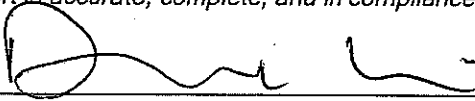
Death of an employee (DEA)

Other (Specify): \_\_\_\_\_

Retirement: (Select One) \_\_\_\_\_

DEPARTMENT CERTIFICATION

*The Appointing Officer/Authorized Designee named below hereby certifies that the information provided on this Separation Report is accurate, complete, and in compliance with applicable CCSF rules and policies.*



Appointing Officer/Authorized Designee Signature

415-701-5050

Telephone

Name/Title: Derek Kim

Department Number: 68 Department Name: SFMTA

Personnel File Forwarded?  Yes  No

Forwarded to:  
Department: \_\_\_\_\_ Contact: \_\_\_\_\_

DHR USE ONLY

Action Pending?  Yes  No

Analyst Name \_\_\_\_\_ Telephone \_\_\_\_\_

SR Ref Number: \_\_\_\_\_ Holdover Canvass: \_\_\_\_\_

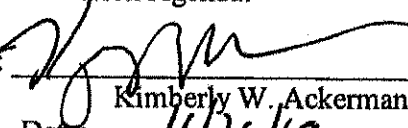
Reference Number used for layoff actions: \_\_\_\_\_

*STAFF REPORT*



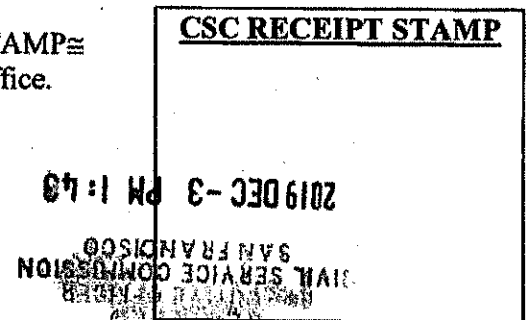
# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

**CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22MTA)**  
Applicable to S.F. Municipal Transportation Agency Service-Critical Classes  
Refer to Civil Service Commission Procedure for Staff - Submission of  
Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Number: 0201 - 19 - 7
2. For Civil Service Commission Meeting of: December 16, 2019
3. Check One:
  - Ratification Agenda
  - Consent Agenda
  - Regular Agenda
  - Separation Agenda .....XX
4. Subject: Request by Victoria Bellone re: Restriction on Future Employability
5. Recommendation: Uphold the decision of the Director of SFMTA
  - Cancel any current examination and eligibility status;
  - Future employment subject to the review and approval of the Human Resources Director after satisfactory completion of two years' work experience outside the City and County Service;
  - Must participate in an appropriate substance abuse program and receive a release to work from a certified substance abuse professional for any safety sensitive positions.
6. Report prepared by: Christine Cayabyab Telephone number: 415.646.2058
7. Notifications: (Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A).
8. Reviewed and approved for Civil Service Commission Agenda:  
Municipal Transportation Agency Director:   
Kimberly W. Ackerman  
Date: 12/26/19
9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:  
**Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102**
10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

Attachment

CSC-22MTA (9/00)



**LIST OF PERSONS TO BE NOTIFIED**

**Victoria E. Bellone**



**Christine Cayabyab**



**Kimberly W. Ackerman**

**Director of Human Resources**







**CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

LONDON N. BREED  
MAYOR

*Sent via U.S. Mail and Email*

August 14, 2019

Victoria E. Bellone  
[REDACTED]

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

MICHAEL L. BROWN  
EXECUTIVE OFFICER

Subject: Register No. 0201-19-7: Requesting a Hearing on Future Employment Restriction with the Municipal Transportation Agency

Dear Victoria E. Bellone:

This is in response to your appeal submitted to the Civil Service Commission on August 12, 2019, on your future employability with the Municipal Transportation Agency. Your appeal has been forwarded to the Municipal Transportation Agency for investigation and response to the Civil Service Commission.

If your appeal is timely and appropriate, the department will submit its staff report on this matter to the Civil Service Commission in the near future to request that it be scheduled for hearing. The Civil Service Commission generally meets on the 1st and 3rd Mondays of each month. You will receive notice of the meeting and the department's staff report on your appeal two Fridays before the hearing date via email, as you have requested on your appeal form. A hard copy of the report will also be available for your review at the Commission's offices located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.

The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. However, the Commission CANNOT reverse the department's decision to terminate your employment. In the meantime, you may wish to compile any additional information you would like to submit to the Commission in support of your position. The deadline for receipt in the Commission office of any additional information you may wish to submit is 5:00 p.m. on the Tuesday preceding the meeting date (note that the Commission requires an original and nine copies of any supplemental/rebuttal materials you wish to submit—all double-sided, hole-punched, paper-clipped and numbered). Please be sure to redact your submission for any confidential or sensitive information (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

You may contact me by email at [Michael.Brown@sfgov.org](mailto:Michael.Brown@sfgov.org) or by phone at (415) 252-3247 if you have any questions. You may also access the Civil Service Commission's meeting calendar, and information regarding staff reports and meeting procedures, on the Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

Sincerely,

CIVIL SERVICE COMMISSION

MICHAEL L. BROWN  
Executive Officer



**CIVIL SERVICE COMMISSION**  
**City and County of San Francisco**  
 25 Van Ness Avenue, Suite 720  
 San Francisco, California 94102-6033  
 Executive Officer  
 (415) 252-3247

CSC Register No.  
0201-19-7  
 To: XI Riskin  
P. Kim  
P. BOPARA  
 CC:

**APPEAL TO THE CIVIL SERVICE COMMISSION**

<p><b>INSTRUCTIONS:</b>          Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above within the designated number of days following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. (E-mail is not accepted.) It is recommended that you include all relevant information and documentation in support of your appeal.</p>	<p><b>TYPE OF APPEAL:</b> (Check One)  <input type="checkbox"/> Examination Matters (by close of business on 5<sup>th</sup> working day)  <input type="checkbox"/> Employee Compensation Matters (by close of business on 7<sup>th</sup> working day) - Limited application  <input type="checkbox"/> Personal Service Contracts (Posting Period)  <input type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days)  <input type="checkbox"/> Future Employability Recommendations (See Notice to Employee)</p>
---	--

Victoria E. Bellone  
 Full Name of Appellant [Redacted]  
9163 Transit Operator  
 Job Code Title  
 [Redacted] Department  
 Residence Address Craigslist [Redacted] City State Zip Home Telephone

Full Name of Authorized Representative (if any) Telephone Number of Representative (including Area Code)

**NOTE:** If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

Email: [Redacted]

COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE. (Use additional page(s) if necessary)

<p>Does the basis of this appeal include new information not previously presented in the appeal to the Human Resources Director? If so, please specify.</p>	<p>Check One:  <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
---	---

[Redacted Signature] Original Signature of Appellant or Authorized Representative  
 2019 AUG 12 AM 11:26 Date  
 8/12/2019



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

## NOTICE OF RECEIPT OF APPEAL

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

DATE: August 14, 2019

REGISTER NO.: 0201-19-7

APPELLANT: VICTORIA E. BELLONE

Ed Reiskin  
Director of Transportation  
Municipal Transportation Agency  
1 South Van Ness Avenue, 7<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Mr. Reiskin:

The Civil Service Commission has received the attached letter from Victoria E. Bellone requesting a hearing on her future employment restriction with the Municipal Transportation Agency. Your review and action are required.

If this matter is not timely or appropriate, please submit CSC Form 13 "Action Request on Pending Appeal/Request," with supporting information and documentation to my attention at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. CSC Form 13 is available on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService) under "Forms."

In the event that Victoria E. Bellone's appeal is timely and appropriate, the department is required to submit a staff report in response to the appeal within sixty (60) days so that the matter may be resolved in a timely manner. Accordingly, the staff report is due no later than 11 a.m. on October 24, 2019 so that it may be heard by the Civil Service Commission at its meeting on November 4, 2019. If you will be unable to transmit the staff report by the October 24<sup>th</sup> deadline, or if required departmental representatives will not be available to attend the November 4<sup>th</sup> meeting, please notify me by use of CSC Form 13 as soon as possible, with information regarding the reason for the postponement and a proposed alternate submission and/or hearing date.

You may contact me at [Michael.Brown@sfgov.org](mailto:Michael.Brown@sfgov.org) or (415) 252-3247 if you have any questions. For more information regarding staff report requirements,

MICHAEL L. BROWN  
EXECUTIVE OFFICER

Appellant: Victoria E. Bellone  
August 14, 2019  
Page 2 of 2

meeting procedures or future meeting dates, please visit the Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

Sincerely,

CIVIL SERVICE COMMISSION

A handwritten signature in cursive script, appearing to read "Michael L. Brown".

MICHAEL L. BROWN  
Executive Officer

Attachment

Cc: Derek Kim, Municipal Transportation  
Parveen Boparai, Municipal Transportation Agency



London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Steve Heminger, Director  
Cristina Rubke, Director  
Art Torres, Director

Tom Maguire, Interim Director of Transportation

**MEMORANDUM**

**DATE:** November 21, 2019  
**TO:** The Civil Service Commission  
**FROM:** Kimberly W. Ackerman *KWA*  
SFMTA Director of Human Resources and Payroll  
**SUBJECT:** Future Employment Restrictions  
Victoria Bellone ("BELLONE") Former 9163 Transit Operator  
San Francisco Municipal Transportation Agency (SFMTA)

**Overview:**

Victoria Bellone submitted a letter to Civil Service Commission (CSC) regarding her future employability with the City and County of San Francisco, SFMTA. In accordance with the Civil Service Rules, the SFMTA has submitted this staff report for the Commission's review and consideration on this matter. For the reasons cited herein, SFMTA recommends CSC to approve the future employability restrictions.

**Standards/Authority:**

In accordance with the official San Francisco Municipal Railway Rules and Instructions Handbook (Exhibit 1)

Rule 2.1.3 – All employees will be held accountable for compliance with all rules in the San Francisco Municipal Railway Rules Instruction Handbook.

Rule 2.1.5 – Violation of any rule in this Rules and Instructions Handbook is sufficient cause for disciplinary action up to and including dismissal.

Rule 2.8.1 – Polite, respectful behavior is required of all employees in their dealings with the public, their subordinates and each other.

Rule 2.8.2 – Boisterous, profane or vulgar language is forbidden.

Rule 2.13.1 – Violation of any of the following rules will be sufficient cause for charges for disciplinary action involving suspension or, if appropriate, dismissal.

A. Inattention to duties

E. Insubordination

F. Discourteous treatment of the public or other employees of the SF MUNI Railway;

Rule 2.14.1 - Employees must comply with the laws, ordinances, and regulations of the state of California and the city and county of San Francisco.

Rule 2.21.1 – Operator shall never operate a MUNI vehicle at a speed that is greater than that which is reasonable or prudent, and in no event at a speed that would endanger the safety of persons or property.

Rule 2.21.2 – While vehicles are in motion, operators are to devote his/her attention to pedestrians, tracks, traffic, and signals.



Memorandum of Understanding Between San Francisco Municipal Transportation Agency and Transport Workers' Union, Local 250-A (9163) effective July 1, 2011 – June 30, 2014 (Exhibit 2)

Section 25.1 Sick Leave - SFMTA shall grant, accumulate, administer, and enforce sick leave in accordance with Rule 420, Articles II and III of the Civil Service Rules. These rules shall not be subject to review in arbitration, except to the extent that they are used as a basis for discipline.

**Background:**

Victoria Bellone was a Transit Operator appointed on April 30, 2001, accumulating almost fourteen (14) years of service with the SFMTA, and was dismissed from her position effective April 3, 2015, for excessive and pattern absenteeism. On November 7, 2016, BELLONE was rehired as a Transit Operator, accumulating an additional two and a half years of service with the SFMTA, and was dismissed again from her position effective July 17, 2019 for insubordinate and unprofessional behavior. During her tenure with the SFMTA, BELLONE on numerous occasions violated San Francisco Municipal Railway Rules and Instructions Handbook as reflected on the Employee's Personal Record Card from the Kirkland Division. (Exhibit 3)

In 2012, BELLONE received a written warning when she ran a red light at the intersection of Embarcadero and Market Street while traveling 43-mph in a 25-mph zone, and failed to make a complete stop at Prague and Cordova Streets rolling through the intersection at 8-mph. Both incidents were captured on Drive Cam (onboard front facing camera). (Exhibit 4)

In 2013, BELLONE received a one-day suspension for excessive and patterned absenteeism taking, 58 days in a 14-month period. (Exhibit 5)

In 2014, BELLONE received a three-day and a five-day suspension respectively for abusing sick leave. (Exhibit 6)

In 2015, BELLONE was dismissed from the Transit Operator position with the SFMTA after the Step 2 Hearing Officer upheld the proposed dismissal for excessive and pattern absenteeism. (Exhibit 7)

In 2016, BELLONE was rehired by the SFMTA as a Transit Operator. (Exhibit 8)

The incidents that lead to BELLONE'S dismissal occurred on June 20, 2018 and August 7, 2018, when BELLONE became hostile, confrontational, and was observed yelling. BELLONE was dismissed for insubordinate and unprofessional behavior.

On June 20, 2018, BELLONE walked into the Potrero division dispatch office irate, yelling using profanity, calling the second desk Dispatcher "bitches" and making repeatedly threatening



remarks stating, "my husband worked for MUNI, he was forced out, and you don't want my husband here," after he called BELLONE to verify return to work orders. BELLONE was irate with him because he did not call her by her name, but called her by her CAP ID, as "Operator 5613." This reference by number, rather than name, apparently offended BELLONE. Division security cameras showed BELLONE posturing in a confrontational and intimidating manner. BELLONE'S screams could be heard throughout the division offices.

Division security video shows BELLONE and a fellow Operator entering the dispatch office and appeared to be filming the incident on their cell phones. BELLONE'S action were disturbing and confrontational, there was a need for the Division Assistant Manager and Union Chair to enter the dispatcher's office and intervene, which resulted in BELLONE intensifying her tirade by yelling, using profanity and making threatening remarks toward the second desk dispatcher.

On August 7, 2018, BELLONE arrived at the Kirkland Division and attempted to park her vehicle in the Division's parking area. BELLONE informed the security guard that the Potrero Division Manager gave her permission to park there, which was incorrect. The security guard, lead mechanic and Kirkland Assistant Division Manager on site noted her behavior as being confrontational, hostile, and disrespectful, and felt compelled to call the San Francisco Police Department for the safety of other employees on property. BELLONE was yelling from her car about the unfair treatment she was receiving. Three police units arrived and convinced her to leave the premises. As BELLONE drove off the property, she was driving recklessly, speeding through the bus yard, where screeching tire sounds could be heard and potentially endangering other employees inside the yard.

On October 12, 2018, BELLONE was placed on paid administrative leave pending the investigation of the two events she was involved in.

On November 8, 2018, Skelly Hearing Officer decided to dismiss BELLONE. **(Exhibit 9)**

On November 19, 2018, BELLONE filed a Step 1 Grievance for the proposed dismissal, which was denied.

On March 1, 2019, Step 2 Hearing Officer upheld BELLONE dismissal. Her dismissal was effective 7/17/2019.

On July 16, 2019, Step 3 Arbitrator Christopher Burdick affirmed and upheld the dismissal. He opined, per his Step 3 written observation, "This is more than just the exercise of bad judgment or poor anger management by the Grievant while trying to help out a deserving friend. There is absolutely no guarantee, given the relative lack of remorse and contrition, that this will not happen again." **(Exhibit 10)**



**Analysis and Recommendation:**

BELLONE exhibited unprofessional conduct on both instances, yelling, using profanity, and making threatening remarks. BELLONE was also observed speeding through the Kirkland yard with a behavior that was confrontational, hostile and disrespectful. Operators are expected to conduct themselves in a professional manner.

Although BELLONE does not have any serious incidents while driving a commercial vehicle in her disciplinary record, due to her egregious nature of misconduct, the SFMTA recommends that the Civil Service Commission approve BELLONE's future employability restrictions. These restrictions are standard and applied consistently in similar situations.

- No future employment with the SFMTA that requires a Class B or BP Driver's License.

**Attachments:**

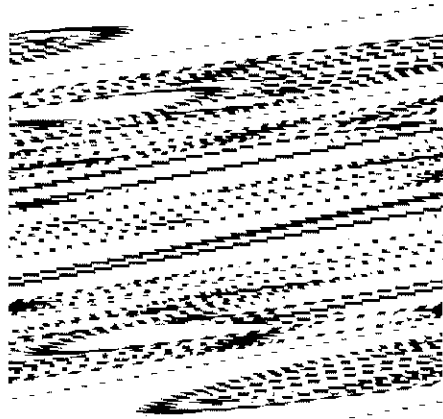
- CSC letters dated August 14, 2019 – Register No: 0201-19-7
- Memorandum from SFMTA to CSC, Pages 1-4
- Exhibit 1: Excerpt from SF Municipal Railway Rules and Instructions Handbook, Pages 5 – 13
- Exhibit 2: Excerpt from Memorandum of Understanding Between San Francisco Municipal Transportation Agency and Transport Workers' Union, Local 250-A (9163), Pages 14-16
- Exhibit 3: Employee's Personal Record Card, Pages 17-21
- Exhibit 4: Drive Cam Red Light and Rolling Stop Violations, Pages 22-26
- Exhibit 5: Excessive Absences 1-day Suspension, Pages 27-31
- Exhibit 6: Excessive Absences 3-day and 5-day Suspension, Pages 32-45
- Exhibit 7: Excessive Absences Dismissal, Pages 46-54
- Exhibit 8: Appointment Processing 2016, Pages 55-56
- Exhibit 9: Insubordinate and Unprofessional Behavior Dismissal, Pages 57-88
- Exhibit 10: Grievance Process and Dismissal Packet, Pages 89-117



# **EXHIBIT 1**

San Francisco Municipal Railway

# Rules and Instructions Handbook



## **2. GENERAL RULES**

### **2.1 Application Of Rules**

**2.1.1** Employees, whose duties are prescribed by these rules, will be provided with a copy of the San Francisco Municipal Railway Rulebook and Instruction Handbook.

**2.1.2** Employees must have a copy of this Rules & Instruction Handbook available for immediate reference.

**2.1.3** All employees will be held accountable for compliance with all rules in the San Francisco Municipal Railway Rules and Instruction Handbook.

**2.1.4** When new rules or amended rules are adopted, employees will be furnished a new page(s), which must be inserted in the rulebook. All revisions to this Rules and Instructions Handbook must be promptly complied with.

**2.1.5** Violation of any rule in this Rules and Instructions Handbook is sufficient cause for disciplinary action up to and including dismissal.

**2.1.6** If in doubt as to the exact meaning of any rule, bulletin, instruction, order or notice in effect, apply to the proper authorities for explanation.

**2.1.7** Adherence to these rules is essential to safety and safety is the primary importance in the performance of duties.

**2.1.8** Employees must respond to inspectors or designated management officials' instructions during situations constituting an emergency or a major disruption of service regardless of job classification.

### **2.2 Bulletins, Orders, and Notices**

**2.2.1** Written instruction, rules, procedures, bulletins, notices and written and verbal

task for which the property was issued or upon demand by proper authority.

**2.7.7** Employees must not duplicate or cause to be duplicated any Railway keys for any person without their supervisor's approval.

**2.7.8** Operators must not loan or give any Railway keys to any person without their supervisor's approval.

**2.8 Conduct**

**2.8.1** Polite, respectful behavior is required of all employees in their dealings with the public, their subordinates and each other.

**2.8.2** Boisterous, profane or vulgar language is forbidden.

**2.8.3** Avoid disputes with any person, no matter what the provocation.

**2.8.4** When a passenger presents an invalid transfer or abuses a transfer rule, employees are to courteously request the passenger to retain the invalid transfer and pay the fare and then refer the passenger to the Passenger Service Department.

**2.8.5** Politely refer a complainant to the Passenger Service Department if unable to resolve the matter satisfactorily.

**2.8.6** Information concerning the business of the Railway is to be given only to properly authorized representatives of the Railway and peace officers in performance of their duties who present proper credentials.

**2.8.7** Employees are not to, give presents to their superiors and supervisors are not to accept presents from subordinates.

**2.11.6** Employees in uniform, while off duty, must respect their uniform and refrain from the use of intoxicants or show evidence of the use of alcoholic liquor. Frequenting bars or taverns when in uniform is to be avoided.

**2.12 Training**

**2.12.1** Employees must attend training sessions as directed by their supervisors.

**2.13 Discipline**

**2.13.1** Violation of any of the following rules will be sufficient cause for charges for disciplinary action involving suspension or, if appropriate, dismissal.

- A. Inattention to duties;
- B. Incompetence;
- C. Substance Abuse;
- D. Immoral Conduct;
- E. Insubordination;
- F. Discourteous treatment of the public or other employees of the SF MUNI Railway;
- G. Fighting;
- H. Mishandling fares;
- I. Dishonesty;
- J. Abandonment of vehicle;
- K. Willful abuse of railway property.

**2.14 Traffic Laws**

**2.14.1** Employees must comply with the laws, ordinances, and regulations of the state of California and the city and county of San Francisco.

**2.14.2** Employees shall be familiar with and obey all such laws, ordinances, and regulations applicable to their responsibilities, including the signing of traffic citations.

- H. Parking Control Officers (when in full uniform);
- I. Guide, Signal, and Service animals;
- J. Municipal Railway Employees;
- K. Municipal Railway Dependents;
- L. Sisters of Charity;
- M. Special Service.

**2.20 Arrests**

**2.20.1** An employee shall not request the arrest of any person, unless authorized by an Inspector or proper authority, except when employee is robbed, assaulted or in immediate personal danger.

**2.20.2** If an arrest is made, immediately report it to OCC. An Accident Report must be made during, or immediately following completion of tour of duty, giving name and star number of arresting officer, and names and addresses of witnesses and person(s) arrested.

**2.21 Safety**

**2.21.1** Operator shall never operate a MUNI vehicle at a speed that is greater than that which is reasonable or prudent, and in no event at a speed that would endanger the safety of persons or property.

**2.21.2** While vehicles are in motion, operators are to devote his/her attention to pedestrians, tracks, traffic, and signals.

**2.21.3** Operators, when approaching intersections where right or left turns are to be made, must operate slowly and ensure the right or left signal is activated one hundred feet before commencing the turn and remain in continuous operation while completing the turn.

- 2.21.13** The controller emergency braking position, the deadman handle, the rear door interlock and hill holder, the rollback prevention, or the red emergency stop button must not be used for normal stops. Operators of vehicles that have a deadman handle shall not disable it (this device) in any way.
- 2.21.14** Operators shall not wear colored eyeglasses between the hours of sunset and sunrise while operating any Railway equipment or at any time while in the MUNI Metro subway (including the MUNI Metro switchback) or the Sunset Tunnel.
- 2.21.15** Employees must be careful to avoid any act or situation that could cause injury to themselves or others.
- 2.21.16** Employees must protect their own personal safety, the safety of others, and the safety of equipment and property.
- 2.21.17** Employees shall immediately report to proper authorities any emergency or conditions that might create a hazard.
- 2.21.18** Smoking is prohibited in areas where flammable materials are stored or where batteries are being stored or charged.
- 2.21.19** Employees shall take every precaution to eliminate possible fire hazards.
- 2.21.20** Employees must not introduce into or allow open flames or sparks in areas where there are or may be flammable vapors or concentrations of explosive dust.
- 2.21.21** Employees must become familiar with the location and use of fire alarms and fire devices in all areas and shall keep access to these areas free at all times.
- 2.21.22** Employees must wear safety vests when working on or about the track area.

other stopping point where persons are waiting to board;

- B. When coach or electric car is loaded to capacity;
- C. When coach or electric car is disabled;
- D. When transferring motor coaches between garages;
- E. When motor coaches are operating during out of service trips;
- F. When operating Limited Stop and Express trips in areas where stops are not required;
- G. When directed by authorized official.

#### **4.18 Standing Load Line**

- 4.18.1 Operator is prohibited from moving a coach or electric car when passengers are standing in front of the designated standing load line.

#### **4.19 Stops**

- 4.19.1 All cars and coaches must be brought to a full stop at all places where traffic regulations or safety rules require stops be made.

#### **4.20 Federal Law Requires Compliance with the Americans with Disabilities Act**

- 4.20.1 Operators must **always** announce stops, at least at transfer points with other fixed routes, major intersections and destination points, all MUNI Metro stations in the subway, and at intervals along a route sufficient to permit individuals to be oriented to their location.
- 4.20.2 Operators must announce their route and destination to blind or vision impaired passengers at all stops served by multiple lines or destinations.
- 4.20.3 Operators must announce any stops at the request of any passenger.



- 4.20.4 Operators must lower the kneeler on kneeler-equipped vehicles at any time requested and at stops where the kneelers use would aid passengers in boarding.
- 4.20.5 Operators must make the wheelchair lift available to anyone requesting it, wheelchair user or standing passenger, on vehicles so equipped.
- 4.20.6 Operator must aid passengers in wheelchairs with lifting seats and the securement systems upon the request of the passenger.
- 4.20.7 Operator must ask passengers to yield seats in the securement area for wheelchair users.
- 4.20.8 Operators must request passengers to yield the forward seats to persons with disabilities and seniors.
- 4.20.9 Operators must allow persons traveling with respiratory or portable oxygen supply to board and ride any revenue vehicle.
- 4.21 **Unauthorized Stops**
- 4.21.1 Operator must not stop for passengers or employees at any station, platform, or bus stop location(s) unless authorized by OCC.
- 4.22 **Speed**
- 4.22.1 Operators, in or out of service, shall at all times operate at a safe speed that is consistent with weather, visibility, road or track conditions, traffic, traffic signal indications, and the indications of ATP system where used.
- 4.22.2 Operators must be prepared to stop short of any person, object, or obstruction within range of their vision.
- 4.22.3 Operators must have their train under control at all times and must not exceed the prescribed speed in either surface or subway operations. Operators must be aware of

# **EXHIBIT 2**

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY**  
**AND**  
**TRANSPORT WORKERS' UNION, LOCAL 250-A (9163)**

**JULY 1, 2011– JUNE 30, 2014**

**Entered Pursuant to Interest Arbitration Award,  
June 13, 2011**

Memorandum of Understanding Between  
Transport Workers Union, Local 250-A (9163) and Municipal Transportation Agency  
July 1, 2011 – June 30, 2014

participate in Sign Ups and meetings of the Safety Committee and Joint Labor Management Committee, and to work collaboratively with the Division Superintendent to resolve issues, promote and to build morale among the Operators at that Division. Each Union Chairperson shall have the same regular days off as the Division Superintendent. This Section shall apply to only one Union Chairperson per Division.

**ARTICLE 25. SICK LEAVE PROCEDURE**

**Section 25.1 Sick Leave**

299. SFMTA shall grant, accumulate, administer, and enforce sick leave in accordance with Rule 420, Articles II and III of the Civil Service Rules. These rules shall not be subject to review in arbitration, except to the extent that they are used as a basis for discipline.

**Section 25.2 Physical Exam**

300. SFMTA may require a Operator to pass a return to work fitness for duty exam. For physical examinations, SFMTA may require the Operator to pass a functional capacity exam, and the job description or essential function job analysis for the Operator position will establish the standard for the functional capacity exam. In addition, SFMTA reserves its right under law to require a Operator to successfully pass a fitness for duty exam demonstrating that the Operator can perform the essential functions of the Operator's position with or without reasonable accommodation.

**Section 25.3 Returning from Sick Leave**

301. On returning from sick leave after an absence of more than five (5) working days, an Operator must have a statement from the Operator's doctor stating:
- a. Date and time of treatment;
  - b. Duration of illness;
  - c. Date cleared to return to work, and that the Operator is capable of performing the Operator's regular duties.

**Section 25.4 Notification on Returning from Sick Leave**

302. Any Operator who notifies his/her Division no later than 12:30 p.m. on one day of his/her intent to return to work the following day shall be given his/her regular run on that day. If the Operator fails to notify the Division of his/her intent to return by 12:30 p.m. the prior day but reports to work no later than 7:30 a.m. on the day of his/her return, the Operator shall be

# **EXHIBIT 3**

# EMPLOYEE'S PERSONAL RECORD CARD

KIRKLAND DIVISION

NAME BELLONE, VICTORIA E. OCCUPATION OPERATOR - 9163  
 ID No. [REDACTED] SEX FEMALE SS# [REDACTED]  
 DATE EMPLOYED [REDACTED] DOB [REDACTED]

DATE	EMPLOYMENT AND DISCIPLINE RECORD
9/17/2011	<i>Event Report #255276: Driver/Conduct: Judgment Error.</i>
6/24/2011	<i>Warned. Ts rpt dtd 6/18/11 states that coach was 6 minutes ahead of schedule.</i>
4/27/2011	<i>C &amp; R. 6 minutes ahead of schedule dtd 4/22/11.</i>
11/30/2011	<i>Drive Cam Commendation (Event #185424).</i>
10/28/2010	Conference Results: Conference held on 9/30/10; Operator; Union Representative Barbara Brooks also present. It was brought to your attention that our records indicate that yo have a total of 3 sick occurrences since 8/1/10. [REDACTED] your employment status.
10/13/2010	<i>C &amp; R. ts rpt dtd 10/1/10, states that he observed you wearing non-regulation Jacket while in service.</i>
8/16/2010	<i>Warned. Exception Report shows that you did not program your route into the Clipper console at the start of your service on the 28 Line dtd 8/4/10.</i>
2/17/2010	<i>Skelly Hearing: RE: Rolling Stop dtd 2/10/10 - 3 Days Suspension.</i>
7/9/2009	<i>C &amp; R. 15 minutes ahead of schedule dtd 6/28/09.</i>
cancelled 4/23/2009	<i>C &amp; R. 8 minutes ahead of schedule dtd 1/19/2009.</i>
1/12/2009	<i>Warned. 4 minutes ahead of schedule dtd 12/27/08.</i>
1/5/2009	<i>Warned. 4 minutes ahead of schedule dtd 12/21/08.</i>
11/10/2008	<i>Warned. Ts rpt dtd 11/1/08 states that coach was 7 minutes ahead of schedule.</i>
9/29/2008	<i>Supt's. Reminder: Tst rpt dtd 9/16/08 states that you were observed wearing a non-regulation jacket.</i>
8/19/2008	<i>C &amp; R. ts rpt dtd 8/17/08 states that coach was 4 minutes ahead of schedule.</i>
4/9/2008	<i>C &amp; R. ts rpt dtd 4/1/08, states that you were 4 minutes ahead of schedule.</i>
4/8/2008	<i>Doctor's List from January 1, 2008 through March 31, 2008. Conference with Supt.</i>
9/28/2007	<i>CLAIMED WORKER'S COMPENSATION EFFECTIVE 9/28/2007 UNTIL 10/12/2007.</i>
9/11/2007	<i>Skelly Letter: RE: Poor Attendance - Proposed Recommended Disciplinary Action = 1 Day Suspension. SKELLY DECISION: After Skelly meeting, Employee has agreed to accept the discipline of warning. Furthermore, she is warned that any form of patterns of absence or sick leave abuse may result in further disciplinary action.</i>
8/8/2007	<i>ts rpt dtd 8/6/2007, states that coach was due at 12:11 p.m. Coach arrived at 12:05 p.m.; 6 minutes ahead of schedule. Warned.</i>
7/25/2007	<i>ts rpt dtd 7/23/07 states that coach was due at 10:33 a.m. Coach arrived at 10:26 a.m. 7 minutes ahead of scheduled time. Cautioned and Reinstuctured to operate according to the established timetables.</i>

## EMPLOYEE'S ACCIDENT RECORD CARD

NAME **BELLONE, VICTORIA E.** ID# [REDACTED] CLASS 9163

DIVISION CHANGES: KIRKLAND

DATE EMPLOYED DATE OF BIRTH		DISCRIPTION OF ACCIDENT	AVOIDABLE	UNAVOIDABLE	MISCELLANEOUS	LOCATION
ACCIDENT NUMBER	DATE OF ACCIDENT					
		Transit Bus legally parked in bus zone facing north on 19th Avenue. Party #2 traveling north attempted to maneuver around the coach. Party #2's right front bumper made contact with the left rear bumper of the parked coach. No injuries in this matter.		x		19th Avenue / Taraval
	5/7/2011	Standeer lost balance on coach and fell. Operator was making a right turn and had to brake a little, speed approximately two miles an hour. No reported injuries.		x		Sutter / Laguna
	3/4/2009	Operator n [REDACTED]			x	Geneva & San Jose
	10/22/2008	A person kicked front door and cracked it.			x	4th & Townsend St.
	7/14/2007	Vehicle runs into the rear of standing coach.		x		Miraloma & Portola
	7/6/2006	Car ran into the back side of the coach.		x		Van Ness & Jackson
	5/29/2004	taxi door hit coach while stopped in zone		x		Beach & Hyde
	6/17/2002	coach made contact with auto - 5 witness	x			Unknown
	6/15/2002	no information given - 2 witness			x	Balboa & Pk. Presidio
	7/28/2001	no information given			x	Northpoint & Van Ness
	7/24/2001	no information given			x	Balboa Bart Station
	6/21/2001	no information given - 5 witness			x	Connecticut & 26th St.

**EMPLOYEE'S PERSONAL RECORD CARD**

**KIRKLAND DIVISION**

NAME BELLONE, VICTORIA E. OCCUPATION OPERATOR - 9163  
 ID No. [REDACTED] SEX FEMALE SS# [REDACTED]  
 DATE EMPLOYED [REDACTED] DOB [REDACTED]

DATE	EMPLOYMENT AND DISCIPLINE RECORD
8/8/2007	ts rpt dtd 8/6/2007, states that coach was due at 12:11 p.m. Coach arrived at 12:05 p.m.; 6 minutes ahead of schedule. <b>Warned.</b>
7/25/2007	ts rpt dtd 7/23/07 states that coach was due at 10:33 a.m. Coach arrived at 10:26 a.m. 7 minutes ahead of scheduled time. <b>Cautioned and Reinstucted</b> to operate according to the established timetables.
6/29/2006	ts rpt dtd 6/29/2006 states Supt. Antonio observed the Run making a U-Turn on Munich / Geneva for IB trip. This is a violation of route for leaving IB terminal. Operator off route; Central Control gave no orders to this turn to be off route. <b>WARNED.</b>
cancelled 7/12/2005	<del>ts rpt dtd 7/12/2005 states that coach was 10 minutes ahead of schedule. <b>Cautioned &amp; Reinstucted.</b></del>
4/30/2005	Avoidable Accident dtd 4/30/2005: Inspector's report states that front right bumper on truck was pushed forward. This would indicate that coach hit truck. Skelly Hearing: Inattention to Duties --- proposed 2 days suspension. After Skelly Hrng --- <b>warned.</b>
2/15/2005	<b>warned.</b>
2/4/2005	Commendation: PSR #186923
2/3/2005	5 minutes ahead of schedule - warned during Skelly Conference
2/2/2005	3 minutes ahead of schedule - warned during Skelly Conference
1/28/2005	ts rpt = 6 min ahead of schedule --- warned.
1/18/2005	ts rpt = 3 min ahead of schedule --- cautioned & reinstucted.
cancelled 11/22/2004	<del>AWOL: Skelly --- proposed recommended for 2 days suspension</del>
7/27/2004	ts rpt = 3 mins sharp -- warned
4/15/2004	ts rpt: rules; 2.13.1A, 2.17, 2.17.1 = off route -- caution, reinstruct
4/16/2004	skelly letter: avoidable accident on 4/3/04 -- 5-days suspension recommended
8/15/2003	ts rpt: rules; 2.13, 2.15 = 4 mis -- caution, reinstruct
11/3/2002	ts rpt: rules; 2.13, 2.15 = 4 mis -- caution, reinstruct
5/30/2002	Commendation #151996



ID	LASTNAME	FIRSTNAME	Date of Violation	Violations	Violation Comments	Action	Action Comments	Export
████	Bellone	Victoria	24-May-17	Attendance	this is per 30 absence in the past 3 months	Counseling	received a BI form	
████	Bellone	Victoria	10-Apr-17	Avoidable	a passenger car was in lane 1 along the side of the coach bellone strike the side of the passenger car	Counseling	1st preventable	
████	Bellone	Victoria	10-Apr-17	Avoidable	a passenger car was in lane 1 along the side of the coach bellone strike the side of the passenger car	Counseling	1st preventable	
████	Bellone	Victoria	06-Feb-17	MISCELLANEOUS	Operator passed up a man holding a cane.	No Ment	No video	

# **EXHIBIT 4**



**NOTICE TO REPORT TO**  
**DIVISION SUPERINTENDENT**

NAME Victoria Bellone ID NO. [REDACTED] DATE : 6/26/12

You are to report to the Division Superintendent at 1:30 p.m.

on Friday, 6/29/2012 for the following reason(s):

*RE: Drive Cam Video – 1) Red Light and 2) Rolling Stop.*

: Division Union Rep

*Ayn*  
DIVISION SUPERINTENDENT

D-19

# Event Report: Victoria Bellone [REDACTED]

Event 278655

Recorded on Jun 03, 2012 5:33 AM PST

Driver: Victoria Bellone [REDACTED]

Vehicle: 8341

Group: Kirkland

Event Analysis

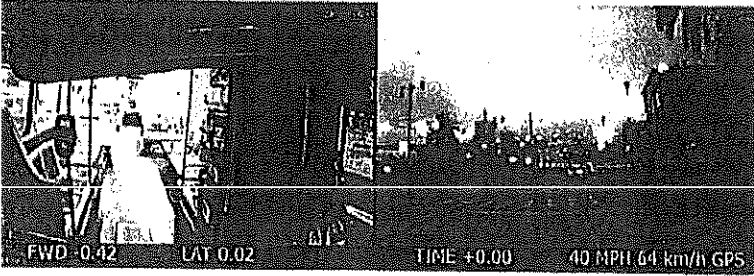
Risk Score: 9

Event Trigger: Braking

Outcome: No Collision

Poor Awareness: Not Looking Far Ahead

Traffic Violations: Red Light



## Comments

DriveCam

Jun 05, 2012 12:30 PM

This event was triggered by the vehicle braking.

The driver was late in responding to the traffic situation ahead. By projecting eyes further ahead the driver would recognize the problem earlier and have the opportunity to adjust sooner and more gradually.

The driver ran a red light. Running red lights is a high risk behavior that significantly increases the possibility of a traffic collision.

ROBERT MATTOX [REDACTED]

Jun 05, 2012 2:53 PM (GMT -7:00)

I have reviewed the event and agree with the analysis. ID found in trapezo. The operator was eastbound on the Embarcadero and ran the red light at the Market St. crosswalk at 43 mph. The speed limit is 25 mph. This operator was also driving with one hand as she had a cup in her left hand. This event will be forwarded to the division and training for further investigation.

Driver's Signature

Date

Coach's Signature

Date

# Event Report: Victoria Bellone [REDACTED]

Event 279648

Recorded on Jun 15, 2012 6:04 AM PST

Driver: Victoria Bellone [REDACTED]

Vehicle: 8352

Group: Kirkland

Event Analysis

Risk Score: 3

Event Trigger: Braking

Outcome: No Collision

Traffic Violations: Rolling Stop



## Comments

DriveCam

Jun 18, 2012 11:48 PM

This event was triggered by the vehicle braking.

Although the driver slowed, a complete stop was not made. By making a complete stop, the driver will have sufficient time to scan the roadway before proceeding.

RAY SHINE [REDACTED]

Jun 19, 2012 8:30 PM (GMT -7:00)

DC displays an 8 mph roll-thru speed. This occurred east on Prague at Cordova Streets. I will forward this to the Division for appropriate follow up.

Driver's Signature

Date

Page 25 of 25  
Officer's Signature

Date

**SUPERINTENDENT'S DISCIPLINARY CHARGE**

July 9, 2012

Operator Victoria Bellone

ID # [REDACTED]

Division: Kirkland

YOU ARE HEREBY CHARGED WITH VIOLATION OF RULE (S) 2.13; 2.13.1A; 2.14; 2.14.1; 2.21; 2.21.1; 2.21.2; 2.21.15; 2.21.16; 4.19; 4.19.1; 4.22 and 4.22.1 OF THE OFFICIAL RULE BOOK IN THAT ON June 15, 2012.

You were observed not making a complete stop based on Drive Cam Event #279648

**ACTION:**

You are therefore **warned** to operate according to the established safety guidelines. By making a complete stop, you will have sufficient time to scan the roadway before proceeding. A complete stop is defined as looking left-right-left for 3 seconds and proceeding when clear. It should be noted that DriveCam video was viewed on June 9, 2012. Also present was Union Rep Barbara Brooks. As discussed, note that the next drive cam rolling stop incident will result in a suspension.

Signed: As  
Division Manager

Cc: Operator's HR File

# **EXHIBIT 5**



Mail Number # 033

October 3, 2013

Victoria Bellone # [REDACTED]

SUBJECT: Skelly Decision

Dear Ms. Bellone:

This proposed disciplinary action is based on charges of the following violations of the San Francisco Municipal Railway Rules and Instructions Handbook:

- Rule 2.13.1A-Inattention to duties
- MOU-Article 25 Section 25.1 Sick Leave Procedure

The Facts Upon Which These Charges Are Based:

The violations listed above are based on the facts and grounds summarized herein. From 08/01/12 to 09/14/13 you called in sick and unable to report for duty 58 days.

You earn 13 days of sick leave annually. Your absences this past year exceed the number of sick leave days earned by 45 days. Specifically, you called in sick and unable to report to duty on the following dates:

- 8/16/12 – 8/17/12 (2-Days)
- 8/26/12 – 8/27/12 (2-Days)
- 10/1/12 (1-Day)
- 10/11/12 - 10/12/12 (2-Days)
- 10/29/12 (1-Day)
- 11/1/12 (1-Day)
- 11/19/12 (1-Day)
- 11/22/12 (1-Day)
- 12/6/12 - 12/7/12 (2-Days)
- 12/9/12 (1-Day)
- 12/17/12 (1-Day)
- 12/20/12 (1-Day)
- 12/23/12 (1-Day)
- 12/31/12 (1-Day)
- 1/10/13 (1-Day)
- 1/14/13 (1-Day)
- 1/20/13 – 1/21/13 (2-Days)
- 1/26/13 (1-Day)
- 2/4/13 (1-Day)
- 2/18/13 (1-Day)

**FILE COPY**







- 3/7/13 (1-Day)
- 3/10/13 (1-Day)
- 3/21/13 – 3/24/13 (4-Days)
- 3/31/13 (1-Day)
- 4/5/13 (1-Day)
- 4/10/13 – 4/11/13 (2-Days)
- 5/16/13 – 5/19/13 (4-Days)
- 5/29/13 (1-Day)
- 6/6/13 (1-Day)
- 6/8/13 – 6/9/13 (2-Days)
- 6/12/13 – 6/13/13 (2-Days)
- 6/23/13 (1-Day)
- 7/5/13 – 7/7/13 (3-Days)
- 7/21/13 (1-Day)
- 7/31/13 – 8/1/13 (2-Days)
- 8/10/13 (1-Day)
- 8/16/13 (1-Day)
- 8/25/13 (1-Day)
- 9/12/13 – 9/14/13 (3-Days)

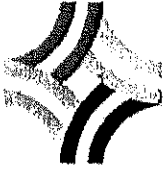
Your absences have demonstrated a pattern of sick leave abuse in which you call in sick on days tied to your normal days off, legal holidays, and weekends, thereby extending your time off work. Your work schedule from 8/1/12 to 3/20/13 provided Tuesday and Wednesday off work. Specifically, the following instances demonstrate the sick leave abuse/pattern absenteeism:

- Monday, October 1, 2012 through Wednesday, October 3, 2012 (Off T/W)
- Monday, November 19, 2012 through Thursday, November 22, 2012 (Off T/W)
- Tuesday, December 4, 2012 through Friday December 7, 2012 (Off T/W)
- Sunday, January 20, 2013 through Wednesday, January 23, 2013 (Off T/W)
- Monday, February 4, 2013 through Wednesday, February 6, 2013

Your work schedule from 3/25/12 to 7/31/13 provided Monday and Tuesday off work. Again, the following instances demonstrate the sick leave abuse/pattern absenteeism:

- Thursday, March 21, 2013 through Tuesday, March 26, 2013 (Off M/T)
- Sunday, March 31, 2013 through Tuesday, April 2, 2013 (Off M/T)
- Monday, April 8, 2013 through Thursday, April 11, 2013 (Off M/T)
- Thursday, May 16, 2013 through Tuesday, May 21, 2013 (Off M/T)
- Saturday, June 8, 2013 through Thursday, June 13, 2013 (Off M/T)
- Friday, July 5, 2013 through Tuesday, July 9, 2013 (Off M/T)

You did not have any sick leave balance available to cover all of your absences. Employees are not permitted to be leave without pay without prior formal approval. Your attendance



record reflects that you were on unapproved leave without pay for calling in sick while not having sufficient sick leave balances to cover your absence.

**Materials Upon Which Charges are Based:**

Attendance and Payroll Records

**Past Record/Discipline History:**

9/23/13	PSR	Written Warning
7/29/13	Schedules	Written Warning
6/1/13	Schedules	Written Warning
4/18/13	Schedules	Caution & Reinstruct
4/17/13	Pattern Absenteeism	Caution & Reinstruct
2/5/13	Pattern Absenteeism	Verbally Warned
8/23/12	Schedules	Caution & Reinstruct

**Basis for Recommendation/Conclusions:**

Over the past year, the number of working days you have been absent from work has remained consistently high and is increasing. In many instances you resorted to using leave without pay because you had exhausted your accrued sick leave balances. Sick leave abuse is present in the demonstrated pattern of calling in sick on days tied to your normal days off work, thereby extending your time off work. Your absences negatively impact the Agency's ability to serve the public.

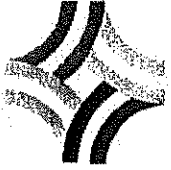
**Investigative Conference**

An investigative conference was held on September 18, 2013 with you, Barbara Brooks, Union Representative and me in attendance. At the conference you stated you had to take off to tend to your husband because he was in a car accident. You offered no other excuse for being absent.

**Skelly Decision**

A Skelly hearing was scheduled for you for Wednesday, October 2, 2013 at 1:00 PM, at 2301 Stockton Street in the Superintendent's Office, your Union Representative Lavernita Jenkins arrived for the skelly but you failed to appear.

My decision is to sustain the proposed one (1) day suspension.



Sincerely,

Deborah Franks  
Superintendent  
Kirkland Division

cc: Division Union Chair  
Employee and Labor Relations

# **EXHIBIT 6**



Mail Number # 459

May 13, 2014

Rescheduled on May 12, 2014

Victoria Bellone # [REDACTED]

**SUBJECT: Proposed Disciplinary Action – 3 day Suspension for Excessive and Pattern Absenteeism and Sick Leave Abuse**

Dear Ms. Bellone:

This letter is to notify you that I propose as disciplinary action that you be **suspended 3-days from your position as a 9163 Transit Operator.**

This proposed disciplinary action is based on charges of the following violations of the San Francisco Municipal Railway Rules and Instructions Handbook:

- **Rule 2.13.1A-Inattention to duties**
- **MOU-Article 25 Section 25.1 Sick Leave Procedure**

**The Facts Upon Which These Charges Are Based:**

The violations listed above are based on the facts and grounds summarized herein. From **10/04/13 to 04/31/14**, you called in sick and unable to report for duty **47** days.

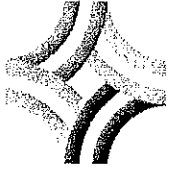
You earn **13** days of sick leave annually. Your absences this year total to **12** days. Specifically, you called in sick and unable to report to duty on the following dates:

- 1/23/2014
- 1/26/2014
- 2/9/2014
- 2/13/2014
- 2/24/2014
- 3/4/2014
- 4/9/2014 – 4/10/2014 (2 Days)
- 4/13/2014 – 4/14/2014 (2 Days)
- 4/24/2014
- 4/28/2014

You are allotted **3** days of FMLA per month since August 27, 2013. Since October 4, 2013, you have been abusing your FMLA by going out **4** days or more per month rather than the **3** days permitted to you by Doctor. Specifically, you called in for FMLA on these following dates, which demonstrate your abuse of FMLA:

- 10/4/2013, 10/11/2013, 10/19/2013, 10/23/2013 (4 days in October, 2013)





- 11/1/2013, 11/8/2013, 11/13/2013, 11/21/2013 (4 days in November, 2013)
- 12/1/2013, 12/4/2013, 12/6/2013, 12/19/2013 (4 days in December 2013)
- 1/3/2014, 1/5/2014, 1/9/2014, 1/15/2014, 1/30/2014 (5 days in January 2014)
- 2/2/2014, 2/5/2014, 2/6/2014, 2/23/2014 (4 days in February 2014)
- 3/2/2014, 3/3/2014, 3/9/2014, 3/11/2014, 3/19/2014, 3/20/2014, 3/23/2014 (7 days in March 2014)

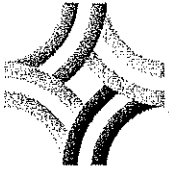
Your absences have demonstrated a pattern of sick leave abuse in which you call in sick on days tied to your normal days off, legal holidays, and weekends, thereby extending your time off work. Your work schedule from 10/4/13 to 1/31/14 provided **Monday** and **Tuesday** off work. Specifically, the following instances demonstrate the FMLA Abuse/sick leave abuse/pattern absenteeism:

- Monday, October 21, 2013 through Wednesday, October 23, 2013 (Off M/T)
- Sunday, October 27, 2013 through Tuesday, October 29, 2013 (Off M/T)
- Monday, November 11, 2013 through Wednesday November 13, 2013 (Off M/T)
- Sunday, December 1, 2013 through Wednesday, December 4, 2013 (Off M/T)
- Sunday, January 5, 2013 through Tuesday, January 7, 2014 (Off M/T)
- Monday, January 13, 2014 through Wednesday, January 15, 2014 (Off M/T)
- Sunday, January 26, 2014 through Tuesday, January 28, 2014 (Off M/T)

Your work schedule from 2/1/14 to 4/31/14 provided **Friday** and **Saturday** off work. Again, the following instances demonstrate the FMLA abuse/sick leave abuse/pattern absenteeism:

- Saturday, February 1, 2014 through Sunday, February 2, 2014 (Off F/S)
- Wednesday, February 5, 2014 through Sunday, February 9, 2014 (Off F/S)
- Thursday, February 13, 2014 through Saturday, February 15, 2014 (Off F/S)
- Friday, February 21, 2014 through Monday, February 24, 2014 (Off F/S)
- Friday, February 28, 2014 through Tuesday, March 4, 2014 (Off F/S)
- Friday, March 7, 2014 through Sunday, March 9, 2014 (Off F/S)
- Wednesday, March 19, 2014 through Sunday, March 23, 2014 (Off F/S)
- Thursday, April 3, 2014 through Saturday, April 5, 2014 (Off F/S)
- Wednesday, April 9, 2014 through Monday, April 14, 2014 (Off F/S)
- Friday, April 18, 2014 through Sunday, April 20, 2014 (Off F/S)
- Thursday, April 24, 2014 through Saturday, April 26, 2014 (Off F/S)

Your usage of FMLA is more than you were allotted. Employees are not permitted to be on FMLA leave more times than they are allotted by their Doctor.



**Materials Upon Which Charges are Based:**

Attendance and Payroll Records

**Past Record/Discipline History:**

1/22/2014	<b>Warned.</b> 4 minutes ahead of schedule dated 12/18/13.
11/21/2013	<b>Warned.</b> 5 minutes ahead of schedule dated 11/9/13.
11/21/2013	<b>Warned.</b> Ahead of schedule 3 minutes on 11/3/13 on TS report
10/3/2013	<b>Skelly Hearing: RE: Absenteeism.</b> Proposed Disciplinary Action = 1 day suspension <b>Skelly Decision: Operator did not attend Skelly Hearing. Therefore, it is recommended that you be suspended for 1 day from you position as a 9163 Transit Operator.</b>
9/23/2013	<b>Warned.</b> PSR # 137925, #438956, and #438557. Passing up Passengers.
7/29/2013	<b>Warned.</b> 5 minutes ahead of schedule dated 6/26/13.
6/1/2013	<b>WRITTEN WARNING</b> As per Inspector's Report dated 5/24/13 that you were 5 minutes ahead of schedule.
4/18/2013	<b>C &amp; R.</b> 4 minutes ahead of schedule dated 4/12/13.
4/17/2013	<b>C &amp; R.</b> You have taken a total of thirty eight (38) days off with twenty-five (25) different occurrences during the twelve-month period: April
2/5/2013	<b>Verbally Warned.</b> Conferenced dated 2/8/13 regarding Absenteeism.

**Basis for Recommendation/Conclusions:**

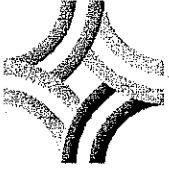
Over the past 7 months, the number of days you have been absent from work has remained consistently high and is increasing. You are also on FMLA leave more times than you are allowed for each month. Sick leave abuse and FMLA abuse is present in the demonstrated pattern of calling in sick on days tied to your normal days off work, thereby extending your time off work. Your absences negatively impact the Agency's ability to serve the public.

**Skelly Hearing on Wednesday, May 14, 2014**

A Skelly hearing is scheduled for you for **Wednesday, May 14, 2014 at 11:45 AM**, at 2301 Stockton Street in the Superintendent's Office. This stage of the process is your opportunity to respond to the charges and recommended action. You are not entitled to a formal hearing with the examination of witnesses or a court reporter or transcript of the proceeding. You are entitled to bring a Representative of your choosing with you to the hearing. Your Union Representative is Barbara Brooks, and she can be reached at (415) 274-0220. The **TWU Local 250-A office** can be reached at (415) 922-9495.

**Right of Response:**

You have the right to provide a response to this proposed action. Your response may be written or oral.



If you choose to respond in writing, your written response must be directed to me, Deborah Franks, Kirkland Division Superintendent. Your written response must be received in my office at 2301 Stockton Street by **11:45 AM May 14, 2014**.

If you choose neither to appear nor to respond in writing, the disciplinary action will proceed.

Sincerely,

Deborah Franks  
Superintendent  
Kirkland Division

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cc: Division Union Chair  
Employee and Labor Relations



Mail Number # 471

May 15, 2014

Victoria Bellone # [REDACTED]

SUBJECT: Skelly Decision

Dear Ms. Bellone:

This proposed disciplinary action is based on charges of the following violations of the San Francisco Municipal Railway Rules and Instructions Handbook:

- Rule 2.13.1A-Inattention to duties
- MOU-Article 25 Section 25.1 Sick Leave Procedure

**The Facts Upon Which These Charges Are Based:**

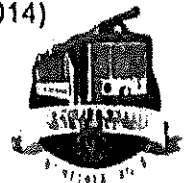
The violations listed above are based on the facts and grounds summarized herein. From 10/04/13 to 04/31/14 you called in sick and unable to report for duty 47 days.

You earn 13 days of sick leave annually. Your absences this year total to 12 days. Specifically, you called in sick and unable to report to duty on the following dates:

- 1/23/2014
- 1/26/2014
- 2/9/2014
- 2/13/2014
- 2/24/2014
- 3/4/2014
- 4/9/2014 – 4/10/2014 (2 Days)
- 4/13/2014 – 4/14/2014 (2 Days)
- 4/24/2014
- 4/28/2014

You are allotted 3 days of FMLA per month since August 27, 2013. Since October 4, 2013, you have been abusing your FMLA by going out 4 days or more per month rather than the 3 days permitted to you by Doctor. Specifically, you called in for FMLA on these following dates, which demonstrate your abuse of FMLA:

- 10/4/2013, 10/11/2013, 10/19/2013, 10/23/2013 (4 days in October, 2013)
- 11/1/2013, 11/8/2013, 11/13/2013, 11/21/2013 (4 days in November, 2013)
- 12/1/2013, 12/4/2013, 12/6/2013, 12/19/2013 (4 days in December 2013)
- 1/3/2014, 1/5/2014, 1/9/2014, 1/15/2014, 1/30/2014 (5 days in January 2014)
- 2/2/2014, 2/5/2014, 2/6/2014, 2/23/2014 (4 days in February 2014)





- 3/2/2014, 3/3/2014, 3/9/2014, 3/11/2014, 3/19/2014, 3/20/2014, 3/23/2014 (7 days in March 2014)

Your absences have demonstrated a pattern of sick leave abuse in which you call in sick on days tied to your normal days off, legal holidays, and weekends, thereby extending your time off work. Your work schedule from 10/4/13 to 1/31/14 provided **Monday** and **Tuesday** off work. Specifically, the following instances demonstrate the FMLA Abuse/sick leave abuse/pattern absenteeism:

- Monday, October 21, 2013 through Wednesday, October 23, 2013 (Off M/T)
- Sunday, October 27, 2013 through Tuesday, October 29, 2013 (Off M/T)
- Monday, November 11, 2013 through Wednesday November 13, 2013 (Off M/T)
- Sunday, December 1, 2013 through Wednesday, December 4, 2013 (Off M/T)
- Sunday, January 5, 2013 through Tuesday, January 7, 2014 (Off M/T)
- Monday, January 13, 2014 through Wednesday, January 15, 2014 (Off M/T)
- Sunday, January 26, 2014 through Tuesday, January 28, 2014 (Off M/T)

Your work schedule from 2/1/14 to 4/31/14 provided **Friday** and **Saturday** off work. Again, the following instances demonstrate the FMLA abuse/sick leave abuse/pattern absenteeism:

- Saturday, February 1, 2014 through Sunday, February 2, 2014 (Off F/S)
- Wednesday, February 5, 2014 through Sunday, February 9, 2014 (Off F/S)
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- Friday, February 21, 2014 through Monday, February 24, 2014 (Off F/S)
- Friday, February 28, 2014 through Tuesday, March 4, 2014 (Off F/S)
- Friday, March 7, 2014 through Sunday, March 9, 2014 (Off F/S)
- Wednesday, March 19, 2014 through Sunday, March 23, 2014 (Off F/S)
- Thursday, April 3, 2014 through Saturday, April 5, 2014 (Off F/S)
- Wednesday, April 9, 2014 through Monday, April 14, 2014 (Off F/S)
- Friday, April 18, 2014 through Sunday, April 20, 2014 (Off F/S)
- Thursday, April 24, 2014 through Saturday, April 26, 2014 (Off F/S)

Your usage of FMLA is more than you were allotted. Employees are not permitted to be on FMLA leave more times than they are allotted by their Doctor.

**Materials Upon Which Charges are Based:**

Attendance and Payroll Records

**Past Record/Discipline History:**

1/22/2014		<b>Warned.</b> 4 minutes ahead of schedule dated 12/18/13.
11/21/2013		<b>Warned.</b> 5 minutes ahead of schedule dated 11/9/13.
11/21/2013		<b>Warned.</b> Ahead of schedule 3 minutes on 11/3/13 on TS report
10/3/2013		<b>Skelly Hearing: RE: Absenteeism.</b> Proposed Disciplinary Action = 1 day suspension <b>Skelly Decision: Operator did not attend Skelly Hearing. Therefore, It is recommended that you be suspended for 1 day from your position as a 9163 Transit Operator.</b>
9/23/2013		<b>Warned.</b> PSR # 137925, [REDACTED] Passing up Passengers.
7/29/2013		<b>Warned.</b> 5 minutes ahead of schedule dated 6/26/13.
6/1/2013		<b>WRITTEN WARNING</b> As per Inspector's Report dated 5/24/13 that you were 5 minutes ahead of schedule.
4/18/2013		<b>C &amp; R.</b> 4 minutes ahead of schedule dated 4/12/13.
4/17/2013		<b>C &amp; R.</b> You have taken a total of thirty eight (38) days off with twenty-five (25) different occurrences during the twelve-month period: April
2/5/2013		<b>Verbally Warned.</b> Conferenced dated 2/8/13 regarding Absenteeism.

**Basis for Recommendation/Conclusions:**

Over the past 7 months, the number of days you have been absent from work has remained consistently high and is increasing. You are also on FMLA leave more times than you are allowed for each month. Sick leave abuse and FMLA abuse is present in the demonstrated pattern of calling in sick on days tied to your normal days off work, thereby extending your time off work. Your absences negatively impact the Agency's ability to serve the public.

**Skelly Hearing / Discussion**

A Skelly hearing was held on Wednesday, May 14, 2014. You arrived with your Union Representative, Lafenita Jenkins and met with me.

During the hearing I informed you that your FMLA is being abused, as per your Doctor you are allowed 3 days per month and that you were taking 4 to 5 days. I further informed you that you were also abusing your sick leave, that you have used 47 days in a 7 month period and that you showed a pattern of always going sick before or after your days off. You shook your head in a yes motion and said so.

You stated that you could [REDACTED] and that these problems derived from [REDACTED] that causes you to [REDACTED].

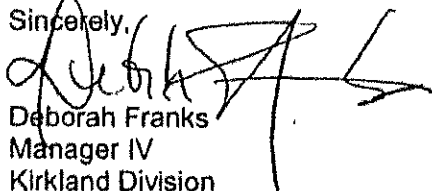
During the conference meeting I had recommended that you speak to your doctor regarding your situation and perhaps reevaluate your FMLA and it was reiterated during this skelly meeting.

**Skelly Decision**

It is my decision to sustain the proposed 3 day suspension.

**This decision will not be implied as a precedent for any pending or future disciplinary that may be perceived as similar in nature, by either MUNI Management or Local 250-A**

Sincerely,

  
Deborah Franks  
Manager IV  
Kirkland Division

cc: Division Union Chair  
Labor Relations  
Employee

# ABSENCE HISTORY

	Employee Id	Abbreviation	From Date	To Date	From Time	To Time	Modified By	Modified Date	Modified Time
1	2612	VTT	03-06-14	03-06-14	12:00a	36:00	gtaylor	03-05-14	8:57a
2	2612	TRADE	02-19-14	02-19-14	12:00a	36:00	gtaylor	02-18-14	9:20a
3	2612	TRADE	03-17-14	03-17-14	12:00a	36:00	psingh	03-15-14	9:13p
4	2612	TRADE	03-27-14	03-27-14	12:00a	36:00	gtaylor	03-26-14	9:35a
5	2612	TRADE	04-23-14	04-23-14	12:00a	36:00	gtaylor	04-22-14	8:57a
6	2612	SUS	10-30-13	10-30-13	12:00a	36:00	gtaylor	10-25-13	12:07p
7	2612	SP	10-27-13	10-27-13	12:00a	36:00	pcahn	10-27-13	3:20a
8	2612	SP	12-13-13	12-13-13	12:00a	36:00	dlacap	12-13-13	3:23a
9	2612	SP	12-14-13	12-14-13	12:00a	36:00	gtaylor	12-13-13	7:41a
10	2612	SP	12-26-13	12-26-13	5:00a	36:00	cscott	12-26-13	3:35a
11	2612	SP	01-23-14	01-23-14	12:00a	36:00	psingh	01-23-14	3:33a
12	2612	SP	01-26-14	01-26-14	12:00a	36:00	psingh	01-25-14	7:34p
13	2612	SP	02-09-14	02-09-14	12:00a	36:00	demjacks	02-08-14	7:35a
14	2612	SP	02-13-14	02-13-14	5:26a	36:00	cyjones	02-13-14	3:39a
15	2612	SP	02-24-14	02-24-14	5:26a	36:00	acheung	02-24-14	1:35a
16	2612	SP	03-04-14	03-04-14	5:26a	36:00	acheung	03-04-14	3:13a
17	2612	SP	04-09-14	04-09-14	12:00a	36:00	fdalog	04-09-14	3:46a
18	2612	SP	04-10-14	04-10-14	12:00a	36:00	gtaylor	04-09-14	7:59a
19	2612	SP	04-13-14	04-13-14	12:00a	36:00	ksim	04-12-14	8:03a
20	2612	SP	04-14-14	04-14-14	12:00a	36:00	rjimene	04-13-14	8:23a
21	2612	SP	04-24-14	04-24-14	12:00a	36:00	gtaylor	04-24-14	7:48a
22	2612	PTO	02-10-14	02-10-14	12:00a	36:00	rjimene	02-10-14	11:19a
23	2612	PTO	03-13-14	03-13-14	12:00a	36:00	plau	03-12-14	6:11p
24	2612	HI	02-20-14	02-20-14	12:00a	36:00	gtaylor	02-19-14	8:58a
25	2612	HE	02-17-14	02-17-14	12:00a	36:00	acheung	02-17-14	6:08a
26	2612	FMLA	10-04-13	10-04-13	5:00a	36:00	acheung	10-04-13	3:22a
27	2612	FMLA	10-11-13	10-11-13	12:00a	36:00	plau	10-10-13	9:48p
28	2612	FMLA	10-19-13	10-19-13	5:08a	36:00	acheung	10-19-13	4:10a
29	2612	FMLA	10-23-13	10-23-13	12:00a	36:00	psingh	10-23-13	2:07a
30	2612	FMLA	11-01-13	11-01-13	12:00a	36:00	plau	10-31-13	10:48p
31	2612	FMLA	11-08-13	11-08-13	12:00a	36:00	acantias	11-08-13	3:43a
32	2612	FMLA	11-13-13	11-13-13	5:00a	36:00	lporter	11-12-13	11:52p
33	2612	FMLA	11-21-13	11-21-13	5:00a	36:00	lporter	11-21-13	3:32a
34	2612	FMLA	12-01-13	12-01-13	12:00a	36:00	psingh	11-30-13	6:54p
35	2612	FMLA	12-04-13	12-04-13	12:00a	36:00	fdalog	12-04-13	3:28a
36	2612	FMLA	12-06-13	12-06-13	12:00a	36:00	dlacap	12-06-13	3:29a
37	2612	FMLA	12-19-13	12-19-13	5:00a	36:00	cscott	12-19-13	4:04a
38	2612	FMLA	01-03-14	01-03-14	5:00a	36:00	acheung	01-03-14	3:40a
39	2612	FMLA	01-05-14	01-05-14	12:00a	36:00	acheung	01-05-14	2:45a
40	2612	FMLA	01-09-14	01-09-14	12:00a	36:00	psingh	01-09-14	3:03a
41	2612	FMLA	01-15-14	01-15-14	12:00a	36:00	lporter	01-15-14	2:59a
42	2612	FMLA	01-30-14	01-30-14	5:00a	36:00	acheung	01-30-14	3:54a
43	2612	FMLA	02-02-14	02-02-14	12:00a	36:00	psingh	02-01-14	7:34p
44	2612	FMLA	02-05-14	02-05-14	12:45p	36:00	acheung	02-05-14	4:19a
45	2612	FMLA	02-06-14	02-06-14	12:00a	36:00	psingh	02-05-14	7:42a
46	2612	FMLA	02-23-14	02-23-14	12:00a	36:00	psingh	02-22-14	8:25p
47	2612	FMLA	03-02-14	03-02-14	5:11a	36:00	acheung	03-02-14	2:16a
48	2612	FMLA	03-03-14	03-03-14	12:00a	36:00	rjimene	03-02-14	8:50a
49	2612	FMLA	03-09-14	03-09-14	12:00a	36:00	psingh	03-08-14	10:32p
50	2612	FMLA	03-11-14	03-11-14	5:26a	36:00	acheung	03-11-14	3:01a
51	2612	FMLA	03-19-14	03-19-14	5:26a	36:00	acheung	03-19-14	12:59a
52	2612	FMLA	03-20-14	03-20-14	12:00a	36:00	gtaylor	03-19-14	7:46a
53	2612	FMLA	03-23-14	03-23-14	12:00a	36:00	gtaylor	03-22-14	8:06a

Badge : [REDACTED]

# ABSENCE HISTORY

From : 10-04-13  
From : 10-04-13

	Employee Id	Abbreviation	From Date	To Date	From Time	To Time	Modified By	Modified Date	Modified Time
54	2612	FMLA	04-01-14	04-01-14	5:26a	36:00	acheung	04-01-14	3:33a
55	2612	FMLA	04-03-14	04-03-14	12:00a	36:00	ing	04-03-14	1:29a
56	2612	FMLA	04-20-14	04-20-14	12:00a	36:00	psingh	04-19-14	9:02p
57	2612	FH	11-30-13	11-30-13	12:00a	36:00	gtaylor	11-29-13	7:37a
58	2612	BIR	02-25-14	02-25-14	12:00a	36:00	resquive	06-30-13	4:25p



**SFMTA**  
Municipal  
Transportation  
Agency

Edwin M. Lee, *Mayor*  
Tom Nolan, *Chairman*  
Gwyneth Borden, *Director*  
Jerry Lee, *Director*  
Cristina Rubke, *Director*  
Edward D. Reiskin, *Director of Transportation*  
Cheryl Brinkman, *Vice-Chairman*  
Malcolm Heinicke, *Director*  
Joël Ramos, *Director*

Mail#: 298

**KIRKLAND DIVISION OF OPERATIONS**  
2301 Stockton Street, San Francisco, CA 94133

August 25, 2014

Victoria Bellone [REDACTED]

**SUBJECT: Recommended Disciplinary Action – 10 day Suspension for Excessive and Pattern Absenteeism and Sick Leave Abuse**

Dear Ms. Bellone:

This letter is to notify you that I propose as disciplinary action that you be suspended from work for 10 days without pay.

This proposed disciplinary action is based on charges of the following violations of the San Francisco Municipal Railway Rules and Instructions Handbook:

- Rule 2.13.1A-Inattention to duties
- MOU-Article 25 Section 25.1 Sick Leave Procedure

**The Facts Upon Which These Charges Are Based:**

The violations listed above are based on the facts and grounds summarized herein. From 5/15/2014 to 8/15/2014 you called in sick and unable to report for duty 15 days on 8 occurrences.

You did not have any sick leave balance available to cover all of your absences. Employees are not permitted to be leave without pay without prior formal approval. Your attendance record reflects that you were on unapproved leave without pay for calling in sick while not having sufficient sick leave balances to cover your absence.

**Materials Upon Which Charges are Based:**

Attendance and Payroll Records, Sick Leave reports

**Past Record/Discipline History:**

5/15/14	Absenteeism	3 days suspension
1/22/14	Schedules	Written Warning
11/21/13	Schedules	Written Warning
10/3/13	Pattern Absenteeism	1 day suspension
9/23/13	PSR	Written Warning
7/29/13	Schedules	Written Warning

**Basis for Recommendation/Conclusions:**

Over the past year, the number of working days you have been absent from work has remained consistently high and is increasing. In many instances you resorted to using leave without pay because you had exhausted your accrued sick leave balances. Sick leave abuse is present in the demonstrated pattern of calling in sick on days tied to your normal days off work, thereby extending your time off work. Your absences negatively impact the Agency's ability to serve the public.

**Investigative Conference:**

On Tuesday, August 19, 2014, you came into the office with Lafemita Jenkins, Kirkland Union Representative. During the conference, I informed you that you had taken off 15 days on 8 occurrences. You responded by stating that you were [REDACTED]. You also stated that you have been having [REDACTED]. You also stated that you are [REDACTED].

You were advised that you do not have any sick hours and were referred to Peer Assistance.

**Skelly Hearing:**

A Skelly hearing is scheduled for you for Wednesday, August 27, 2014 at 12:45 PM, at 2301 Stockton Street in the Superintendent's Office. This stage of the process is your opportunity to respond to the charges and recommended action. You are not entitled to a formal hearing with the examination of witnesses or a court reporter or transcript of the proceeding. You are entitled to bring a Representative of your choosing with you to the hearing. Your Union Representative is Lafemita Jenkins, and she can be reached at (415) 274-0220. The TWU Local 250-A office can be reached at (415) 922-9495.

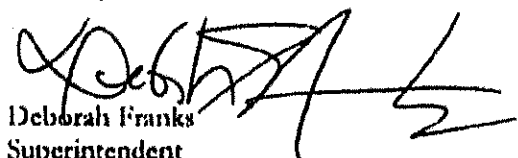
**Right of Response:**

You have the right to provide a response to this recommended action. Your response may be written or oral.

If you choose to respond in writing, your written response must be directed to me, Deborah Franks, Kirkland Division Superintendent. Your written response must be received in my office at 2301 Stockton Street by 5:00 PM August 27, 2014.

If you choose neither to appear nor to respond in writing, the disciplinary action will proceed.

Sincerely,



Deborah Franks  
Superintendent  
Kirkland Division

cc: Division Union Chair, Employee and Labor Relations





Mail #: 075

**SFMTA**  
Municipal Transportation Agency

October 7, 2014

**Victoria Bellone #** [REDACTED]  
9163 Transit Operator  
Kirkland Division

**NOTICE OF SUSPENSION re: Agreement Letter, Skelly on 8/27/14.**

Ms. Bellone,

This is to inform you that you have been suspended for Five (5) days, per the Skelly Decision.

The suspension day is scheduled as follows:

<u>Pay Period</u>	<u>Suspension Days</u>
10/11/14 - 10/24/14	October 19, 20, 21, 22, 23 2014

**Reason for Suspension:**

Excessive Absenteeism

Thank you for your cooperation.

Sincerely,

Michelle Enciso  
Manager II  
Kirkland Division

[ ] Original to 9163 Transit Operator

- cc: [ ] Payroll: Jose Morales, 1 South Van Ness, 6<sup>th</sup> floor
- [ ] Employee Relations/HR: Aaron Beckwith, 1 South Van Ness 6<sup>th</sup> floor
- [ ] Division Lead Dispatcher: (Hand-Delivered Divisional Office Mail)
- [ ] Superintendent's Divisional Employee File

Paul M. Lee

Jr

Tom Nolan  
Chairman

Cheryl Brinkman  
Vice-Chairman

Leona Bridges  
Director

Malcolm Heinicke  
Director

Jerry Lee  
Director

Joel Ramos  
Director

Cristina Rubke  
Director

Edward D. Roiskin  
Director of  
Transportation

One South Van Ness Ave.  
with Floor  
San Francisco, CA 94103

Tele: 415.701.4500

www.sfmta.com



# **EXHIBIT 7**



**SFMTA**  
 Municipal  
 Transportation  
 Agency

Via e-mail [asimmons@twusf.org](mailto:asimmons@twusf.org)

Edwin M. Lee, Mayor

Tom Nolan, Chairman

Cheryl Brinkman, Vice Chairman

Gwyneth Borden, Director

Edward D. Reiskin, Director of Transportation

Malcolm Heinicke, Director

Joel Ramos, Director

Cristina Rubke, Director

March 27, 2015

Andrew Simmons, Union Representative  
 TWU Local 250-A  
 1508 Fillmore Street, Suite #211  
 San Francisco, CA 94115

Re: **Step 2 Hearing Decision for Victoria Bellone – Cap ID# [REDACTED]**  
**Grievance # [REDACTED]**

Dear Mr. Simmons:

On March 18, 2015, in accordance with the current Transport Workers' Union (TWU) Local 250-A (Class 9163) Memorandum of Understanding (MOU), a Step 2 Hearing was held at One South Van Ness Ave., San Francisco, CA 94103. The grievance was filed to appeal the dismissal of Victoria Bellone (Grievant) from her 9163 Transit Operator position for Excessive and Pattern Absenteeism. Grievant violated MOU Article 25.1 Sick Leave.

**Present at the hearing were:**



Staff Representative, TWU Local 250-A  
 Union Chair, TWU, Local 250A - Kirkland  
 Grievant, Kirkland Division  
 Superintendent, Kirkland Division  
 Employee & Labor Relations Unit  
 Hearing Officer

**Background:**

The Division recommended dismissal of Grievant from her position for Excessive and Pattern Absenteeism for the period from October 26, 2014, through February 2, 2015 (3.25 months).

Grievant had been absent for eighteen (18) days for the above period, and exhibited a pattern by calling in sick before and/or after her regular days off (RDO).

**Union's Position:**

To sustain the grievance: The Union alleged that Grievant exercised her rights pursuant to San Francisco Administrative Code Chapter 12W Sick Leave, 12W.11., which allows employees to utilize sick time and not subject themselves to discipline. Union believed that the discipline is too severe and would accept anything short of a dismissal. Union also submitted doctor's note/excuses. Grievant stated that she had submitted FMLA papers for prior absences but does not have current FMLA papers on file.

**Agency's Position:**

Deny the grievance. The Grievant has exhibited Excessive and Pattern Absenteeism for the period from October 26, 2014, through February 2, 2015, for 18 days:

- Grievant served a **five (5) day suspension** in lieu of a ten (10) day suspension for Excessive and Pattern absences from **May 15, 2014, through August 15, 2014, for 15 days.**
- Grievant served a **two (2) day suspension** for her Excessive and Pattern absences from **October 4, 2013, through April 30, 2014, for 47 days.**
- Grievant received a **one (1) day suspension** for Excessive and Pattern absences from **August 1, 2012, through September 14, 2013, for 58 days.**
- Grievant received a **Written Warning** for her Excessive and Pattern absences from **April 15, 2012, through April 15, 2013, for 38 days.**
- Grievant was also conferenced about her responsibility for prompt regular attendance.

Paid Sick Leave Ordinance for the City & County of San Francisco, Sec.12W.11, does not limit the City's standard that provides for greater accruals. Simultaneously, the SFMTA has an Attendance Guideline in place, therefore, there is no violation of this Chapter.

**Step 2 Decision:**

After listening to all arguments, reviewing all facts brought forth and reviewing all information provided concerning the allegations against the Grievant, i.e. for a period from October 2, 2014, through February 2, 2015, it is determined that Grievant demonstrated Excessive and Pattern Absenteeism.

Based on the foregoing the grievance is denied.


This decision is specific only to this employee and only to the above stated grievance, and cannot be used or cited for any other purpose.

Recommended by:



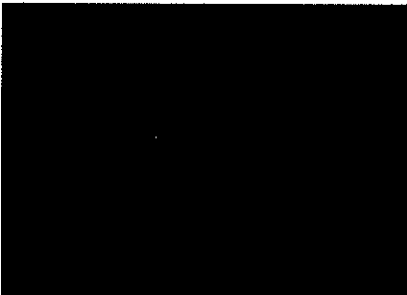
Parveen Boparai  
Step 2 Hearing Officer

Approved by:



Donald E. Ellison  
Director of Human Resources

Cc:



n, Transit Operations  
Labor Relations  
Division  
Labor Relations  
and Division  
Kirkland Division



**SFMTA**  
**Municipal  
 Transportation  
 Agency**

Edwin M. Le...  
 ...

Tom Nolan, *Chairman*      Malcolm Heinicke, *Director*  
 Cheryl Brinkman, *Vice-Chairman*      Joël Ramos, *Director*  
 Gwyneth Borden, *Director*      Cristina Rubke, *Director*  
 Edward D. Reiskin, *Director of Transportation*

March 31, 2015

**USPS 1<sup>st</sup> Class Mail & Certified Mail**

Victoria Bellone [REDACTED]

**Subject: Notice of Dismissal  
 Transit Operator, Job Code 9163 – Permanent Civil Service (PCS)**

Dear Ms. Bellone:

In her decision dated March 27, 2015, the Step 2 Hearing Officer Parveen Boparai upheld the dismissal from your position as Transit Operator, Job Code 9163, as proposed by the Division. (See attached.)

After a thorough review of all the facts and the Hearing Officer's Decision, it is my decision to dismiss you from your permanent position

The following documents, already made available to you, were also reviewed.

- Proposed Recommended Disciplinary Action dated February 9, 2015; and
- Skelly Hearing Officer's Decision Letter dated February 17, 2015.

This letter serves as formal notice that you are dismissed from your permanent civil service appointment as a Transit Operator, Job Code 9163, with the San Francisco Municipal Transportation Agency (SFMTA), effective April 3, 2015.

Should you have any questions regarding this matter, please contact Mike Helms in Labor Relations at 415.701.5379.

Sincerely,

Donald E. Ellison  
 Director, Human Resources and Payroll

**Enclosures: Separation Report  
 Notice of Future Employment Restrictions  
 Step 2 Hearing Officer's Decision**

cc: [REDACTED] Director, Transit Operations  
 [REDACTED] arten, Manager IV, Potrero Division  
 [REDACTED] ne, Payroll Manager, SFMTA  
 [REDACTED] sources Operations, SFMTA  
 [REDACTED] yabyab, Client Services, DHR  
 [REDACTED] File and Chron File

**CITY AND COUNTY OF SAN FRANCISCO  
NOTICE OF FUTURE EMPLOYMENT RESTRICTIONS**

Victoria Bellone  
NAME OF EMPLOYEE

March 31, 2015 (Amended April 1, 2015)  
MAILING DATE

██████████  
ADDRESS

SFMTA - Transit Operations  
DEPARTMENT/DIVISION

██████████  
CITY STATE ZIP CODE

Permanent Civil Service  
TYPE OF APPOINTMENT

Dismissal  
TYPE OF SEPARATION  
(Do not use for release from probation.)

This notice is to inform you that a future employment restriction is being imposed along with your separation from employment in Class 9163 Title Transit Operator, effective(\*) April 3, 2015 for the reasons outlined in the attached document(s).

You may request a hearing before the Civil Service Commission on your future employability with the civil service system of the City and County of San Francisco. The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. However, the Commission **CANNOT** reverse the department's decision to terminate your employment.

You may request a hearing for review of any restrictions on your future employability with the Civil Service Commission within 20 calendar days of the mailing date of this notice or from the date of separation, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 by \_\_\_\_\_. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing or file an appeal, the Human Resources Director will take final administrative action to confirm the restriction(s) in effect on the date of your separation(\*).

The items checked below are the recommendations made by the department on your future employability for positions covered by the San Francisco civil service system:

<input checked="" type="checkbox"/>	No restrictions on future employability.	<input type="checkbox"/>	Cancel any current examination and eligibility status.
<input type="checkbox"/>	No future employment with this department.	<input type="checkbox"/>	Return name to the eligible list from which appointed to this position.
<input type="checkbox"/>	No future employment with the City and County of San Francisco.		
<input type="checkbox"/>	Future employment subject to the review and approval of the Human Resources Director after satisfactory completion of _____ year(s) work experience outside the City and County service.		
<input type="checkbox"/>	OTHER (specify):		

(\*) Note: Future Employment Restriction(s) effective immediately.

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6.

(SEE REVERSE SIDE)

**MUST BE COMPLETED BY DEPARTMENT:**

Rank: \_\_\_\_\_ List # \_\_\_\_\_  
SSN: \_\_\_\_\_  
Employee Organization: TWU Local 250A

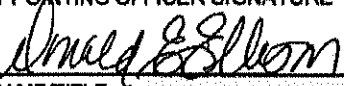
METHOD OF SERVICE: USPS 1<sup>st</sup> Class  
Certified Mail

  
SIGNATURE OF APPOINTING OFFICER

Donald E. Ellison  
NAME

Director, Human Resources and Payroll  
TITLE

Attachment(s): Notice of Dismissal and Separation Report  
DHR 1-13d (Revised 6-2004)

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF HUMAN RESOURCES				SEPARATION REPORT (SR)			
NAME (LAST, FIRST, M.I.) Bellone Victoria E				DATE OF BIRTH ██████	SOCIAL SECURITY NO. ██████	OSWID ██████	DHR USE ONLY SR-██████
CLASS NO. 9163	TITLE Transit Operator	RANK ██	LIST ██	CERTIFICATION OR START WORK DATE 2/27/2001		DHR RQ NUMBER ██████	
HOME ADDRESS (REQUIRED) ██				DATE ISSUED 3/30/2015	DATE EFFECTIVE 4/3/15	DEPT. RQ NO. ██████	
HOME TELEPHONE NUMBER: ██							
TYPE OF APPOINTMENT <input checked="" type="checkbox"/> PERMANENT (PCS) <input type="checkbox"/> EXEMPT-PERM. (PEX) <input type="checkbox"/> TEMPORARY (TCS) <input type="checkbox"/> EXEMPT-TEMP. (TEX) <input type="checkbox"/> PROVISIONAL (TPV) <input type="checkbox"/> RETIREE (REX) <input type="checkbox"/> LIMITED TENURE (TLT) <input type="checkbox"/> NON-CIVIL SERVICE (NCS)		WORK SCHEDULE <input checked="" type="checkbox"/> FULL-TIME <input type="checkbox"/> PART-TIME <input type="checkbox"/> SCHOOL TERM/FULL TIME <input type="checkbox"/> SCHOOL TERM/PART-TIME <input type="checkbox"/> AS NEEDED (Irregular)		IS THE EMPLOYEE SERVING A PROBATIONARY PERIOD AT THE TIME OF SEPARATION?  <input type="checkbox"/> YES    IF YES, SPECIFY TYPE: <input type="checkbox"/> ENTRANCE <input checked="" type="checkbox"/> NO <input type="checkbox"/> PROMOTIVE			
IS THIS A COMPLETE SEPARATION FROM CITY AND COUNTY SERVICE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, RETURNING TO PCS POSITION? <input type="checkbox"/> YES <input type="checkbox"/> NO    DEPT: _____ CLASS: _____				IF ACCEPTING OTHER EMPLOYMENT? <input type="checkbox"/> PROMOTIVE    NEW DEPT.: _____ <input type="checkbox"/> STATUS GRANT    CLASS: _____ STATUS: _____			
<b>1</b> <input type="checkbox"/> REASSIGNMENT						<b>5</b> <input checked="" type="checkbox"/> TERMINATION <input type="checkbox"/> RELEASE FR APPOINTMENT <input type="checkbox"/> REACHED LEGAL LIMIT (LLT) <input type="checkbox"/> SETTLEMENT AGREEMENT (RZA) <input type="checkbox"/> RELEASE OF NCS, TPV, EX (RLS)  <input type="checkbox"/> RELEASE FR PROBATION <input type="checkbox"/> DISCIPLINARY (RFC) <input type="checkbox"/> NON-DISCIPLINARY (RFP) <input checked="" type="checkbox"/> DISMISSAL OF A PCS (DPE) <input type="checkbox"/> DISMISSAL OF A TLT (TLT) <input type="checkbox"/> TERMINATED FOR CAUSE (TFC) (TPV, NCS, AND EXEMPTS ONLY) <input type="checkbox"/> DEATH OF AN EMPLOYEE (DEA) <input type="checkbox"/> AUTOMATIC RESIGNATION (ARS) <input type="checkbox"/> NEVER REPORTED TO WORK (DSH) <input type="checkbox"/> OTHER (Specify) _____	
NEW REQUISITION DEPT REQ NBR    DHR REQ NBR    DEPT    CLASS    WORK SCHED							
<b>2</b> <input type="checkbox"/> LEAVE/SUSPENSION OVER 5 DAYS <input type="checkbox"/> MILITARY LEAVE(ATTACH ORDERS) <input type="checkbox"/> SUSPENSION <input type="checkbox"/> LESS THEN 180 DAYS <input type="checkbox"/> OTHER - SPECIFY _____ <input type="checkbox"/> MORE THAN 180 DAYS <input type="checkbox"/> UNPAID ADMINISTRATIVE LEAVE				APPROVED DURATION START DATE  END DATE			
<b>3</b> <input type="checkbox"/> RESIGNATION <input type="checkbox"/> SATISFACTORY SERVICES (TER: RSS) <input type="checkbox"/> UNSATISFACTORY SERVICES (TER: RUS)		BY THE APPOINTEE: I HEREBY FREELY AND VOLUNTARILY RESIGN FROM THE ABOVE POSITION. I REQUEST APPROVAL OF THIS RESIGNATION AS OF THE EFFECTIVE DATE WITH THE FULL UNDERSTANDING THAT ONCE APPROVED, I MAY ACQUIRE ANOTHER POSITION IN THIS CLASS ONLY AS PROVIDED IN THE RULES OF THE CIVIL SERVICE COMMISSION (SEE EMPLOYEE COPY AND CSC RULES 114 119)  SIGNATURE _____ DATE _____				<b>6</b> <input type="checkbox"/> TRANSFER <input type="checkbox"/> ADMIN (ADM) <input type="checkbox"/> LIMITED TERM (LTT) <input type="checkbox"/> EE REQUEST (EER) <input type="checkbox"/> FUNCTION (TOP)	
<b>4</b> <input type="checkbox"/> LAY-OFF <input type="checkbox"/> INVOLUNTARY LEAVE (PCS_LIL) <input type="checkbox"/> INVOLUNTARY LAY-OFF (PCS_LIO) <input type="checkbox"/> VOLUNTARY LAY-OFF (PCS_LVO) <input type="checkbox"/> ELECTIVE INVOLUNTARY LVE (PCS_EIL) <input type="checkbox"/> PV / EX ONLY <input type="checkbox"/> INVOL. (NH) <input type="checkbox"/> VOL. (NHV)		REASON <input type="checkbox"/> LACK OF WORK <input type="checkbox"/> LACK OF FUNDS <input type="checkbox"/> A.S.O. <input type="checkbox"/> OTHER <input type="checkbox"/> DISPLACED <input type="checkbox"/> RETRENCHMENT <input type="checkbox"/> BY ELIG. <input type="checkbox"/> BY HOLOVER		METHOD <input type="checkbox"/> HAND DELIVERED <input type="checkbox"/> CERTIFIED MAIL  <input type="checkbox"/> RETRENCHMENT		BY THE APPOINTEE: I ACKNOWLEDGE RECEIPT OF THE EMPLOYEE LAYOFF INFORMATION DOCUMENT.  SIGNATURE _____ DATE _____	
APPOINTING OFFICER SIGNATURE  TELEPHONE NUMBER 701-5050		DHR USE ACTION PENDING: <input type="checkbox"/> YES <input type="checkbox"/> NO ANALYST: _____ DATE: _____					
NAME/TITLE DONALD E. ELLISON, DIRECTOR, HUMAN RESOURCES							
DEPARTMENT NO 68		DEPARTMENT NAME Municipal Transportation Agency		PERSONNEL FILE FORWARDED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		FORWARDED TO: DEPT: _____ CONTACT: _____	
DHR 1-87 (REV. 05/17/2004)							

**CHARLES A. ASKIN**

31 LOMA VISTA  
WALNUT CREEK, CA 94597

(925) 934-1929  
FAX (925) 472-0408

MAY 1 2015 9:01

May 1, 2015

Cynthia Hamada, Sr. Personnel Analyst  
SF Municipal Transportation Agency  
1 South Van Ness Ave., 6<sup>th</sup> Floor  
San Francisco, CA 94103

Andrew Simmons, Exec. Vice-President  
Transport Workers Union, Local 250-A  
1508 Fillmore Street, Suite 211  
San Francisco, CA 94115

Re: SFMTA and TWU Local 250-A (Victoria Bellone dismissal)  
(Grievance [REDACTED])

Dear Colleagues,

This letter constitutes the Hearing Officer's Step 3 Opinion and Award concerning the above grievance, which was heard before the undersigned on April 29, 2015.

*Issue:* Did the Agency have just cause to dismiss Victoria Bellone (Grievant); and if not, what is the appropriate remedy?

Pertinent Facts

This controversy involves the Agency's decision to dismiss Grievant based on its allegations of Excessive Absenteeism and Pattern Absenteeism for the period from October 26, 2014 through February 2, 2015. The pertinent facts are summarized below.

Grievant has been employed as a 9163 Transit Operator. Prior to the subject dismissal action, the Agency counseled and disciplined Grievant on multiple occasions in the two years before this controversy. Specifically, the evidence shows that, after a conference was held with Grievant on February 5, 2013 about her absenteeism, the Agency took the following previous disciplinary actions for Absenteeism and Pattern Absenteeism:

April 7, 2013	Written Warning	38 absences in preceding year
October 13, 2013	One-day suspension	58 absences in preceding 14 months
May 15, 2014	Two-day suspension	47 absences in preceding 8 months
August 27, 2014	Five-day suspension	15 absences in in 3 preceding months

Shortly after her five-day suspension, Grievant submitted a request for FMLA leave for two months (from September 17 through November 16, 2014) for a surgical procedure. Her FMLA request was

[REDACTED]



There were 15 workweeks from October 26-November 1, 2014 through February 1-7, 2015. In those 15 weeks, Grievant had at least one absence in 13 of the weeks (the exceptions were the two weeks of November 9-16 and November 16-22). She had 13 separate occurrences of absences totaling 18 work days. Six of the absences were on Sunday, the first scheduled work day after her regular days off (Saturday and Sunday), and another 2 absences were on New Year's Eve and New Year's Day. On 13 those days, Grievant obtained a medical slip from her health care provider stating that she was being placed "off work" on those days. A summary of these absences, including those addressed in a medical slip, is set forth below.

<i>Oct. 26, 2014</i>	<i>1 day</i>	<i>No medical slip</i>
<i>Nov. 2-3, 2014</i>	<i>2 days</i>	<i>Medical slip (for both days)</i>
<i>Nov. 23, 2013</i>	<i>1 day</i>	<i>Medical slip absence due to infection)</i>
<i>Dec. 2, 2014</i>	<i>1 day</i>	<i>Medical slip (missed work due for medical appointment)</i>
<i>Dec. 11, 2014</i>	<i>1 day</i>	<i>Medical slip (for medical appointment &amp; treatment)</i>
<i>Dec. 14, 2014</i>	<i>1 day</i>	<i>Medical slip (for medical appointment &amp; treatment)</i>
<i>Dec. 23, 2014</i>	<i>1 day</i>	<i>No medical slip</i>
<i>Dec. 31-January 1</i>	<i>2 days</i>	<i>Medical slip (for "issues...over the holiday")</i>
<i>January 6, 2015</i>	<i>1 day</i>	<i>No medical slip</i>
<i>January 11-12-13</i>	<i>3 days</i>	<i>Medical slip (emergency appointment for pain &amp; aches)</i>
<i>January 21-22, 2015</i>	<i>2 days</i>	<i>Medical slip (pain due to infection)</i>
<i>January 25, 2015</i>	<i>1 day</i>	<i>No medical slip</i>
<i>February 2, 2015</i>	<i>1 day</i>	<i>No medical slip</i>

The Union asserts that San Francisco Civil Service Rules provide that absences due to a verified illness or because of a medical appointment are not subject to attendance policies or discipline; a single-page document was presented in support of its contention. The Agency did not respond to this contention, other than to claim that the medical slips referenced above were not submitted until Step 2 of the grievance procedure. Apart from the above absences that were addressed by medical slips, Grievant was absent from scheduled work on five separate dates without any medical verification of an illness or appointment. No evidence was presented regarding the reason(s) for any of those five absences between October 26 and February 2.

During the period at issue, Grievant had exhausted her sick leave entitlement; thus, all of the above absences were in addition to prior excused absences such as sick leave and FMLA (and in addition to the previous excessive absences cited in the four previous disciplinary actions). At the Investigative Conference

[REDACTED] No further information (besides the medical slips) was provided at the Step 3 hearing.

Opinion

In determining whether an employer has just cause to impose discipline, it is generally necessary to consider two separate issues. The Agency must first establish that an employee committed a disciplinary offense, i.e. a violation of a valid work rule. Assuming that a violation of a valid rule is established, the Agency must then persuade that the selected penalty is reasonably related to the seriousness of the proven offense in all of the circumstances of the case.

Grievant is charged with Excessive Absenteeism. The evidence shows that, upon returning from a month-long approved leave for surgery, Grievant incurred five separate absences that were not verified as caused by illness or a medical appointment – or otherwise explained. Five unexcused (and unexplained)

absences in less than four months, at a time when Grievant had exhausted her earned sick leave entitlement and following four successful disciplinary actions for excessive absenteeism, constitutes a separate offense of excessive absenteeism. Since this latest proven offense of excessive absenteeism occurred shortly after four prior steps of progressive discipline – a written warning, a 1-day suspension, a 2-day suspension, and a 5-day suspension – for the same offense, it seems clear that the application of progressive discipline did not achieve its intended purpose of persuading Grievant to correct her deficient attendance record and, therefore that the final penalty of dismissal was warranted in the particular circumstances of this case.

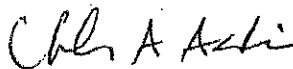
Grievant and the Union presented two primary arguments in support of its request that the grievance be sustained. Grievant contended initially during the hearing that the Agency denied her request for FMLA leave when she requested such leave in September, 2014 for [REDACTED]. However, as noted above, this claim is not accurate. The evidence shows that, in response to Grievant's request (with the required medical documentation) the Agency approved her request for FMLA leave; that she was on approved FMLA leave from September 17 through October [REDACTED] and that her absence during that period was not cited or relied upon in support of the subject allegation of Excessive Absenteeism.

In addition, the Union argued that the Agency relied, improperly, upon 13 absences that should have been counted as "excused" absences because Grievant obtained, and presented, medical verification that those absences were illness-based, or due to medical appointments on those dates. Since the Agency did not directly respond to the merits of this claim, there is insufficient evidence in this record for the Hearing Officer to rule on the validity of the Union's claim in this regard.<sup>1</sup> Accordingly, in reaching the decision in this case, the Hearing Officer has not considered the evidence of Grievant's 13 absences that were the subject of medical slips in the particular circumstances of this record.

As noted above, the five unexcused and unexplained absences that Grievant incurred in less than 15 weeks – October 26, December 23, January 6, January 25, and February 2 – that were *not* verified by a doctor or medical care provider, in the context of her prior attendance record and exhaustion of her sick leave balance, constitutes adequate evidence and proof that Grievant incurred excessive absences during the period from October 26, 2014 through February 2, 2015, as alleged. Since the four prior steps of progressive discipline imposed for this same offense failed to correct Grievant's attendance, it is concluded that there is just cause for this dismissal based on the specific facts of this case.

Award

There was just cause for the dismissal of Grievant. The grievance is denied.



Charles A. Askin, Step 3 Hearing Officer

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<sup>1</sup> The Agency's argument that the medical slips should not be considered because they were not submitted until Step 2 of the grievance procedure is without merit. First, it seems clear from the documents that they were obtained in a timely manner from Kaiser, Grievant's health care provider, i.e. on or about the dates of the absences in question, and she asserts that they were submitted in a timely manner. Moreover, in determining the merits of a case, the Agency has an obligation to consider (and investigate, if necessary) an employee's defense, raised in the grievance procedure, in response to the allegations against her. If it was raised at Step 2, this defense was presented properly then.

# **EXHIBIT 8**

**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES**

**APPOINTMENT PROCESSING**

Directions: This form must be completed for ALL hires. An electronic copy of this form must be sent as an email attachment to the Department of Human Resources Referral Unit: [DHR-Referral@sfgov.org](mailto:DHR-Referral@sfgov.org)

NAME (LAST, FIRST, MI) BELLONE, VICTORIA E		UNION CODE TWU 250A	DATE ISSUED 11/3/2016	DHR USE ONLY AP 020376
HOME ADDRESS [REDACTED]		DATE OF BIRTH [REDACTED]		SOCIAL SECURITY NO. [REDACTED]
HOME PHONE [REDACTED]		JOB CODE 9163	JOB TITLE TRANSIT OPERATOR	
TYPE OF APPOINTMENT <input checked="" type="checkbox"/> PERMANENT <input type="checkbox"/> NON-CIVIL SVC <input type="checkbox"/> CERTIFIED TEMP (TCS) <input type="checkbox"/> EXEMPT-PERM <input type="checkbox"/> PROVISIONAL <input type="checkbox"/> EXEMPT-TEMP <input type="checkbox"/> LIMITED TENURE <input type="checkbox"/> EXEMPT-RETIREE		WORK SCHEDULE <input type="checkbox"/> AS NEEDED/SEASONAL <input checked="" type="checkbox"/> FULL-TIME <input type="checkbox"/> PART-TIME 20 OR MORE <input type="checkbox"/> PART-TIME LESS THAN 20 <input type="checkbox"/> SCHOOL TERM PART-TIME <input type="checkbox"/> SCHOOL TERM FULL-TIME		LIST ID/LIST NO. [REDACTED]
EMPLOYMENT TYPE: Check all that apply <input type="checkbox"/> PROMOTIVE <input type="checkbox"/> STATUS GRANT <input type="checkbox"/> TRANSFER <input type="checkbox"/> FLEX STAFFING <input type="checkbox"/> ADDITIONAL EMPLOYMENT <input checked="" type="checkbox"/> OTHER: <b>REHIRE</b>		DEPT. NO./ABBREV. 68 / MTA		DEPARTMENT NAME SF Municipal Transportation Agency

START WORK DATE 11/7/2016	GENDER CODE F	RACE/ETHNICITY CODE [REDACTED]	SF RESIDENT <input type="checkbox"/> YES <input type="checkbox"/> NO	CERTIFICATION/REFERRAL 9/30/2016
IS THIS PERSON NOW EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, CURRENT APPOINTMENT <input type="checkbox"/> PERMANENT <input type="checkbox"/> NON-CIVIL SERVICE <input type="checkbox"/> CERTIFIED TEMP (TCS) <input type="checkbox"/> EXEMPT-PERM <input type="checkbox"/> PROVISIONAL <input type="checkbox"/> EXEMPT-TEMP		IF NOT A CURRENT CITY EMPLOYEE, HAS EMPLOYEE WORKED PREVIOUSLY AT CCSF? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
JOB CODE 9163	DEPT. NO./ABBREV. 68/MTA	DEPARTMENT NAME Transit Operator	JOB CODE 9163	STATUS PCS/FT
			FROM 4/30/2001	TO 4/3/2015

**DISASTER SERVICE WORKER IDENTIFICATION CARD INFORMATION:**

ISSUE DISASTER SERVICE WORKER ID CARD?     YES     NO

EMPLOYEE WORK LOCATION FOR ID CARD    San Francisco

ACCESS LEVELS FOR ALL EMPLOYEES WILL DEFAULT TO LEVEL 3-GREEN. YOU MUST OBTAIN APPROVAL FROM THE OFFICE OF EMERGENCY SERVICES (OES) FOR AN ACCESS CHANGE.

USE DEFAULT ACCESS LEVEL 3-GREEN  
 REQUEST FOR ACCESS CHANGE (HOLD ID CARD)

APPOINTING OFFICER: SIGNATURE/TITLE Katherine (Kathy) Fowles Kathy Fowles, Employee Services Manager	DATE 10/16/2016	APPOINTEE SIGNATURE [REDACTED]	DATE 11/4/2016
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**APPOINTMENT PROCESSING: GO ONLY TO THE STEPS CHECKED AS REQUIRED. YOU MUST DO THEM IN THE ORDER LISTED.**

STEP	REQUIRED	NOT REQUIRED	AGENCY USE
1.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	REPORT TO CURRENT OR FORMER DEPARTMENT
2.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MEDICAL EXAM:    DATE: 8/1/2016    TIME: _____    SFGH Completed
3.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FINGERPRINTING:    DATE: 10/13/2016    TIME: _____    MTA Completed
4.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RETIREMENT SYSTEM:    1145 MARKET STREET, FIFTH FLOOR    1 South Van Ness 4 <sup>th</sup> Floor    [Signature] 11/4/2016
5.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	HEALTH SERVICE SYSTEM:    1145 MARKET STREET, THIRD FLOOR    [Signature] 11/4/16
6.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RETURN THIS FORM TO YOUR NEW DEPARTMENT    CW

**DHR USE ONLY**

CW SEN _____	CW DEPT NO 68	DEPT SEN _____	VALIDATION DATE _____ INITIALS _____	DISTRIBUTION: <input type="checkbox"/> HIRING DEPT (ORIGINAL) <input type="checkbox"/> EMPLOYEE DHR 8-12c (Rev. 6/13/06)
DATE _____	INITIALS _____			

\\9163 TRANSIT OPERATOR\2016 TRAINING CLASSES\Processing forms\1 - APPOINTMENT PROCESSING FORM.doc

# EXHIBIT 9



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Helnicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

October 12, 2018

Victoria Bellone

RE: NOTICE OF PLACEMENT ON PAID ADMINISTRATIVE LEAVE  
Transit Operator, Job Code 9163

Dear Ms. Bellone:

Pursuant to San Francisco Administrative Code Section 16.17(a), the department is hereby placing you on paid administrative leave effective October 9, 2018 pending completion of an investigation related to an incident that occurred on June 20, 2018. The leave is subject to a maximum of thirty (30) calendar days, unless the Department seeks to extend the leave consistent with Administrative Code Section 16.17(d). A copy of Administrative Code Section 16.17 is attached to this letter. The Department may end the administrative leave at any time.

Please turn in your employee ID, keys, and other City property to Debra Reese, Manager - Potrero. You are not to return to the worksite until instructed to do so by Ms. Reese.

During the period of your leave, you must be available to participate in the Department's investigation. In addition during your leave, you are required to telephone Ms. Reese every work day at 415.646.2499. The Department considers this matter and its investigation confidential and you are directed not to discuss either with anyone other than your union representative or attorney. Failure to comply with these terms may lead to discipline, up to and including termination, in addition to any discipline that may subsequently result from your conduct that is the subject of the Department's investigation.

In order to contact you, please confirm your telephone number with SFMTA. The current number in our files is 707.551.1120.

Should you have any questions regarding this matter, please contact Cherylynn Norona, Employee and Labor Relations at 415.646.2896.

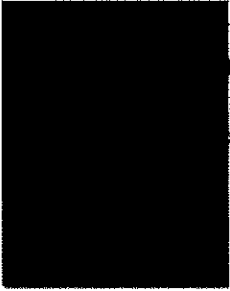
Sincerely,

  
Donald E. Ellison  
Director of Human Resources & Payroll

Enclosure: Section 16.17. Paid Administrative Leave



cc:



Transit Operations  
Operations  
ro Division  
strero Division  
yee & Labor Relations  
roll, HR

**SEC. 16.17. PAID ADMINISTRATIVE LEAVE.**

(a) Appointing Officers, as defined in Administrative Code Section 2A.30, in the City and County of San Francisco are authorized, but not required, to place any City employee in their department on paid administrative leave under the following circumstances:

(1) When the City has initiated an investigation relating to an employee's conduct, and the Appointing Officer determines that the employee should be placed on leave during some or all of the investigation in order to protect the legitimate interests of the City, including but not limited to, potential interference with the effectiveness of the investigation, or potential harm to employees, to the public interest or to the operation of the City, for a period of time beginning not earlier than the start of the investigation and ending not later than the date the investigation is completed, subject to a maximum of thirty (30) calendar days;

(2) When the City requires an employee to submit to drug and/or alcohol testing pursuant to the terms of a City or departmental policy, a Memorandum of Understanding between the City and a recognized employee organization, or local, state or federal law, for the period of time between the date the City directs the employee to submit to such testing until the employee refuses such testing or the testing is completed and the City is advised of the results of the testing, subject to a maximum of thirty (30) calendar days;

(3) When the City medically removes an employee pursuant to standards set forth by the California Occupational Safety and Health Administration in Title 8 of the California Code of Regulations;

(4) When the City requires an employee to undergo a fitness for duty examination pursuant to Civil Service Rules 116, 216, 316, 416, or any similar successor rules, for up to the period of time from the date the City directs the employee to undergo a fitness for duty examination until: (i) the date the examination is completed and the City is notified by the examining physician whether the employee is fit for duty; or (ii) the date the employee refuses examination. Paid administrative leave under this subsection is subject to a maximum of thirty (30) calendar days. In the event that the examining physician does not notify the City that the employee is fit for duty on the day of the examination, the Appointing Officer shall place the employee on compulsory sick leave pursuant to the Civil Service Rules starting on the business day following the examination. Should the examining physician thereafter declare the employee fit for duty, the City shall restore any sick leave deducted between the date of the examination and the date the City is so notified or, in the event the employee has no accrued sick leave, any lost compensation for the same period.

(b) While an employee is on paid administrative leave the employee shall receive the compensation he or she would have earned if the employee had worked during the same period, without the inclusion of overtime earnings or special pay.

(c) The Appointing Officer shall have the discretion to remove an employee from paid administrative leave at any time during the period of paid administrative leave.

(d) Subject to the prior written approval of the Director of the Department of Human Resources, the Appointing Officer may extend paid administrative leave one (1) time consistent with this Section for no more than an additional thirty (30) calendar days. For Service Critical Employees employed by the Municipal Transportation Agency, the Director of the Municipal Transportation Agency may extend paid administrative leave one (1) time consistent with this Section for no more than an additional thirty (30) calendar days. Under no circumstances may an employee be on paid administrative leave for more than sixty (60) calendar days relating to the same incident.

(e) The City's ability to place employees on paid administrative leave under this section is in addition to, not in lieu of, its right to place employees on unpaid administrative leave under Charter Section A8.341, or any similar successor Charter Section. The City may elect to place an employee on paid or unpaid administrative leave as permitted under this Section or under Charter Section A8.341. Further, the City may place an employee on paid administrative leave either before or after the employee is placed on unpaid administrative leave.

(f) Nothing herein shall limit or prohibit compliance with the regulations of the California Occupational Safety and Health Administration in Title 8 of the California Code of Regulations.

(Added by Ord. 174-11, File No. 110622, App. 9/12/2011, Eff. 10/12/2011)





London Breed, Mayor

Cheryl Brinkman, Chairman; Malcolm Heinicke, Vice Chairman; Gwyneth Borden, Director; Lee Hsu, Director; Cristina Rubke, Director; Art Torres, Director

Edward D. Reiskin, Director of Transportation

October 24, 2018

Skelly Letter

Victoria Bellone ID# [redacted]
9163 Transit Operator

SUBJECT: Proposed Disciplinary Action – Insubordination / Dismissal

Dear Ms. Bellone:

This is to advise you that I am recommending that you be Dismissed from your position as 9163 - Transit Operator.

The Facts Upon Which These Charges Are Based:

On Wednesday June 20, 2018 at approximately 12:30 pm, Victoria Bellone ID # [redacted] and [redacted] came into Potrero's dispatch office, where Victoria Bellone began yelling, using profanity, calling the 2nd desk Dispatcher "bitches"... making repeatedly threatening remarks of "You don't want my husband to come down here". While this incident was occurring, Operator [redacted] was seen on the Division video camera, recording the incident. Operator Bellone appeared to be posturing in a confrontational and intimidating manner. Bellone's screams could be heard throughout the Division offices (please see attached witness statements). It appeared that Operator Bellone became angry when the second desk 2nd Desk Dispatcher referred to her by Cap ID, instead of her name.

On Tuesday August 7, 2018, at approximately 10:13 am. Operator Bellone arrived at Kirkland Division accompanied by Operator [redacted] who attempted to park her vehicle in the Division's parking area, advising the security guard that a Potrero Division Manager had given her permission to park in the yard, a statement that was incorrect. Both the Security Guard, Lead Mechanic, and Management Staff at the site, noted that her behavior was confrontational, hostile, and disrespectful. Therefore, they felt compelled for the safety of other employees to contact the San Francisco Police Department.

At that same time, Operator Bellone was yelling from her car about the unfair treatment, and she "did not care who we called". Three Police Units arrived at Kirkland. They convinced Operator [redacted] and Bellone to leave the premises. However, Operator Bellone was noted speeding through the bus yard, where "screeching tire sounds" could be heard as she drove off the property.



You are Hereby Charged with Violating the Following Rules of the San Francisco Municipal Railway Rules and Instruction Handbook:

**Rule 2 General Rules**

**Rule 2.1.3 All employees will be held accountable for compliance with all rules in the San Francisco Municipal Railway Rules and Instructions Handbook**

**Rule 2.1.5 Violation of any rule in this Rules and Instructions Handbook is sufficient cause for disciplinary action up to and including dismissal**

**Rule 2.8.1 Polite, respectful behavior is required to all employees in their dealings with the public, their subordinates and each other.**

**Rule 2.8.2 Boisterous, profane or vulgar language is forbidden.**

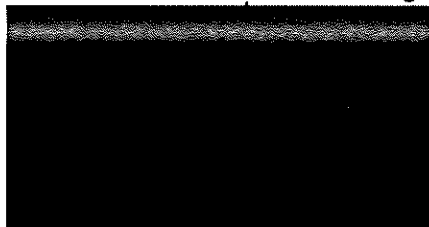
**Rule 2.13.1 Violation of any of the following rules will be sufficient cause for charges for disciplinary action involving suspension or if appropriate dismissal.**

**Rule 2.13- E Insubordination**

**Rule 2.13- F Discourteous treatment of the public or other employees of the SF MUNI Railway.**

**Material Upon Which Charges Are Based**

- Witness statements from the following:



er, Potrero  
er, Potrero  
stant, Potrero  
staff, Potrero  
ger, Kirkland  
kland

- Video clippings of June 20, 2018



**Prior History**

- Previously terminated

**Right of Response:**

You have the right to provide a response to this recommended action. Your response may be written or oral. A hearing is scheduled for **Wednesday, October 31, 2018 at 11:00 AM** at 2500 Mariposa Street, Rm. 204 in the Superintendent's Office. This stage of the process is your opportunity to respond to the charges and recommended action.

You are entitled to bring a Representative of your choosing with you to the hearing. Your Union Representative is Elias Jorge, and he can be reached at 415-554-9273.

If you choose to respond in writing, your written response must be directed to Debra Reese

Sincerely,

A handwritten signature in cursive script that reads "Debra Reese".

Debra Reese  
Manager IV of Operations

Cc: Operator's file, Labor, Union

Reese, Debra

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**From:** Reese, Debra  
**Sent:** Friday, July 13, 2018 1:44 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Insubornation / Unprofessional Behavior Operator Victoria Bellone [REDACTED]

<b>Tracking:</b>	<b>Recipient</b> [REDACTED]	<b>Delivery</b> Delivered: 7/13/2018 1:44 PM Delivered: 7/13/2018 1:44 PM Delivered: 7/13/2018 1:44 PM Delivered: 7/13/2018 1:44 PM
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On Wednesday June 20, 2018, at about 12:30 pm, Operator Victoria Bellone ID [REDACTED], approached the dispatcher on the 2<sup>nd</sup> desk, [REDACTED] and starting yelling and cursing at him....calling him *bitches*, with *confrontational posturing*. Her tirade was so extensive it was overheard by the entire staff. The Lead Detailer...[REDACTED] tried to calm her down, but had to ask the Assistant Manager to step in and handle the situation. She continued to call [REDACTED]...bitches and threaten that "he didn't want her husband to come down here". Her reasons as stated by those within the office, was that Dispatcher [REDACTED]....referred to her by her Cap ID. Operator Bellone, used profanity, posturing in an aggressive manner, and threaten the dispatcher who is her Supervisor; therefore, insubornation cannot be ruled out.

Unfortunately, I was out of the office when this occurred; however, her behavior is unacceptable therefore, I will be submitting a Skelly Letter, with the Intent to Dismiss.

**Debra Reese**  
Manager IV  
Potrero Division



Office 415 554-9265  
Mobile 415 265-2490

Re: INCIDENT WITH OPERATOR CAP ID [REDACTED]

[REDACTED]  
Mon 7/2/2018 3:11 PM

Sent Items

To: Reese, Debra <[REDACTED]>

TO MRS. REESE: I HAD AN INCIDENT WITH OPERATOR [REDACTED] BELLONE, VICTORIA. IT HAD STARTED IN THE MORNING WHEN THE LEAD DISPATCHER HAD NOTICIED THAT THE OPERATOR WAS ASSIGNED TO [REDACTED] (BY LEAD DISPATCHER ON TUESDAY 6/19/18). THE LEAD DISPATCHER HAD NOTICED THAT A SICK TAG FOR THE OPERATOR WAS STILL INSIDE THE CLIPBOARD. I HAD CALLED THE OPERATOR TWO TIMES IN THE MORNING ON WHEN THEY HAD FINISHED THEIR E-RETURN. DURING THE FIRST PHONE CALL WITH THE OPERATOR WAS TO ASKED WHEN DID THEY FIRST CLEARED FOR RETURN FOR WORK AND WHO DID THEY TALKED TO WHILE GOING THROUGH THE E-RETURN PROCESS. THE OPERATOR HAD STATED THAT THEY HAD WENT TO THE TRAINING DEPARTMENT. I HAD ASKED "DID YOU TALKED WITH THE SUPERINTENDENT?" DURING THE CLEARING PROCESS WITH THE E-RETURN PROCESS. THE OPERATOR HAD ANSWERED "NO". THE SECOND PHONE CALLED TO THE OPERATOR WAS TO REGARDING THE CORRECT PROCESS FOR E-RETURN AMONG THE FINAL STEPS FOR CLEARING. I HAD ASKED THE OPERATOR TO SEE THE ASSISTANT SUPERINTENDENT BEFORE THE START OF THEIR [REDACTED] START TIME 3:57PM ON THE 22 LINE). THE OPERATOR HAD SHOWN UP BEFORE THE SHIFT AND STARTED YELLING AT THE DISPATCHER IN A CONFRONTATION MANNER AND YELLING/CURSING INSIDE THE DISPATCHER OFFICE WITH OPERATOR [REDACTED] "BITCHES", "WHY DURING THE TWO PHONE CALLS WITH THEM, WHY DID I ONLY CALL THEM BY ID# ONLY AND NOT BY NAME?" AND IN THE FUTURE, THE OPERATOR WILL NOT ANSWERED MORE PHONE CALL(S) WITH RESTRICTED TELEPHONE NUMBER. THE ASSISTANT SUPERINTENDENT AND THE UNION REP HAD TAKEN THE OPERATOR TO THE RECEIVER ROOM AND TALKED IT OUT. I WAS INSTRUCTED TO PUT THE OPERATOR ON THE SICK BOOK AND TO OPEN UP THEIR RUN.

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From: Reese, Debra

Sent: Monday, July 2, 2018 11:12:45 AM

To: [REDACTED]

Subject: FW: INCIDENT WITH OPERATOR CAP ID [REDACTED]

**Debra Reese**  
Manager IV  
Potrero Division

**Reese, Debra**

**From:** [REDACTED]  
**Sent:** Monday, July 02, 2018 11:09 AM  
**To:** Reese, Debra  
**Subject:** CAP# [REDACTED] VICTORIA BELLONE JUNE 20, 2018 INCIDENT

This is a summary of the incident that occurred on June 20, 2018 around 12:15 – 12:30pm with operator Victoria Bellone cap# [REDACTED].

- I was conducting an investigative conference with an operator and [REDACTED] in my office at about 12:15pm. [REDACTED] open the door from the dispatcher's office to report an operator screaming and yelling at Dispatcher [REDACTED]. I approached the operator immediately and informed her there was no need to be yelling. I asked Victoria and Jorge Elias to step into the Receiver's Office to discuss her concerns. Victoria stated she was upset being called on her cell phone and being referred to as "operator cap# [REDACTED]". She preferred to be addressed by her first name. I informed her this was standard procedure and all operators are addressed the same way. She was instructed not to be yelling and screaming at anyone, especially at her immediate supervisor. She was also informed that both the Union and I are available for her to address her concerns. She stated "my husband worked for muni, was forced out and that you don't my husband here".
- I gave a quick overview of the incident to Mary 06/14/2018 during the meeting at FLYNN for the TP project.

THIS IS DRAFT.

Sincerely,

[REDACTED]

**Reese, Debra**

**From:** [REDACTED]  
**Sent:** Monday, July 02, 2018 11:51 AM  
**To:** Reese, Debra  
**Subject:** Victoria Bellone Incident 6/20/18

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

On Wednesday, June 20, 2018, I was at my desk [REDACTED], around 12:30pm I heard yelling and cursing coming from the Dispatchers office. I could not make out everything that was said, but I did over hear a female yelling about being referred to by her operator number, and she stated that she was a "different kind of bitch". When I got up to look at the security cameras in the superintendent's office, I noticed two females standing over [REDACTED] when I looked in the room I was able to identify Victoria Bellone and [REDACTED]. I was unsure if and how [REDACTED] was involved in the incident although I was able to witness Victoria Bellone standing over [REDACTED] aggressively but was unable to make out what she was saying outside of the previously mentioned statements due to the commotion and other individuals attempting to calm her down. Afterward Mrs, Bellone was removed from the dispatchers office and spoke with [REDACTED] and [REDACTED] privately.

[REDACTED]  
Senior Management Assistant  
Potrero



San Francisco Municipal Transportation Agency  
1 South Van Ness Avenue, 7th floor  
San Francisco, CA 94103

SFMTA.com

Reese, Debra

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**From:** [REDACTED]  
**Sent:** Monday, July 16, 2018 9:01 AM  
**To:** Reese, Debra  
**Subject:** June 20th incident

On Wednesday June 20<sup>th</sup>, 2018, not sure what time of the day it was but operators Victoria Bellone [REDACTED] & [REDACTED] [REDACTED] were in dispatch office. While I was standing in our Assistant Super Intendent office, I heard real loud yelling and a lot of curse words (swearing) being yelled. I looked over to the next room and Victoria Bellone was yelling at [REDACTED], our Dispatch calling him Bitches and telling him not to call her by her Cap ID number. Vince our other Dispatch was telling her to settle down to calm down then Bellone start yelling at him calling him bitches saying "I'm not one of those bitches." "You got the wrong bitch today" I never heard [REDACTED] state anything. I closed the door with myself and Vince and another operator because I couldn't stand to hear all that cursing. It was very disturbing.



Municipal Transportation Agency  
 San Francisco Municipal Railway  
 BUS SERVICE DELIVERY

# INCIDENT/ ACCIDENT REPORT

To: PAUL McCRODY Date: 8.7.18  
 Title: ACTING SUPERINTENDENT  
 From: [REDACTED] Title: LEAD MECHANIC MT

GRAVEY/MS  
 SH/ST

INCIDENT: What? PERSON TRYING TO PARK IN YARD  
 When? 8.7.18 AROUND 2:45 AM.  
 Where? 151 BEACH ST. SF. CA 94133

Item	DESCRIPTION (Provide details and probable cause, if known.)
1	ON AUGUST 7 2018 AROUND 2:45 AM. A
	PERSON (FEMALE) DRIVEN A SUV [REDACTED]
2	COLOR BROWN. CAME INSIDE THE PROPERTY
	WITH INTENTION TO PARK. I APPROACH HER TO
3	LET HER KNOW THAT SHE COULD NOT PARK
	IN THE YARD. SHE GOT IRRITATED ASKING ME
4	WHO I WAS. TO WHICH I RESPONDED THAT
	I WAS THE LEAD PERSON, SUPERVISOR IN CHARGE
5	AT THAT TIME OF THE YARD.
	SHE RESPONDED VERY DISRESPECTFUL STATING
6	THAT I WAS NOBODY TO ASK HER ANYTHING.
	SECURITY GUARD SHOWS UP AND ASKING IF
7	SHE WAS ALLOWED TO PARK IN YARD TO WHICH
	I ADVISE SECURITY GUARD THAT SHE WAS NOT
8	ALLOWED TO PARK IN YARD. I THEN WALK TO
	DISPATCH OFFICE SINCE SHE STATED THAT SHE
9	WAS A DRIVER. AND SHE WAS PARKED AT DRIVER
	SIDE. DISPATCH CALL TIME (TRANSIT MANAGEMENT CENTER AND I LEFT.

SECURITY GUARD CAME TO OUR OFFICE TO INFORM ME  
 THAT THEY CALL POLICE SINCE FEMALE DRIVER COULD NOT  
 PROVIDE IDENTIFICATION OF EMPLOYMENT BY SFRMTA.  
 AND ALSO THAT THEY WERE FILING A REPORT.  
 THIS PERSON HAS BECOME A PROBLEM SINCE  
 SHE IS COMING 2 OR 3 TIMES A WEEK.  
 THIS PERSON HAS 2 DOGS INSIDE HER SUV.  
 WHICH I FEEL INTIMIDATED TO APPROACH HER.

Reese, Debra

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From: [REDACTED]  
Sent: Tuesday, August 07, 2018 6:10 PM  
To: Reese, Debra; [REDACTED]  
Subject: Fwd: Kirkland Incident: [REDACTED] & Victoria Bellone [REDACTED]

Follow Up Flag: Follow up  
Flag Status: Flagged

FYI

Begin forwarded message:

From: [REDACTED]  
Date: August 7, 2018 at 5:55:28 PM PT  
To: [REDACTED]  
C: [REDACTED]  
Subject: Kirkland Incident: [REDACTED] & Victoria Bellone [REDACTED]

Hi Mary,

Below is summary of the incident that occurred at Kirkland this morning:

10:25 am – [REDACTED] (later identified as [REDACTED] – Potrero Operator) enters the dispatch office, and walks into [REDACTED]'s office looking for the Manager. I identified myself as the manager, and asked who she was. She refused to identify herself, stating she was an employee, demanding that I follow her to the yard to address yard employees for a situation in the yard that at the time I wasn't aware of. She was loud, abrasive, and creating a very hostile situation in the office, stating that she was calling the police on us, that she was calling the news media, the NAACP and stated that her union was on the way. I asked her again to identify herself, provide her name, place of employment, and ID badge. She then gave me her name, and stated she was an Operator but refused to furnish her badge or provide her CAP ID#. She continued yelling loudly, demanding that I go outside, at which time that I asked her to please lower her voice so I could get some information from her on what was going on. At this point she threatened to call the police on us again, and I advised her that I would not be going to the yard with her and that I needed her to leave the premises. She then turned around yelling, as she walked out the door, cursing profanities. I then followed behind her to observe the outside situation, but didn't see any commotion. I quickly returned to the office to grab a safety vest so that I could walk the yard, and during this time I also contacted Security, you, and [REDACTED].

I found Ms. [REDACTED] at the far end of the yard on the Powell Street side. I waked to that end of the yard and stood by the parked cars parallel to North Point Street. A lady driving a black Charger, (later identified as Victoria Bellone [REDACTED] – Potrero Transit Operator) was parked perpendicular to the vehicles on the back fence and Ms. [REDACTED] was standing outside of that car speaking to the lady, and speaking on her cell phone [REDACTED] a Car Cleaner, then approached me and asked me who the lady in the car was. I didn't know as I was not able to get a good look at her, and was keeping my distance. He then said that the lady drove into the yard about 15 minutes prior speeding, and driving recklessly. He said that he didn't know her and she was not an Operator from Kirkland. At this time, Maintenance

Manager [REDACTED] walks over to me and informs me that Ms. [REDACTED] had been in his office yelling obscenities. Based on the timing, it sounds like she may have gone to his office either just before or just after leaving Dispatch. At this point, we were waiting for Security to arrive, and an Inspector was also on the way.

Inspector [REDACTED] arrived approximately 10 minutes later, and advised us that he had received orders to pull back a ticket he had issued Ms. [REDACTED] earlier this morning. James went to speak with Ms. [REDACTED] alone, while she was still standing near the lady in the black Charger. Ms. [REDACTED] refused to return the ticket to James, stating that she was not interested and didn't care what he was there to do. She then began yelling, and arguing that she was an employee and was entitled to be here, and park her car in the yard. She then states that she was returning to work today, and had parked in the yard and planned to take the bus to 1 S. Van Ness to meet with Carlos at Return to Work. Ms. [REDACTED] then proceeds to argue with us, and yell at us, stating that we are violating her rights, telling us that she was calling the police on us, the news media, and Ed Reiskin. She then proceeds to walk through the yard, demanding that James issue tickets to every car in the yard, stating that every vehicle was there illegally, and she begins to record each vehicle and license plate walking the entire yard with her cell phone. Ms. [REDACTED] refused to listen when advised she cannot walk the yard without a vest, and with a cell phone in hand. She even enters the active maintenance area to film vehicles parked near there.

Security arrived at approximately 10:57 am. Security Guard [REDACTED] and his partner, received a brief rundown of the situation, and then approached Ms. [REDACTED] to request that she leave the property, advising her that she was trespassing. Ms. [REDACTED] then becomes confrontational with them, challenging who they are and what their authority is. She then begins to taunt them, advising them that not even the SFPD were able to force her to leave the property that morning, and that as contractors they could not tell her what to do. Ms. Bellone then begins to yell toward us from her vehicle, stating that she knew [REDACTED], and didn't care who we called and then speeds out of the yard, toward the Stockton Street entrance. She circles the block and parks her vehicle just outside of the gate on North Point, and then exits her vehicle yelling at us, telling us we have no right to treat them this way. I walked over to her and asked her who she was, and why she was there, to which she begins to yell that we (management) think we can treat Operators any way we want, that we have taken everything away from them and want to keep taking more, that she is there to help her friend, and she knows [REDACTED] very well, and doesn't care who we call. I advised her that she was trespassing, if she did not have legitimate work business at Kirkland, and that this was not an open parking lot. She continued yelling toward us and then turns away. I turned around to see that Security was able to convince Ms. [REDACTED] to leave the yard, and Ms. [REDACTED] then got into her vehicle and drove out of the yard. Ms. Bellone followed behind her, screeching her tires as she did a u-turn in the street and sped away.

Upon further discussion, with [REDACTED], and Security I learned that maintenance experienced issues with Ms. [REDACTED] around 3 am when she first arrived to the yard and attempted to secure a parking space along the back fence, and then again around 6 am. Apparently TMC and SFPD were contacted and dispatched to the yard. Three police units, arrived, but apparently SFPD did not want to get involved once they learned that Ms. [REDACTED] was an employee. It is at this time that [REDACTED] issued her a ticket for trespassing. Upon reviewing yard surveillance video, it appears that Ms. Bellone arrived to the yard at approximately 10:13 am, as she can be seen driving toward the Powell Street fence, from the Stockton Street entrance.

The behavior both of these ladies displayed here today, was extremely uncalled for, and was insubordinate in nature when they elected to continue to yell at, confront, and demand of management and supervisors. Further, their compromised the safety of the yard, vehicles, and other operators. Ms. Bellone was speeding, and driving recklessly through the yard. Ms. [REDACTED] was not wearing proper reflective attire, and using an active cell phone capturing video and making phone calls throughout the

yard, and as she walked between busses. Security has photographs of both ladies, and their vehicles, advised us to contact them immediately if either of these ladies returns to the yard.

[REDACTED] was the Owl Dispatcher, and may have information to share regarding what occurred in the early hours of the morning. We should check in with him to ask him for a report, if he has any knowledge. I will also ask [REDACTED] Yard Starter to complete a report tomorrow morning, if she has any knowledge of or witnessed the events that occurred. And we can pull video to determine who was in the gilley room when Ms. [REDACTED] entered yelling this morning, if you feel it is necessary to obtain any additional witness statements. Please let me know if you need any further information. Thank you.

[REDACTED]

Reese, Debra

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**From:** Travis-Allen, Mary  
**Sent:** Tuesday, August 07, 2018 1:22 PM  
**To:** Reese, Debra  
**Cc:** [REDACTED]  
**Subject:** Re: Insubordination / Unprofessional Behavior Operator Victoria Bellone # [REDACTED]

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

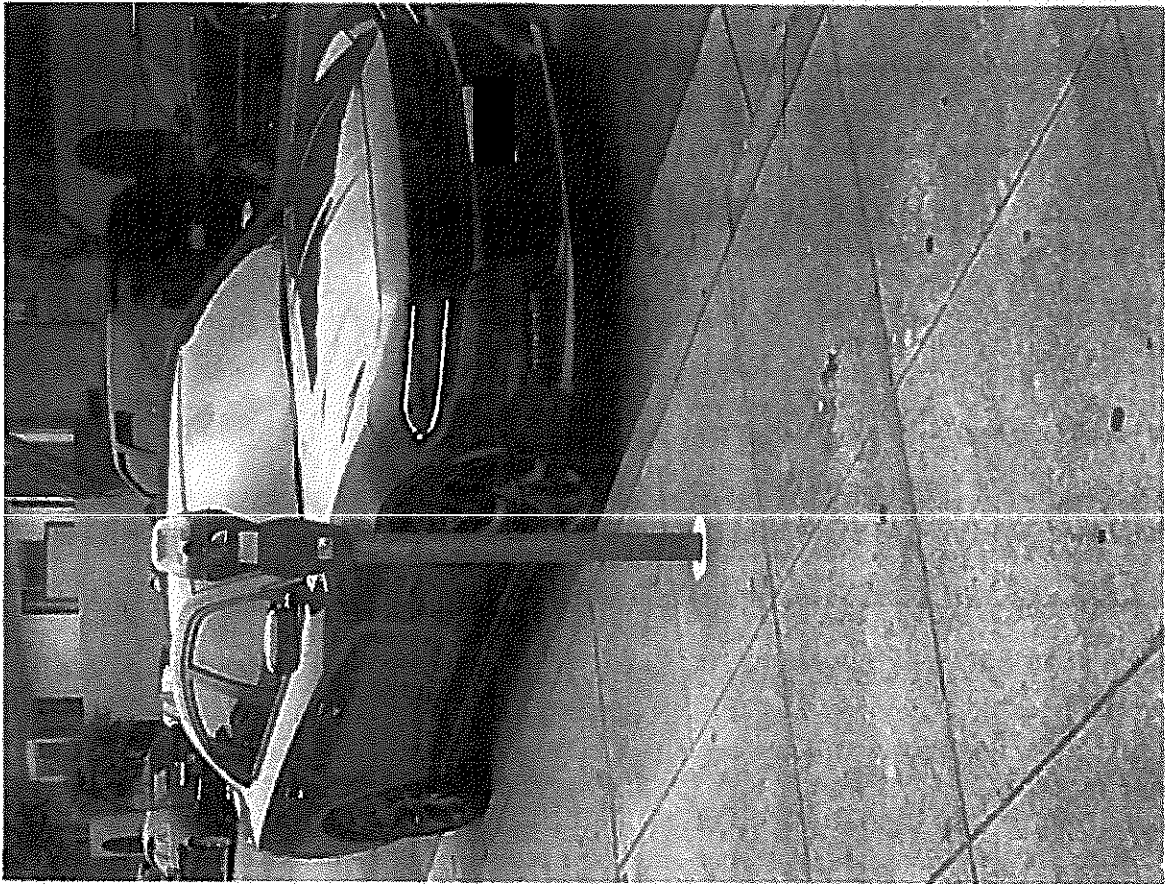
We need to proceed on these two employees and their actions at Kirkland today.

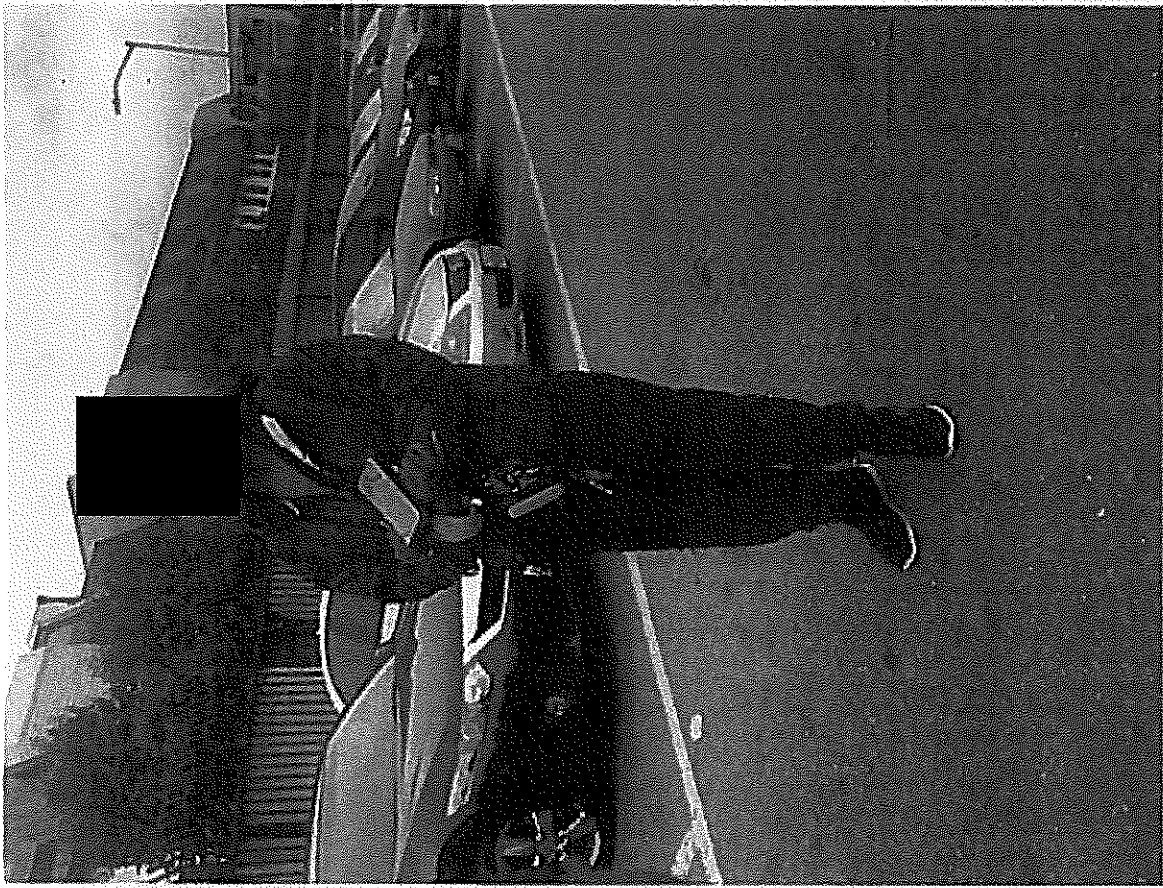
While the concern with Operator [REDACTED] was being conducted, I was informed by [REDACTED] that Operator Bellone was driving recklessly in the Kirkland yard. Her reason for her presence unknown at the time.

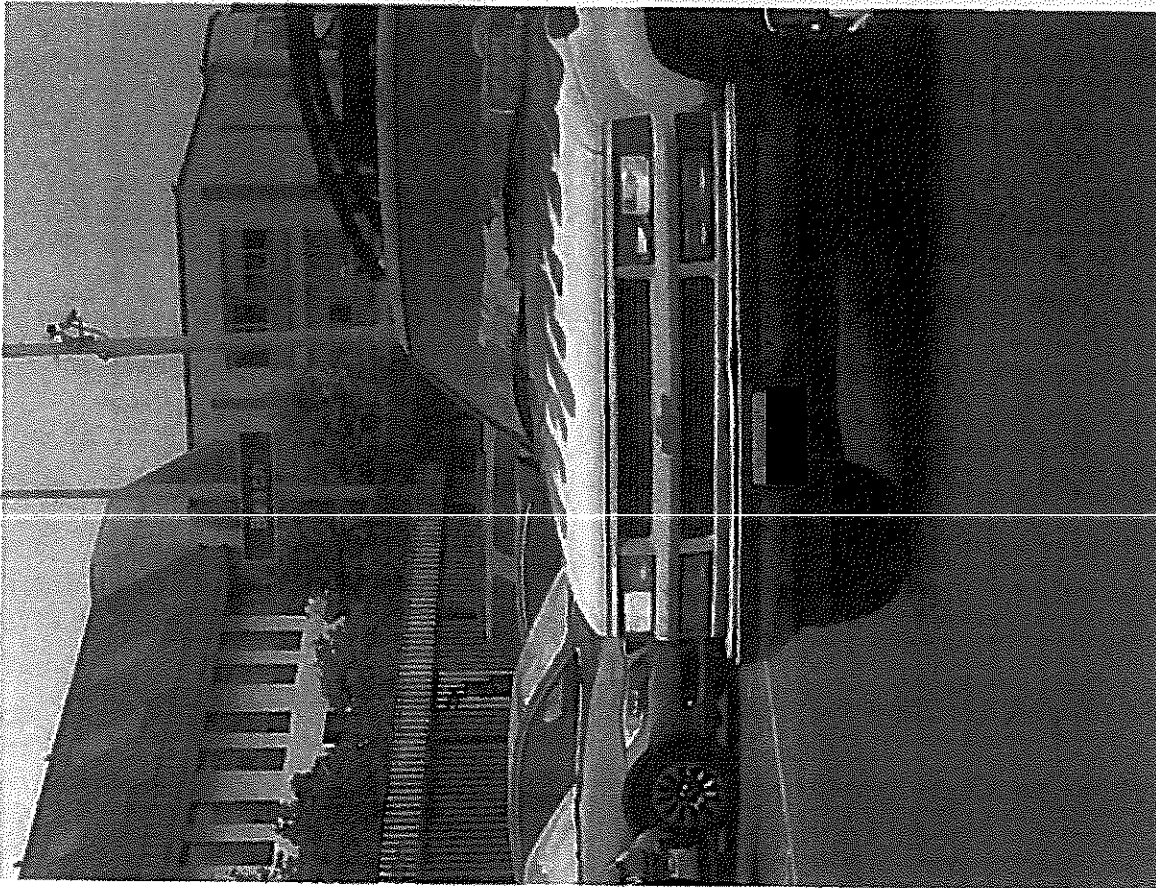
The activity of both these individuals was disruptive to the Division and gave cause to concerns of safety too.

I was provided with photos of the employees and their vehicles. I've asked for the Division employees to provide reports.









Mary

Sent from my iPhone

On Aug 7, 2018, at 1:01 PM, Reese, Debra [REDACTED] wrote:

Brent,

Today [REDACTED] came into [REDACTED] office asking why she can't park at Potrero. I over-heard the conversation and asked her to come into my office. I questioned her and asked "why she told a Supervisor that I gave her permission to park at Kirkland". [REDACTED] denied that she had mention my name. I also asked her to turn her radio down.....she may have been recording; similar to the part she played on June 20, 2018.

While we were talking, Victoria Bellone came in; I didn't know who she was, so I asked.....are you Victoria, she stated yes....I asked her to leave, since she threaten and acted inappropriately a few months ago. Victoria left; however [REDACTED] and I continued to discuss her situation, being on Leave, parking at Kirkland and her part



Municipal Transportation Agency San Francisco Municipal Railway <b>BUS SERVICE DELIVERY</b>	<b>INCIDENT/ ACCIDENT REPORT</b>
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To: Michael Henry	Date: 10-05-18
Title: Superintendent	
From: [REDACTED]	Title: Assistant Supervisor

<b>INCIDENT: What</b>	Unauthorized person on property
<b>When</b>	10-05-18 4:30am
<b>Where</b>	Potrero upper yard

At approximately 4:28am I received a call from the body man stating that there was a driver on the property who previously threatened the dispatch operator. He mentioned we were made aware of two employees not allowed on muni property sometime in August. After making my way to the upper yard I was able to ID the vehicle which matched the description in the email chain.

The SUV with flames on the side was parked with the lights on blocking track 35. Under normal circumstances this is one of the first tracks to pull out in the morning. I immediately called TMC who advised me that as long as the employee was sitting in her car they would not send an inspector. With no cooperation from TMC I called the PD none emergency line who dispatched a unit. I also contacted the security supervisor and OCC who dispatched an inspector from Green Division. OCC kept in contact with me and notified me they were able to contact an operations supervisor at Potrero who would check on the situation [REDACTED]

Before I contacted any supervisors or PD I advised the security to stop engaging the occupant of the vehicle. They seemed to be in a standoff, I later learned this was not their first encounter with each other. I explained to the security, because we can't see into the vehicle or know the mental state of the disgruntled employee its best to let our supervisors handle this potentially dangerous situation. She gladly agreed.

After inspector [REDACTED] arrived I briefed him on the situation. Moments after [REDACTED] arrived and he made copies of an email explaining the two employees were not allowed on muni property. Mr.

■■■■■ approached the vehicle first and engaged in a conversation. As MR. ■■■■■ approached a second passenger got out the vehicle and proceeded to stretch and quickly got back in the vehicle. The Inspectors began to converse with the occupants of the vehicle and I decided to head back to the shop.

Later when the PD arrived I went back upstairs to make sure the connection was made between operation supervisors, security supervisors and the PD.

ID	LASTNAME	FIRSTNAME	Date of Violation	Violations	Violation Comments	Action	Action Comments	Expt 1
█	Bellone	Victoria	24-May-17	Attendance	this is her 10 absence in the past 3 months	Counseling	received a B1 form.	
█	Bellone	Victoria	10-Apr-17	Avoidable	a passenger car was in lane 1 along the side of the coach bellone strike the side of the passenger car	Counseling	1st preventable	
█	Bellone	Victoria	10-Apr-17	Avoidable	a passenger car was in lane 1 along the side of the coach bellone strike the side of the passenger car	Counseling	1st preventable	
█	Bellone	Victoria	06-Feb-17	MISCELLANEOUS	Operator passed up a man holding a cane.	No Merit	No video	





**Reese, Debra**

---

**From:** [REDACTED]  
**Sent:** Monday, June 25, 2018 11:00 AM  
**To:** Reese, Debra  
**Cc:** [REDACTED]  
**Subject:** OPERATOR CAP ID [REDACTED]

TO MRS REESE: OPERATOR CAP [REDACTED] BELLONE, VICTORIA WAS YELLING/CURSING INSIDE THE DISPATCHER OFFICE LAST WEDNESDAY (6/20/18).



Office 415 554-9265  
Mobile 415 265-2490

San Francisco Municipal Transportation Agency  
1 South Van Ness Avenue, 7th floor  
San Francisco, CA 94103



[REDACTED]  
Sent: Thursday, June 21, 2018 1:17 PM

[REDACTED]  
Subject: INCIDENT WITH OPERATOR CAP [REDACTED]

TO MRS. REESE: I HAD AN INCIDENT WITH OPERATOR CAP ID [REDACTED] BELLONE, VICTORIA. IT HAD STARTED IN THE MORNING WHEN THE LEAD DISPATCHER HAD NOTICED THAT THE OPERATOR WAS ASSIGNED TO [REDACTED] BY LEAD DISPATCHER ON TUESDAY 6/19/18). THE LEAD DISPATCHER HAD NOTICED THAT SICK TAG FOR OPERATOR WAS STILL INSIDE THE CLIPBOARD. I HAD CALLED THE OPERATOR TWO TIMES IN THE MORNING ON WHEN THEY HAD FINISHED THEIR E-RETURN. DURING THE FIRST PHONE CALL WITH THE OPERATOR WAS TO ASKED WHEN DID THEY FIRST CLEARED FOR RETURN FOR WORK AND WHO DID THEY TALKED TO WHILE GOING THROUGH THE E-RETURN PROCESS. THE OPERATOR HAD STATED THAT THEY HAD WENT TO THE TRAINING DEPARTMENT. I HAD ASKED "DID YOU TALKED WITH THE SUPERINTENDENT?" DURING THE CLEARING PROCESS WITH E-RETURN. THE OPERATOR HAD ANSWERED "NO". THE SECOND PHONE CALLED TO THE OPERATOR WAS TO REGARDING THE CORRECT PROCESS FOR E-RETURN AMONG THE FINAL STEPS FOR CLEARING. I HAD ASKED THE OPERATOR TO SEE THE ASSISTANT SUPERINTENDENT BEFORE THE START OF THEIR R-449 (START TIME 3:57PM ON THE 22 LINE). THE OPERATOR HAD SHOWN UP BEFORE THE SHIFT AND STARTED YELLING "DURING THE TWO PHONE CALLS WITH THEM, WHY DID I ONLY CALL THEM BY ID # ONLY AND NOT BY NAME?" AND IN THE FUTURE, THE OPERATOR HAD STATED THAT THEY WILL NOT ANSWERED ANY MORE PHONE CALL WITH RESTRICTED TELEPHONE NUMBER. THE ASSISTANT SUPERINTENDENT AND THE UNION REP HAD TAKEN THE OPERATOR TO THE RECEIVER ROOM AND TALKED IT OUT. I WAS INSTRUCTED TO PUT THE OPERATOR ON THE SICK BOOK AND TO OPEN UP THEIR RUN.

Re: INCIDENT WITH OPERATOR CAP ID [REDACTED]

[REDACTED]  
Mon 7/2/2018 3:11 PM

Sent Items

To: Reese, Debra [REDACTED]

TO MRS. REESE: I HAD AN INCIDENT WITH OPERATOR CAP ID [REDACTED] BELLONE, VICTORIA. IT HAD STARTED IN THE MORNING WHEN THE LEAD DISPATCHER HAD NOTICED THAT THE OPERATOR WAS ASSIGNED TO [REDACTED] (BY LEAD DISPATCHER ON TUESDAY 6/19/18). THE LEAD DISPATCHER HAD NOTICED THAT A SICK TAG FOR THE OPERATOR WAS STILL INSIDE THE CLIPBOARD. I HAD CALLED THE OPERATOR TWO TIMES IN THE MORNING ON WHEN THEY HAD FINISHED THEIR E-RETURN. DURING THE FIRST PHONE CALL WITH THE OPERATOR WAS TO ASKED WHEN DID THEY FIRST CLEARED FOR RETURN FOR WORK AND WHO DID THEY TALKED TO WHILE GOING THROUGH THE E-RETURN PROCESS. THE OPERATOR HAD STATED THAT THEY HAD WENT TO THE TRAINING DEPARTMENT. I HAD ASKED "DID YOU TALKED WITH THE SUPERINTENDENT?" DURING THE CLEARING PROCESS WITH THE E-RETURN PROCESS. THE OPERATOR HAD ANSWERED "NO". THE SECOND PHONE CALLED TO THE OPERATOR WAS TO REGARDING THE CORRECT PROCESS FOR E-RETURN AMONG THE FINAL STEPS FOR CLEARING. I HAD ASKED THE OPERATOR TO SEE THE ASSISTANT SUPERINTENDENT BEFORE THE START OF THEIR [REDACTED] (START TIME 3:57PM ON THE 22 LINE). THE OPERATOR HAD SHOWN UP BEFORE THE SHIFT AND STARTED YELLING AT THE DISPATCHER IN A CONFRONTATION MANNER AND YELLING/CURSING INSIDE THE DISPATCHER OFFICE WITH OPERATOR CAP ID [REDACTED] "BITCHES", "WHY DURING THE TWO PHONE CALLS WITH THEM, WHY DID I ONLY CALL THEM BY ID# ONLY AND NOT BY NAME?" AND IN THE FUTURE, THE OPERATOR WILL NOT ANSWERED MORE PHONE CALL(S) WITH RESTRICTED TELEPHONE NUMBER. THE ASSISTANT SUPERINTENDENT AND THE UNION REP HAD TAKEN THE OPERATOR TO THE RECEIVER ROOM AND TALKED IT OUT. I WAS INSTRUCTED TO PUT THE OPERATOR ON THE SICK BOOK AND TO OPEN UP THEIR RUN.

---

From: Reese, Debra

Sent: Monday, July 2, 2018 11:12:45 AM

To: [REDACTED]

Subject: FW: INCIDENT WITH OPERATOR CAP ID [REDACTED]

**Debra Reese**  
Manager IV  
Potrero Division



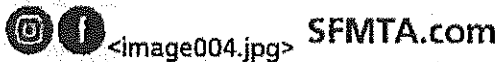
in the incident on June 20, 2018; she acted as if she knew nothing about the incident. She left my office. I saw [REDACTED] and asked him to escort both Operators off the property.

Debra Reese  
Manager IV  
Potrero Division



Office 415 554-9265  
Mobile 415 265-2490

San Francisco Municipal Transportation Agency  
1 South Van Ness Avenue, 7th floor  
San Francisco, CA 94103



From: Reese, Debra  
Sent: Friday, July 13, 2018 1:44 PM

[REDACTED]  
Subject: Insubordination / Unprofessional Behavior Operator Victoria Bellone [REDACTED]

On Wednesday June 20, 2018, at about 12:30 pm, Operator Victoria Bellone ID [REDACTED], approached the dispatcher on the 2<sup>nd</sup> des [REDACTED] and starting yelling and cursing at him....calling him *bitches*, with *confrontational posturing*. Her tirade was so extensive it was overheard by the entire staff. The Lead Detailer.. [REDACTED] tried to calm her down, but had to ask the Assistant Manager to step in and handle the situation. She continued to call [REDACTED] ..bitches and threaten that "he didn't want her husband to come down here". Her reasons as stated by those within the office, was that Dispatcher [REDACTED] ....referred to her by her Cap ID. Operator Bellone, used profanity, posturing in an aggressive manner, and threaten the dispatcher who is her Supervisor; therefore, insubordination cannot be ruled out.



Unfortunately, I was out of the office when this occurred; however, her behavior is unacceptable therefore, I will be submitting a Skelly Letter, with the Intent to Dismiss.

**Debra Reese**  
Manager IV  
Potrero Division



Office 415 554-9265  
Mobile 415 265-2490

San Francisco Municipal Transportation Agency  
1 South Van Ness Avenue, 7th floor  
San Francisco, CA 94103

  [<image004.jpg>](#) [SFMTA.com](http://SFMTA.com)



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Lee Hsu, Director

Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

## Skelly Decision

November 8, 2018

Ms. Victoria Bellone ID# [REDACTED]  
9163 Transit Operator

**SUBJECT: Notice of Recommended Disciplinary Action – Skelly Hearing Officer Decision**

Dear Ms. Bellone:

You received a Skelly letter dated October 24, 2018; proposing that you be Dismissed from your position as a 9163 Transit Operator for your Insubordinate and Unprofessional Behavior.

### Hearing:

A hearing was scheduled on Wednesday October 31, 2018 at 11:00 am; however, it was postpone until 11:00 am on Wednesday November 7, 2018, because you stated “you did not received the certified letter”. The hearing was held on November 7, 2018, at 11:00 am; you were present along with your Union Representative Robert Gainer and myself. We reviewed the video where you were observed entering the dispatch office with Operator [REDACTED] who was depicted filming the incident and you holding up your cell phone in a position where you also appeared to be filming.

We also observed on video and discussed the need for the Assistant Manager and Union Chair to intervene during this episode of unprofessional behavior; which resulted in yelling, using profanity along with making threaten remarks toward the 2<sup>nd</sup> desk dispatcher.

During our interview you stated “I did not use profanity, nor make threaten remarks” as indicated in the Skelly Letter dated October 24, 2018. You also stated, you “felt the need to assist a friend that was being unfairly treated at Kirkland”. When asked if you sped away in an unsafe manner while on Kirkland’s property you stated “you did nor”.

### Union’s Comments:

No comments

### Hearing Officer’s Decision:

Operators are expected to conduct themselves in a professional manner. After reviewing the charge letter and the documentary evidence, I have decided to sustain the charges and uphold the dismissal.

San Francisco Municipal Transportation Agency

1 South Van Ness Avenue, 7<sup>th</sup> Floor

San Francisco, CA 94103

SFMTA.com

☎ 311 Free language assistance / 免費語言協助 / Ayuda gratis con el idioma / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / Libreng tulong para sa wikang Filipino / 무료 언어 지원 / การช่วยเหลือทางภาษาโดยไม่คิดค่าใช้จ่าย / خط المساعدة المجاني على الرقم



Sincerely,

A handwritten signature in black ink that reads "Debra Reese". The signature is fluid and cursive.

Debra Reese  
Superintendent, Potrero Division

Cc: TWU Local 250A, Division Union Chair, Labor Relations, Employee

SM

# **EXHIBIT 10**

TRANSPORT WORKERS UNION - LOCAL 250-A  
GRIEVANCE FORM

Step 1

Employee's Name Victoria Bellone Date 11/19/2018

Classification 9163 Cap No. [REDACTED] or [REDACTED] Division Potrero  
Badge No.

NATURE OF GRIEVANCE: Dismissed For Insubordinate and Un-  
Professional Behavior.

RULE VIOLATION: Section 19-A Paragraph: 201, 202

SETTLEMENT DESIRED: that Insubordinate and Unprofessional be  
remove and Operator be made whole.

(Signature of Employee)

M. Hubbard

(Signature of Representative)

MANAGEMENT'S REPLY: Grievance, denied Operator  
behavior is unprofessional, and insubordinate

11-19-18  
(Date)

[Signature]  
(Signature of Management Rep.)

Manager IV  
(Title)



London Breed, Mayor

Malcolm Heinicke, Chair  
Gwyneth Borden, Vice Chair  
Cheryl Brinkman, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

Via e-mail [redacted]

March 1, 2019

Andrew Simmons, Union Representative  
TWU Local 250-A  
1508 Fillmore Street, Suite #211  
San Francisco, CA 94115

**Re: Step 2 Hearing Decision for Victoria Bellone – Cap ID# [redacted]  
Grievance # [redacted]**

Dear Mr. Simmons:

On January 9, 2019, in accordance with the current Transport Workers' Union (TWU) Local 250-A (Class 9163) Memorandum of Understanding (MOU), a Step 2 Hearing was held at One South Van Ness Ave., San Francisco, CA 94103. The grievance was filed to appeal the dismissal of Victoria Bellone (Grievant) from her 9163 Transit Operator position for Violation of Rules 2, 2.1.3, 2.1.5, 2.8.1, 2.8.2, 2.13.1, 2.13.E; 2.3.F; as a result of a misconduct and insubordination that occurred on June 20, 2018, and August 7, 2018.

**Present at the hearing were:**

Andrew Simmons	Staff Representative, TWU Local 250-A
Robert Gainer	Union Chair, Potrero Division
Victoria Bellone	Grievant, Potrero Division
Debra Reese	Manager, Potrero Division
Lawrence Lindisch	Employee & Labor Relations Unit
Parveen Boparai	Hearing Officer

**Background:**

Grievant on June 20, 2018, along with Operator [redacted] arrived at the dispatcher's office when she started screaming, yelling, using profanity and making threatening remarks toward the second dispatcher. This behavior was for referring the Grievant by her Cap ID number and not by her name. It was observed that Operator [redacted] was recording the incident. Grievant did not operate her run and left the division.

Grievant on August 7, 2018, arrived at Kirkland Division accompanied by Operator [redacted] who attempted to park her vehicle in the division's parking area, and informed the security guard that the Potrero Division Manager had given her permission to park in the yard. It was noticed by personnel that her behavior was confrontational, hostile, and



disrespectful. Grievant was yelling from her car about unfair treatment. Concerned for the safety of the other employees, personnel at Kirkland Division felt compelled to contact the San Francisco Police Department. Three Police Units arrived at the Kirkland Division and asked the Grievant and Operator [REDACTED] to leave the premises. Grievant sped through the bus yard, causing tires to screech as she drove off the property.

**Union's Position:**

To sustain the grievance: Union stated that these were two different incidents; there is video but no audio, and without the audio, how can one prove what happened and who initiated the misconduct.

The Union felt that the discipline was too severe and requested that the dismissal be reduced to a counsel and anger management sessions.

Grievant stated that she was upset when the dispatcher called by her Cap ID number and not by her name. There was confusion on the reporting time on June 20, 2018, but the Grievant left the premises. Grievant also stated that she did not race out of the division, and that Operator [REDACTED] was upset because she received a ticket for parking in the yard.

**Agency's Position:**

Deny the grievance: Grievant exhibited unprofessional conduct on both instances, wherein, Grievant was yelling, using profanity, along with making threatening remarks. In addition, Grievant was observed to be speeding through Kirkland yard and the behavior was confrontational, hostile and disrespectful.

**Step 2 Decision:**

After listening to all arguments, reviewing the video and facts brought forth and reviewing all information provided concerning the allegations against the Grievant, it is determined that Grievant violated the rules as stated in the charging letter of October 24, 2018.

Grievant is a two-year employee and has exhibited severe misconduct on both instances of June 20, 2018, and August 7, 2018, in the dispatcher's office and at the Kirkland yard. Not all discipline may follow the progressive path and due to the egregious nature of misconduct, dismissal was appropriate for the violations.

Based on the foregoing, this grievance is denied.





Recommended by:

*Parveen Boparai*

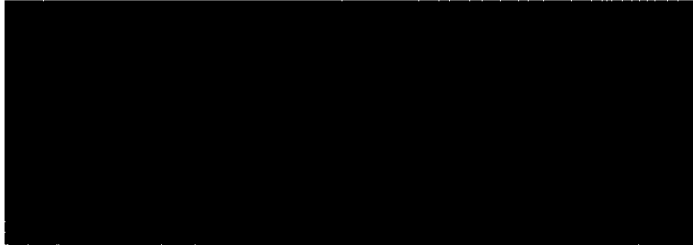
Parveen Boparai  
Step 2 Hearing Officer

Approved by:

*Derek Y. Kim*

Derek Y. Kim  
Acting Director of Human Resources

Cc:



Transit Operations

nit



London Breed, Mayor

Cheryl Brinkman, Chairman  
Malcolm Heinicke, Vice Chairman  
Gwyneth Borden, Director  
Amanda Eaken, Director

Lee Hsu, Director  
Cristina Rubke, Director  
Art Torres, Director

Edward D. Reiskin, Director of Transportation

July 23, 2019

Via U.S. Certified Mail

Victoria Bellone

Re: Notice of Dismissal  
9163 Transit Operator

Dear Ms. Bellone,

In his decision dated July 16, 2019, Arbitrator Christopher D. Burdick upheld the proposed dismissal from your position, Transit Operator, Job Code 9163 as proposed by the Agency.

After a thorough review of all the facts and Mr. Burdick's Award, it is my decision to dismiss you from your permanent position.

This letter is to notify you that you are being dismissed from your permanent civil service appointment as a Transit Operator, Job Code 9163, with the San Francisco Municipal Transportation Agency (SFMTA), effective July 17, 2019.

The SFMTA is recommending to the Civil Service Commission that your future employment be restricted as follows: No future employment with SFMTA that requires a Class B or BP driver's license.

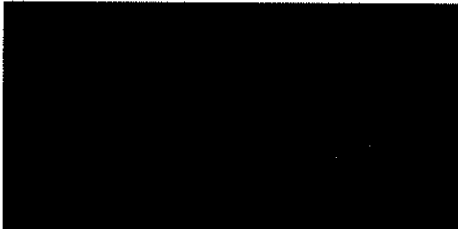
Should you have any questions regarding this matter, please contact Yves Michael C. Valdez, HR Analyst, Employee and Labor Relations, at 415.646.2509.

Sincerely,

Derek Kim  
Director of Human Resources

Attachment: Separation Report, Notice of Separation from Employment, Notice of Future Employment Restriction, and Award

Cc:



Employee and Labor Relations

**CITY AND COUNTY OF SAN FRANCISCO  
NOTICE OF SEPARATION FROM EMPLOYMENT**

Name: Victoria Bellone

Mailing Date: 7/23/2019

Address: [REDACTED]

Department/Division: SFMTA/Transit  
Type of Appointment: Permanent

City: [REDACTED] State: [REDACTED] Zip [REDACTED]

Type of Separation: Dismissal

This notice is to inform you that you are separated from your employment in Class: 9163  
Title: Transit Operator effective 7/17/2019 for the reasons outlined in the attached document(s).

You may request a hearing before the Civil Service Commission on your future employability with the civil service system of the City and County of San Francisco. The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. However, the Commission CANNOT reverse the department's decision to terminate your employment.

You may request a hearing for review of any restrictions on your future employability with the Civil Service Commission within 20 calendar days of the mailing date of this notice or from the date of separation, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 by 8/12/2019. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing or file an appeal, the Human Resources Director will take final administrative action and the restriction(s) recommended, if any, will be in effect.

The items checked below are the recommendations made by the department on your future employability for positions covered by the San Francisco civil service system:

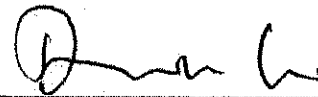
<input type="checkbox"/>	No restrictions on future employability.	<input type="checkbox"/>	Cancel any current examination and eligibility status.
<input type="checkbox"/>	Accept the resignation as certified.	<input type="checkbox"/>	No future employment with this department.
<input type="checkbox"/>	Dismiss from City and County service.	<input type="checkbox"/>	Return name to the eligible list from which appointed to this position.
<input type="checkbox"/>	Approve the separation.	<input type="checkbox"/>	No future employment with the City and County of San Francisco.
<input type="checkbox"/>	Future employment subject to the review and approval of the Human Resources Director after satisfactory completion of two (2) years of work experience in a non-9163 Transit Operator job classification		
<input type="checkbox"/>	Other (specify): Must participate in an appropriate substance abuse program and receive a release to work from a certified substance abuse professional for any safety sensitive positions.		
<input checked="" type="checkbox"/>	Other (specify): No future employment with SFMTA that requires a class B or BP driver's license.		

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6.

SEE REVERSE SIDE

**MUST BE COMPLETED BY DEPARTMENT:**

Rank: [REDACTED] List # [REDACTED]  
SSN: [redacted in hrdb]  
Employee Organization:



DEREK KIM  
Acting Director of Human Resources, SFMTA

**METHOD OF SERVICE:**

Certified Mail  Hand Delivered  
Certified Mail # [REDACTED]

Attachment(s)

Edwin M. Lee  
Mayor



Micki Callahan  
Human Resources Director

**NOTICE OF FUTURE EMPLOYMENT RESTRICTIONS**

Victoria Bellone  
Employee Name  
[Redacted]  
Street Address  
[Redacted]  
City State Zip

07/23/2019  
Mailing Date  
SFMTA/Transit  
Department/Division  
Permanent Civil Service  
Type of Appointment

This notice is to inform you that a future employment restriction is being imposed along with your separation action, or with the action of automatic resignation, reported to the Department of Human Resources separating you from your position in Class 9163, Title Transit Operator, effective 07/17/2019, for the reasons outlined in the attached document(s).

The items checked below are the restrictions made by the department on your future employability for positions covered by the San Francisco civil service system:

<input type="checkbox"/> No Restrictions on Employment	<input type="checkbox"/> Citywide	<input type="checkbox"/> Department(s): _____
<input type="checkbox"/> Permanent Restriction	<input type="checkbox"/> DOT/SAPP	<input checked="" type="checkbox"/> Job Code(s): <u>9163</u>
<input checked="" type="checkbox"/> Conditional Restriction	<input type="checkbox"/> Cancel Current Examination & Eligibility Status	

Conditional restrictions may be lifted by proving you have satisfactorily met the following requirements:


Requirement Type	Description:	Level of Measurement:	Measurement Value:
CER: Certification			
EXP: Work Experience			
LIC: Licensure			
SAP: Substance Abuse Program			
* Other:	B or BP license with SFMTA		

In addition to the noted conditional restrictions, you are also restricted from specific attributes of a job class and/or department until you satisfactorily prove you meet the requirements to lift the restriction(s) as noted below:

Future Employment Restrictions	Description:	Level of Measurement:	Measurement Value:
001: Vehicle/Heavy Machinery			
002: Vulnerable Populations			
003: Face to Face Contact w/Public			
004: Contact w/Animals			
005: Signing/Approving City Docs			
006: Financial Instruments			
007: Confidential/Privileged Information			
008: IT Infrastructure			
009: Means of Entry to Living Spaces			
010: Pharmaceutical/Drug Inventory			
011: CDC Defined Toxins			
012: Weapons/Explosives			
013: City Property Valued > \$100			
014: Electronic Voting Systems			

You may request a hearing before the Civil Service Commission on your future employability with the City and County of San Francisco. The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. You may request a hearing for review of any restrictions on your future employability with the Civil Service Commission within 20 calendar days of the mailing date of this notice or from the date of separation, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 by 08/12/2019. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing or file an appeal, the Human Resources Director will take final administrative action to confirm the restriction(s) in effect on the date of separation (Note: Future Employment Restriction(s) effective immediately).

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6. (SEE BELOW)

MUST BE COMPLETED BY DEPARTMENT	
List #: <u>          </u>	Rank #: <u>          </u>
DSW: <u>          </u>	<input type="checkbox"/> Pending <input checked="" type="checkbox"/> Final      Status of Action
Emp Organization: <u>          </u>	
METHOD OF SERVICE:	SIGNATURE OF APPOINTING OFFICER
<input type="checkbox"/> Hand Delivered	Derek Kim
<input checked="" type="checkbox"/> Certified Mail # <u>          </u>	NAME
	Acting Director, SFMTA Human Resources
	TITLE

**INFORMATION FOR FORMER EMPLOYEE FOLLOWING SEPARATION**

1. This document serves as an official notice of future employment restrictions imposed with the Notice of Automatic Resignation from Employment to the former employee or with a Separation Action that is subject to the provisions of a collective bargaining agreement, to the Civil Service Commission, and the Department of Human Resources.
2. A separated employee may request a hearing before the Civil Service Commission only for review of any restrictions on their future employability with the City and County of San Francisco.
3. Such appeals or requests for hearing must be in writing and received from the employee or the employee's representative by the date specified on this notice, or within twenty (20) calendar days from the mailing date of this notice, or the effective date of the separation, whichever is later. The request must be submitted to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.
4. An employee who requests a hearing within the time limits is entitled to:
  - a. Representation by an attorney or authorized representative of her/his own choice.
  - b. Notification of date, time, and place of hearing at a reasonable time in advance.
  - c. Inspection by the employee's attorney or authorized representative of those records and materials on file with the Civil Service Commission which relate to the restrictions on future employability.
5. Any interested party may request that the hearing be continued or postponed.
6. The decision of the Civil Service Commission is final and not subject to reconsideration.
7. In the absence of a timely request for a hearing as provided above, no later request for a hearing will be considered.

SEPARATION REPORT



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF HUMAN RESOURCES

INSTRUCTIONS: Please complete the Separation Report to:

- 1. Document internal departmental processes. Please do not send to DHR.
2. Document that the employee separation is not a complete separation from City service, Separation Report must be completed by the sending department and submitted to the receiving department to be attached to the AP ESR.
3. To process a layoff. Please send to the DHR layoff coordinator.
4. To administer a settlement agreement involving the separation of the employee-submit documentation to your Client Services Representative. (Reference TER\_RZA)

Date of Request: 7/23/2019

Department Contact: Yves Michael C. Valdez Email [Redacted]

SECTION I: PERSONAL AND JOB INFORMATION

Name (Last, First, M.I.): BELLONE, VICTORIA Employee I.D. [Redacted]

Job Code: 9163 Job Title: Transit Operator

Position Number [Redacted] Hourly Rate: [Redacted] Step: [Redacted] Effective Date: 7/17/2019

Empl. Class: PCS Work Schedule: Full-Time

Is the employee serving a probationary period at the time of the separation? [ ] Yes [x] No

Is this a complete separation from City and County Service? [x] Yes [ ] No

If no, continuing in:

Department Code: (Select C) Status: Job Code: Effective Date:

Is employee granted leave pursuant to Civil Service Rule 120.31? [ ] Yes [x] No

If no, is employee a transfer? [x] No [ ] Yes, type of Transfer: (Select One)

SECTION II: SEPARATION INFORMATION

- [ ] Resignation
[ ] Satisfactory Services (TER\_RSS) [ ] Unsatisfactory Services (TER\_RUS) (Form DHR 1-13 must be on file)

By the appointee: I hereby freely and voluntarily resign from the above position. I request approval of this resignation as of the effective date with the full understanding that once approved, I may acquire another position in this class only as provided in the rules of the Civil Service Commission (see employee copy and CSC Rules 114&119).

Employee Signature Date

- [ ] Lay-off
[ ] Involuntary Leave (PCS\_LIL) [ ] Elective Involuntary Leave (PCS\_EIL)
[ ] Involuntary Lay-off (PCS\_LIO) [ ] Voluntary Lay-off (PCS\_LVO)
[ ] (PV & EX Only): (Select One)

Reason for lay-off: (Select One)

Employee acknowledges receipt of the DHR information leaflet.

Employee Signature Date

SEPARATION REPORT

DEPARTMENT USE ONLY

Termination

Settlement Agreement (TER\_RZA)  
\*(Separation Report and Settlement Agreement must be forwarded to Client Services Rep.)

Release from appointment: (Select One) \_\_\_\_\_

Release from probation: (Select One) \_\_\_\_\_

Dismissal: PCS (DPE) \_\_\_\_\_

Terminated for cause (TFC) (TPV, NCS, & Exempts only)

Automatic Resignation (ARS)

Never Reported to Work (DSH)

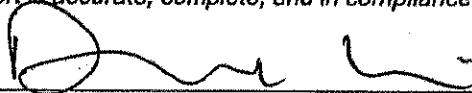
Death of an employee (DEA)

Other (Specify): \_\_\_\_\_

Retirement: (Select One) \_\_\_\_\_

DEPARTMENT CERTIFICATION

*The Appointing Officer/Authorized Designee named below hereby certifies that the information provided on this Separation Report is accurate, complete, and in compliance with applicable CCSF rules and policies.*



Appointing Officer/Authorized Designee Signature

415-701-5050

Telephone

Name/Title: Derek Kim \_\_\_\_\_

Department Number: 68 \_\_\_\_\_ Department Name: SFMTA \_\_\_\_\_

Personnel File Forwarded?  Yes  No

Forwarded to:  
Department: \_\_\_\_\_ Contact: \_\_\_\_\_

DHR USE ONLY

Action Pending?  Yes  No

Analyst Name \_\_\_\_\_ Telephone \_\_\_\_\_

SR Ref Number: \_\_\_\_\_ Holdover Canvass: \_\_\_\_\_

Reference Number used for layoff actions: \_\_\_\_\_

Christopher D. Burdick, SBN 042732  
Arbitrator/Mediator



IN EXPEDITED ARBITRATION PROCEEDINGS BETWEEN THE PARTIES  
PURSUANT TO THEIR MEMORANDUM OF UNDERSTANDING

BEFORE

ARBITRATOR CHRISTOPHER D. BURDICK

In the Matter of a Controversy between

TRANSPORT WORKERS' UNION,  
LOCAL 250-A (9163)  
Union,

and

SAN FRANCISCO MUNICIPAL  
TRANSPORTATION AGENCY,  
Employer

*re:* Victoria Bellone Termination

073-18 PO

**AWARD**

**INTRODUCTION**

Arbitration of a Grievance filed by Transport Workers Union 250-A ("the Union" or "Local 250-A") on behalf of its member Victoria Bellone ("Bellone") was held on June 26, 2019 before

*TWU 250-A AND MTA - VICTORIA BELLONE TERMINATION AWARD*



Arbitrator Christopher D. Burdick at 1 South Van Ness Avenue, 6<sup>th</sup> Floor, San Francisco, California. The Grievant was represented by Andrew Simmons, Union Staff Representative. The Employer, the San Francisco Municipal Transportation Agency ("MTA" or "Agency") was represented by Christine Cayabyab of MTA's Employee and Labor Relations Unit. Ms. Debra Reese, Acting Division Manager of Potrero Division, also appeared for the Agency.

## I

### THE PARTIES

The Union, TWU Local 250-A, is the recognized employee organization representing several bargaining units within MTA and, relevant here, the unit containing the operators of the Agency's moving stock, including cable cars, light-rail vehicles, trolleys and coaches, and also, as here MTA's Transit Operators, Class 9136, including Ms. Bellone, a Transit Operator. The Municipal Transportation Agency ("MTA") of the City and County of San Francisco ("City") is a creation of the City charter. The Union and the MTA are parties to a Memorandum of Understanding "MOU"; Cal. Gov. Code Sec. 350-51) effective July 1, 2017-June 30, 2019.

## II

### STATEMENT OF ISSUE

1) Was there was "just cause" for Ms. Bellone's termination in this matter;

and, if not,

2) What is the appropriate discipline level, if any?

## III

### CONTENTIONS OF THE PARTIES

**The Agency contends that on two, separate locations, in June and August 2018 Grievant came upon Agency property, while off duty, and screamed, yelled, used profanity, and made**

threatening remarks toward dispatchers and security guards, first at Potrero and then at Kirkland, in the company of another operator, Ms. [REDACTED], that her conduct was so disturbing at Kirkland that employees there called the San Francisco Police Department, which finally asked the Grievant to leave the Kirkland parking lot, which she did, but only after accelerating sharply, causing her tires to screech while leaving the yard; that this profane, boisterous, and rude conduct towards co-workers and supervisors, not once but twice, violated the Agency rules set forth below, and were so extraordinary that it justifies bypassing "progressive discipline" and sustaining the termination, and so the Grievance should be denied and the termination should be affirmed.

The Union contends that although the Grievant acted poorly and unprofessionally on both occasions, and exercised poor judgment in both, she promptly apologized to her co-workers in June; that she denies using any profanity whatsoever, on either occasion, although she admits that she raised her voice in June; she denies accelerating or driving dangerously in the parking lot at Kirkland in August; contends that she and her coworker, Ms. [REDACTED] were rudely and unprofessionally treated themselves and have both been the victims of harassment and unequal treatment by the Agency; that she is contrite and remorseful over her conduct; that she should be reinstated, and, consistent with doctrines of progressive discipline, should receive some counseling or a suspension which is truly proportionate to any proven misconduct; and so the grievance should be granted and the termination overturned.

#### IV

### RELEVANT MOU AND RULE PROVISIONS

#### THE MOU

#### MOU Section 19.4 -- Definition of Discipline and Progressive Discipline

198. "Discipline" shall be defined to include disciplinary suspension without pay, or discharge....

199. Oral or written warnings, including caution and reinstruction, and written reprimands shall constitute elements of progressive discipline but shall not be subject to the grievance procedures in Article 22.

201. For most offenses, SFMTA will use a system of progressive discipline under which the Operator will be given increasingly more severe discipline. A common pattern might include oral warning, written warning, suspension, and, finally, discharge for cause.

202. Progressive discipline need not apply in cases of severe misconduct including but not limited to reporting to work or operating a SFMTA transit vehicle or equipment while under the influence of an alcoholic beverage or drug ..., mishandling of funds, vicious conduct, or serious willful abuse of equipment.

...

### **Section 22.7 Expedited Arbitration Procedures**

276. By mutual agreement, the parties may agree to submit any grievance to expedited arbitration ...

277. If the parties elect to submit the grievance to expedited arbitration, closing arguments shall be presented orally, unless the parties agree to submit written briefs. The parties agree that the arbitrator shall issue a bench decision and subsequently provide a written decision memorializing his/her decision, provided the parties, by mutual agreement, may elect to obtain a written decision following the party submission of written briefs

...

### **MUNICIPAL RAILWAY RULES**

2.1.3 All employees will be held accountable for compliance with all Rules in the San Francisco Municipal Railway Rules and Instructions Handbook.

...

2.1.5 Violation of any rule in this Rules and Instructions Handbook is sufficient cause for disciplinary action, up to and including dismissal.

...

2.8.1 Polite, respectful behavior is required of all employees in their dealings with the public, their subordinates and each other.

2.8.2 Boisterous, profane, or vulgar language is forbidden.

...

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4

2.13.1 Violation of any of the following Rules will be sufficient cause for charges for disciplinary action involving suspension or suspension or, appropriate, dismissal.

E. Insubordination;

F. Discourteous treatment of the public or other employees of the SF Muni Railway.

V

SUMMARY OF FACTS

The facts are hotly disputed, and, from the Employer's point of view, are set forth in the Skelly Letter of October 24, 2018, authored by Ms Reese, the Skelly Decision of November 8, 2018, and in the Agency's Step 2 Decision of May 23, 2018, authored by Step 2 Hearing Officer Parveen Bopari.

In 2018, Ms. Bellone had been employed by MTA as a Transit Operator for about 2 years. She had previously been employed by the Agency in the same position for a number of years and separated, for reasons not reflected in the record, and then returned. On June 20, 2018, the Grievant and her friend, fellow Operator [REDACTED], entered the Potrero Division dispatch office at about 12:30 PM. Earlier that morning Ms Bellone had at least two telephone conversations with Potrero dispatchers, who were concerned about the state of the paperwork allowing her to report for duty and where she would be working, and apparently the dispatcher who talked to her [REDACTED] did not refer to her by name but referred to her by her cap number, as "Operator [REDACTED]". This reference by number, rather than name, apparently offended the Grievant no small end, and when she had entered the dispatch office, according to a number of percipient witnesses, she was agitated, shouting, yelling, repeatedly using the word "bitch", in several contexts directed primarily at [REDACTED] in a July 16 email letter to Ms. Reese wrote as follows:

On Wednesday, June 20, 2018, not sure what time of day it was, but operators Victoria Bellone # [REDACTED] and [REDACTED] were in dispatch office. While I was standing in our assistant superintendent's office, I heard loud yelling and a lot of curse words (swearing) being yelled. looked over the next room and Victoria

Bellone was yelling at [REDACTED] our dispatcher, calling him "bitches" and telling him not to call her by her ID #. [REDACTED] our other dispatcher, was telling her to settle down and to calm down, then Bellone started yelling at him, calling him "bitches", saying "I'm not one of those bitches", "you got the wrong bitch today". I never heard [REDACTED] state anything. I closed the door with myself and Vince and another operator because I couldn't stand to hear all that cursing. It was very disturbing.

In an email to Ms. Reese of July 2, 2018, [REDACTED] wrote about what he had personally observed, as follows:

On Wednesday, June 20, 2018, I was at my desk in [REDACTED] around 12:30 PM. I heard yelling and cursing coming from the dispatcher's office. I could not make out everything that was said, but I did overhear a female yelling about being referred to by her operator #, and she stated that she was a "different kind of bitch". When I got up to look at the security cameras in the superintendent's office, I noticed two females standing over [REDACTED] dispatcher), when I looked in the room, I was able to identify Victoria Bellone and [REDACTED]. I was unsure if and how [REDACTED] was involved in the incident, although I was able to witness Victoria Bellone standing over [REDACTED] aggressively, but was unable to make out what she was saying outside of the previously mentioned statements, due to the commotion and other individuals attempting to calm her down.

In another email of July 2 to Ms. Reese from [REDACTED] the Assistant Superintendent of Potrero Division, Mr. Tandoc wrote as follows:

I was conducting an investigative conference with an operator and Jorge Elias (ion) in my office about 12:15 PM. [REDACTED] opened the door from the dispatcher's office to report an operator screaming and yelling at [REDACTED] want. I approached the operator immediately informed and there was no need to be only. I asked Victoria and [REDACTED] to step in the receiver's office to discuss her contacts concerns. Victoria stated she was upset been calling her cell phone and being referred to as "operator [REDACTED]". She preferred to be addressed by her first name. I informed her this was standard procedure and all operators are addressed the same way. She was instructed not to be yelling and screaming at anyone, especially at her immediate supervisor. She was also informed that the Union and I are available for her to address her concerns. She stated "my husband worked for Muni, he was forced out, and that you don't want my husband here."

Dispatcher [REDACTED] the primary recipient of Ms. Bellone's unprovoked verbal attack, wrote in an email (one full of horrible grammar, misspelled words, indefinite antecedents, and pronouns not matching nouns) of June 21 to Ms. Reese as follows:

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... The operator [the Grievant] had shown up before the shift and started yelling "during the two phone calls with them (*sic*), why did I only call them sic) by their (*sic*) ID # only and not by name?" And in the future, the operator stated they (*sic*) will not answered (*sic*) any more phone call with restricted telephone number. The Assistant Superintendent and the Union rep had taken the operator to the receiver room and talked it out. I was instructed to put the operator in the sick book and open up their shift.

Ms. Bellone told the Arbitrator that this was all wrong and inaccurate, if not outright lies. She stated while she was agitated and may have been yelling and shouting, she never used the word "bitch" in reference to anyone (including herself) and she denies trying to intimidate anyone. She said she was upset and angry that during two phone calls earlier that day in regards to her return to work, the dispatcher referred to her not by her name but by her cap number, which Mr. Tandoc wrote was very common and which the Arbitrator has heard numerous witnesses (both Union and management) do as well.

On August 7, 2018 Grievant was once again, along with her friend Ms. [REDACTED] involved in a dispute with staff and supervisors at the Kirkland Division yard. It appears that Ms. [REDACTED] was going through a very rough patch in her life and was essentially homeless and living out of her car, and she would, whenever possible, try to park her pickup truck in an MTA parking lot, off the street, so she was safer and could sleep with some degree of comfort. Unfortunately, almost all of the yards prohibit employee parking without a permit, and Ms. [REDACTED] had had several verbal disputes and arguments with security staff and yard workers over her repeated attempts to park overnight on MTA property. On the day in question, the Grievant received an agitated phone call at her Vallejo home from Ms. [REDACTED] who told her that the San Francisco Police Department and MTA personnel were hassling her and forcing her to move her truck, which she had refused to do, and she sought the Grievant's assistance. The Grievant (unwisely, as it turned out) got in her beautiful Dodge Challenger (with glasspak mufflers and terrific performance) and drove to the Kirkland Division yard, where she too drove into the Yard itself and parked. At some point, the police were called again, a second time, showed up, and once again declined to get formally involved because the dispute involved an employee and the agency itself over what (it appeared) to the Police not as a criminal matter but an employer-

employee dispute. But the cops did ask the Grievant and her friend to leave, and the Grievant got back in her car, and according to the Agency, rapidly and dangerously accelerated across the Yard and out in the street, where she parked her car, got out, and came back into the yard.

The Grievant admits that she got a phone call from Ms. [REDACTED] and, off-duty, drove all the way from her home in Vallejo into the City to assist her friend, but she denies that she "peeled out" in the parking lot or drove dangerously, and conjectures that because of the rumbling noise emitted by her special after-market mufflers, bystanders may have concluded that she was driving too fast when, in fact, the mufflers, make that rumbling hot-rod sound at relatively low speeds.

On [REDACTED] Assistant Manager of Kirkland Division, sent an email to Mary Travis-Allen describing her observations of what she had personally seen and heard on August 7, writing as follows:

I found Ms. [REDACTED] at the far end of the yard on the Powell Street side. I went to that end of the Yard and stood by the parked cars parallel to North Point Street. A lady driving a black Charger (later identified as Victoria Bellone, # [REDACTED] Potrero transit operator) was parked perpendicular to the vehicles on the back-fence Ms. [REDACTED] was standing outside the car speaking to the lady and speaking on her cell phone. [REDACTED] a Car Cleaner, then approached me and asked who the lady in the car was. I didn't know, as I was not able to get a good look at her and was keeping my distance. He then said that the lady drove into the yard about 15 minutes prior, speeding and driving recklessly. He said that he didn't know her and she was not an operator from Kirkland ...

Security arrived at approximately 10:57 AM. Security Guard [REDACTED] and his partner received a brief rundown of the situation and then approached Ms. [REDACTED] to request that she leave the property, advising her that she was trespassing. Ms. [REDACTED] then becomes confrontational with them, challenging them who they are and what their authority is. She then begins to talk to them, advising that not even the SFPD were able to force her to leave the property that morning, and that as contractors they cannot tell her what to do. Ms. Bellone then begins to yell toward us from her vehicle, stating that she knew Mary Travis-Allen and didn't care who we called and then speeds out of the yard, towards the Stockton Street entrance. She circled the block and parked the vehicle just outside of the gate on North Point, and then exits her vehicle yelling at us, telling us we have no right to treat them this way. I walked over to her and asked her who she was and why she was there, to which she began to yell that we (management) think they can treat operators any way we want, that we have taken everything away from them and want to keep taking more, that she is there

to help her friend, and she knows Mary Travis-Allen very well and doesn't care who we call. I advised her that she was trespassing, she did not have legitimate work business at Kirkland, and that this was not an open parking. She continued yelling towards us and turned away ... I turned around to see that Security was able to convince Ms. [REDACTED] to leave the yard, Ms. [REDACTED] they got into her vehicle and drove out of the yard. Mr. Bellone followed behind her, screeching tires as she did a U-turn in the street and sped away.

...

The behavior both of these ladies displayed here today was extremely uncalled for, and was insubordinate in nature when they elected to continue to yell at, confront, and demand of management and supervisors. Further, they compromised the safety of the yard, vehicles, and other operators. Ms. Bellone was speeding and driving recklessly through the yard.

On October 24, 2018 Ms. Reese sent the Grievant a Skelly letter, telling her she was up for termination due to "insubordination", as well as violation of the MTA General Rules set forth above. The Skelly Hearing was held on November 7, 2018 and Grievant appeared along with her Union representative. The three reviewed the video (without any audio) of the incident of June 20. The Grievant denied using profanity or making any threatening remarks on June 20 and denied that she had sped away unsafely at the Kirkland yard on August 7. Unpersuaded by her presentation, she was terminated but she remains on the payroll to this date, for reasons which are unclear, and she calls in every day to report that she is prepared to come back to work if so instructed.

The Grievant's disciplinary record during this tenure with the Agency is unremarkable, as she has one preventable accident for which she was "counseled" and a history of excessive absences, for which she was also "counseled", both occurring in 2017.

## VI

### DISCUSSION AND ANALYSIS

A. The Burden and Quantum of Proof. In disciplinary proceedings of this type, the burden of proving the charges rests upon the party making the charges, here MTA: see, e.g., Parker v City of Fountain Valley, 127 Cal. App. 3d 99, 113 (1981); Layton v. City of Pomona, 60



Cal. App. 3d 58, 64 (1976). The MTA must, usually by a preponderance of the evidence, prove both (1) the violation of reasonable Agency rules and (2) that the discipline imposed for any violations established is proportionate to the wrong. See, generally, Skelly v State Personnel Board, 15 Cal 3<sup>rd</sup> 175 (1975) at pp. 215-217.

The applicable quantum of proof required is usually proof by a preponderance of the evidence. In Skelly, supra, at p. 204, fn.19 the Supreme Court held that the appointing authority (there, the State) has the burden of proving by a preponderance of the evidence the acts of omissions upon which the charges are based and that those acts constitute sufficient "cause for discipline" under the relevant statutes. "Preponderance of the evidence" simply means that the employer must establish the pivotal facts of its case with evidence found by the trier-of-fact (here, the Arbitrator) as being more likely to be true than not. The "preponderance" standard simply requires the trier of fact "to believe in the existence of evidence more likely to be true than not.

But in cases involving lying, falsifying records, dishonesty, insubordination or other career-stigmatizing charges, most arbitrators hold (absent any contractual language to the contrary, such as explicit language advising the arbitrator that the employer need only meet the "proof by a preponderance" standard) that proof by a simple preponderance of the evidence on the charges will not suffice, and a higher quantum of proof -- "clear and convincing evidence" -- is required. So, for example, Elkouri & Elkouri, *How Arbitration Works, 6th Ed.*, at page 951, citing Kroger Co., 25LA 906, 908 (Smith, 1955), states:

[I]t seems reasonable and proper to hold that alleged misconduct of a kind which carries the *stigma* of general social disapproval as well as disapproval under accepted canons of plant discipline should be *clearly and convincingly* established by the evidence. *Reasonable doubts raised by the proofs should be resolved in favor of the accused.* This may mean that the employer will at times be required, for want of sufficient proof, to withhold or rescind disciplinary action which in fact is fully deserved, but this kind of result is inherent in any civilized system of justice. (Emphasis added.)

Elkouri & Elkouri, *How Arbitration Works, 6th Ed.*, op. cit., at page 950 state:

However, in cases involving criminal conduct or *stigmatizing behavior*, many arbitrators apply a higher burden of proof, typically a clear and

convincing evidence standard, with some arbitrators imposing the beyond a reasonable doubt standard. (Emphasis added.)

As to the requisite quantum of proof required on the serious, possibly stigmatizing charge of “untruthfulness”, California courts impose the “clear and convincing” standard versus the less onerous “preponderance of the evidence” standard (see, e.g., Ettinger v. Board of Medical Quality Assurance 135 Cal.App.3d 853, 856 (1982) (suspension of physician’s license); James v. Board of Dental Examiners, 172 Cal. App. 3d 1096 (1985) (suspension of dentist’s license); Emslie v. State Bar, 11 Cal.3d 210, 226 (1974) (disbarment of an attorney)). Under these circumstances, we believe the classical arbitration quantum rules apply and that the higher “clear and convincing” standard should apply to the charge of “untruthfulness”, “dishonesty”, and knowingly making false entries into the daily time log. The stigmatizing effect on Ms. Ruiz’s suspension for untruthfulness on her future promotional prospects or employment elsewhere requires a higher standard of proof by clear and convincing evidence to sustain her suspension on those grounds.

B. The “Just Cause” Standard

The “issue” to be resolved is whether there exists “just cause” for the discipline imposed. The phrase “just cause” has a well-established secondary meaning and is a term of art in the labor relations/employment law arena. The phrase “just cause” has been around for many, many years, has been interpreted and applied by labor arbitrators for decades, and carries with it a number of well-established secondary meanings. As stated by **Koven & Smith**, “Just Cause: The Seven Tests” (BNA, 1998):

The just cause standard presents a cluster of issues (such as the scope of the arbitrator’s authority versus that of the employer) and consists of a number of different elements, and some arbitrators emphasize one whereas some give more weight to others. Proof of misconduct is the key for some; others tend to stress due process considerations, such as the employer’s obligation to investigate all the circumstances before making any decision about discipline. Finally, some arbitrators emphasize “equity over law”, stressing the spirit rather than the letter of the just cause standard.

**Koven & Smith**, *op. cit.*, at p. 21.

The “Seven Tests” exhaustively examined by **Koven & Smith** are as follows:

**1. NOTICE:** Did the Employer give to the employee forewarning or foreknowledge of the possible or probable consequences of the employee’s

disciplinary conduct?

**2. REASONABLE RULE OR ORDER;** Was the Employer's rule or managerial order reasonably related to (a) the orderly, efficient, and safe operation of the Employer's business, and (b) the performance that the Employer might properly expect of the employee?

**3. INVESTIGATION:** Did the Employer, before administering the discipline to the employee, make an effort to discover whether the employee did in fact violate or disobey a rule or order of management?

**4. FAIR INVESTIGATION:** Was the Employer's investigation conducted fairly and objectively?

**5. PROOF:** At the investigation, did the "judge" obtain substantial evidence or proof that the employee was guilty as charged?

**6. EQUAL TREATMENT:** Has the Employer applied its rules, orders and penalties even-handedly and without discrimination to all employees?

**7. PENALTY:** Was the degree of discipline administered by the Employer in a particular case reasonably related to (a) the seriousness of the employee's proven offense, and (b) the record of the employee in his [sic] service with the Employer? *op. cit.*, at pp. 23-24.

C. Progressive Discipline A fundamental part of "just cause" is the concept and application of progressive discipline, Koven & Smith, *supra*, state:

Inherent in the concept of 'cause' or 'proper cause' is the concept of 'progressive discipline', which is not something for which the union must bargain. Moreover, 'inherent in the concept of progressive discipline is the idea that employees enjoy certain rights of due process and one of those rights is notice of problems on the job.' For all but the most serious types of misconduct (e.g., theft), progressive discipline functions as a graduated system of penalties for repeated rule infractions.

*op. cit.*, at p.60.

Underlying all systems of progressive discipline is the notion that discipline and discharge systems above all must be fair and just on both a substantive and a procedural or due process level .... Another principle underlying progressive discipline is that "the punishment should fit the crime."

*op. cit.*, at pp. 386-387.

The California State Personnel Board has adopted this principle in cases involving State employees:

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The principles of progressive discipline require that an employer, seeking to discipline an employee for poor work performance, follow a sequence of warnings or lesser disciplinary actions before imposing the ultimate penalty of dismissal. The obvious purpose of progressive discipline is to provide the employee with an opportunity to learn from prior mistakes and to take steps to improve his/her performance on the job. Thus, corrective and/or disciplinary action should be taken by a Department on a timely basis: performance problems should not be allowed to accumulate before progressive discipline is initiated.

(Appeal of Rita T. Nelson (1992) SPB Decision No. 92-07, p. 6.).

D. Meaning of The Word "Insubordination" At several points in the Skelly Notice and Skelly Decision it is asserted that Grievant was guilty of "Insubordination", a word which is not defined in the MOU nor in any other official MTA place brought to the Arbitrator's attention, The word "Insubordination" has a well-established meaning in California civil service law, going back decades. The word is found in the State Civil Service Act (Cal. Gov. Code Secs. 19570 et seq.) as one of about 14 grounds for the imposition of discipline upon State employees and was the analyzed, discussed, and defined in the leading case (old but still controlling) Coomes vs State Personnel Board, 215 Cal. Ap. 2d 712 (1963) as follows:

In the light of these facts we appraise the evidentiary support for Coomes' dismissal. Preliminarily, we turn to Government Code section 19572, subdivisions (e) and (o). The former specifies "insubordination" as a ground for discipline, the latter "willful disobedience." The two terms overlap. So far as they are distinguishable, dictionary definitions indicate that disobedience connotes a specific violation of command or prohibition, while **insubordination implies a general course of mutinous, disrespectful or contumacious conduct.** In the statute, the term "disobedience" is modified by the adjective "willful," but the ground of insubordination is without a modifying adjective. Still, the latter term carries a volitional coloration which excludes the notion of accidental or even negligent conduct. A proper construction of section 19572 impels the view that insubordination, equally with willful misconduct, requires proof of intent or willfulness. The latter elements imply that the person knows what he is doing and intends to do what he is doing. (See In re Trombley, 31 Cal. 2d 801, 807 [193 P.2d 734]; People v. McCree, 128 Cal. App. 2d 196, 202 [275 P.2d 95].)

Thus, in order to justify disciplinary action under either subdivision of section 19572, State Personnel Board findings must rest upon evidence of intentional or

knowing conduct. Evidence which fails to establish willfulness, knowledge or intent lacks an indispensable element for proof of guilt and is not substantial. Precisely at this point the evidence in this case fails completely to establish knowing insubordination.

E. Application of the "Preponderance of the Evidence and Clear and Convincing Tests" to "Insubordination".

The burden of proof here is upon the Agency and it is required to prove a violation of its Rules by a preponderance of the evidence, by clear and convincing evidence in regards to the charge of "insubordination". Given the strict legal definition of "Insubordination" in California civil service law, we do not believe that the facts proving here establish "insubordination", even under the preponderance of the evidence test. The Grievant was clearly out of control, insulting, boisterous, rude, and unprofessional on both dates, but it is not clear that she had disobeyed any direct order from a supervisor to do anything. At the Kirkland Yard she was directed to leave the parking lot and she did so. At Potrero Division she was yelling and screaming, but when she was directed by the Assistant Superintendent to step into his office and meet with him and the (fortuitously present) Union representative, she did so. This is terrible misconduct and completely unprofessional, but that it does not rise to the dignity of "Insubordination" under California case law. But that is not the end of the inquiry here, as the other charges are completely supported by a preponderance of the evidence.

F. Applying the "Preponderance Test" to the Other Charges

Whatever the deficiencies may be in the Agency's "Insubordination" charge, the Agency has proved, far beyond a preponderance, that the Grievant was guilty of everything else she was charged with, on both occasions. The Grievant told the Arbitrator, under oath, that she never used the word "bitch" and never threatened or insulted anyone. We do not believe her. We have three statements from Potrero witnesses, all of which refer to her use of the word "bitch", a word which today (after the ME 2 Movement and the like) has become volatile and explosive, in and of itself. And at least two workers wrote in statements that the Grievant threatened them with the presence of her husband, apparently a former MTA employee who had been separated under

conditions which the Grievant believed were unfair. The video of the Potrero Division confrontation is clear.

The Grievant told the Arbitrator that she had apologized after the fact to those Potrero workers, and we take her at her word. But her apology (if she made one, which we believe she did) is totally inconsistent with her presentation at the Skelly and the Step 2 hearing, and the Arbitration, that she did nothing wrong. She admits that at Potrero she "raised her voice", "shouted and yelled", but it is clear that everyone in her direct line of speech felt completely intimidated and threatened. Her performance of Kirkland Yard, while not as explosive and out-of-control as her conduct of Potrero, was equally reprehensible and inexcusable. Her desire to help her unfortunate friend, Ms. [REDACTED] is admirable but the way she went about it was totally unproductive.

We also conclude that she drove recklessly in the Kirkland Division yard, with at least one Car Cleaner coming forward and telling [REDACTED] before Petland even knew what was going on, that the Grievant had driven aggressively and dangerously in the Kirkland Yard parking lot. The Grievant denies doing so, and conjectures that perhaps the loud noise from her glasspak mufflers may have misled the workers into thinking she was speeding, when in fact she was driving at a safe speed. This is an interesting explanation but an unpersuasive one, at the end.

G. Applying "Progressive Discipline" Under These Facts We have concluded, *supra*, that the Agency has met its burden of proving all of the charges except the "Insubordination" charge, by a preponderance of the evidence. These are serious charges, involving abusive treatment of coworkers, many of whom were frightened and intimidated. The only question presented is whether termination, for these two incidents, is too severe.

In the past MTA has pointed us to decisions by Arbitrators Cohn and Askin in which the arbitrators gave great deference to management in determining the level and severity of discipline and in some cases, terminations were upheld, with little, if any, in-depth review of the facts and circumstances of the incidents in question. Thus, in his decision of April 1, 2011, in Case [REDACTED], Arbitrator Cohn upheld termination and wrote as follows:

As the Step 4 Hearing Officer [arbitrator] has noted many times in the past, where cause for discipline exists it will not be second-guessed, as long as it is within the zone of reasonableness for the proven misconduct ... Here, even if the Hearing Officer may have imposed a somewhat lesser level of discipline, on the record presented, he cannot find the discharge is outside the zone of reasonableness for the proven performance deficiency ... Finally, as also noted a number of times in the past, "mercy" is for the Agency, not for the Hearing Officer, to impose.

Arbitrator Askin followed approximately the same line of reasoning in his July 23, 15 Award in Case [REDACTED]

Arbitrators have been divided for decades on what to do when it is determined that "cause" exists for the imposition of discipline but there is dispute over the severity of the sanction.

Elkouri & Elkouri, "How Arbitration Works, 5th ed.:" (BNA, 1996) write as follows:

Several views have been expressed by arbitrators regarding the nature of their function in reviewing disciplinary penalties imposed by management.

The view that the determination of the penalty for misconduct is properly a function of management and that the arbitrator should hesitate to substitute his or her judgment and discretion for that of management was elaborated by Arbitrator Whitley P. McCoy ...

Where there is an agreement requiring 'just cause', Arbitrator Wilber C. Bothwell held that "the arbitrator should not substitute his judgment for that of management unless he finds the penalty excessive, unreasonable, or that management has abused its discretion." Views of similar import have been expressed by many other arbitrators (the "unreasonable, capricious, or arbitrary action" standard review often being stated).

A less restricted role of the arbitrator in reviewing discipline assessed under agreements requiring cause is apparent under the following view expressed by arbitrator Harry H Platt...

Here again, views of similar import have also been expressed by arbitrators in other cases....

Where the agreement fails to deal with the matter, the right of the arbitrator to change or modify penalties found to be improper or too severe may be deemed to be inherent in the arbitrator's power to decide the sufficiency of cause, as elaborated by arbitrator Harry H Platt:

In many disciplinary cases, the reasonableness of the penalty imposed on an employee rather than the existence

of proper cause for disciplining him is the question an arbitrator must decide.... In disciplinary cases generally, therefore, most arbitrators exercise the right to change or modify a penalty if it is found to be improper or too severe, under all the circumstances of the situation. This right is deemed to be inherent in the arbitrator's power to discipline and in his authority to finally settle and adjust the dispute before him ...

Modification by an arbitrator of the penalty found to be too severe should not be confused with the exercise of leniency (or clemency).

Elkouri, *op. cit.*, pp. 910-912.

The Agency had serious, *bona fide* concerns here. Not once, but twice, the Grievant showed up at work sites and completely "lost it", lashing out at co-workers who had nothing to do with her underlying problems, screamed and shouted in enclosed workspaces, and was so out-of-control that people felt physically threatened and intimidated. She, in essence, lied to the Arbitrator when she told him that she did not use the word "bitch" at Potrero, when three percipient eyewitnesses (who clearly did not want to get involved) wrote that she did. There was no reason for her to be at Kirkland, in August, off-duty and not at work, to support her clearly troubled friend, Ms. [REDACTED]. Her friend may be entirely entitled to sympathy and support but that does not justify the Grievant showing up at Kirkland and parking where she should not park, shouting at the staff there, complaining loudly about MTA management in general, and speeding through the parking lot (which we conclude she did, her denials notwithstanding).

MTA has clearly established that she was "Boisterous, Profane [and] Vulgar..." and extremely "Discourteous". The only question here is one of the penalty. Is termination too severe? We conclude that, under these unique circumstances, it is not.

Physically or orally intimidating and threatening one's coworkers and superiors is almost always, in the arbitral world, abundant grounds for termination, even in cases of some provocation (and there is absolutely no showing whatsoever here that the Grievant was provoked, either at Potrero or Kirkland), and although she says she later apologized to the employees at



Potrero it does not appear that she did so at Kirkland. Her repeated denials that she used the word "bitch" is flatly contradicted by the written statements of at least three percipient witnesses, and it appears that she was less than candid with the Arbitrator in her recitation of the events. She does not deny that she threatened the workers with the presence of her husband, about whom we know nothing but who the Grievant obviously regarded as a figure capable of making life miserable for the folks at Potrero.

This is more than just the exercise of bad judgment or poor anger management by the Grievant while trying to help out a deserving friend. There is absolutely no guarantee, given the relative lack of remorse and contrition, that this will not happen again. Here, we give deference to the decision of management that termination is the appropriate remedy, and we decline to substitute our arbitral discretion for that of the Agency.

#### **AWARD**

The Grievance is **Denied** and the termination is **Affirmed** and **Upheld**.

Dated: July 16, 2019

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Christopher D Burdick  
S.B.N. 042732

**(15) Request for Hearing by Alejandro Alvarez on His Future Employment Restrictions with the City and County of San Francisco. (File No. 0194-17-7) – Action Item**

**Recommendation:** Postpone to a future meeting at the request of Alejandro Alvarez.

**COMMISSIONERS'  
ANNOUNCEMENTS/  
REQUEST**

**ADJOURNMENT**