



CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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MICHAEL L. BROWN
EXECUTIVE OFFICER

Date: September 21, 2015
To: Civil Service Commission
From: Michael L. Brown 
Executive Officer
Subject: **Year-End Report on the Civil Service Commission's Activities and Achievements in Fiscal Year 2014-2015**

The following is a summary report on the activities of the Civil Service Commission ("Commission" or "Department") in Fiscal Year 2014-2015, the period covering July 1, 2014 through June 30, 2015.

The Commission primarily focused its efforts in Fiscal Year 2014-2015 on achieving its performance measures in support of the following six goals:

- Goal #1: Increase access to, and utilization of the Civil Service Commission's information and resources.
- Goal #2: Create greater transparency and efficiencies in the Civil Service Commission's procedures and communications.
- Goal #3: Ensure the timely resolution of appeals so that merit system issues are addressed efficiently, effectively and fairly.
- Goal #4: Continue to seek ways to address City departments' need for flexibility in personnel management issues while at the same time maintaining the integrity of the City's merit system.
- Goal #5: Streamline and ensure that the Commission's Rules, policies and procedures are easily understood and known by all stakeholders; consistent and compliant with the law; and reflective of current and best practices.
- Goal #6: Continue to seek ways to strengthen the Civil Service Commission's ability to meet its Charter mandates and oversee the operation of the merit system.

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 6

The Commission was particularly productive in Fiscal Year 2014-2015, despite the loss of the Executive Officer in the latter part of 2014 and the leave of absence of the Appeals Coordinator for two quarters in 2015. Under the leadership of the new Executive Officer, the Department exceeded its' goals and objectives by surpassing many of its performance measures. Please refer to "Attachment A" for a chart reflecting the Commission's achievements on the approximately 60 performance measures established for Fiscal Year 2014-2015.

Also attached to this report are the following Fiscal Year 2014-2015 documents: 1) the Appeals Log (Attachment B); 2) the Inspection Service Request Log (Attachment C); and, 3) the Commission's Merit System Audit Program report (Attachment D).

Staffing

As a small department, each position's duties and responsibilities are crucial to carrying out the Commission's mission. Although the Department was able to maintain its position authority for six full-time equivalent employees ("FTE") during the fiscal year, the Department experienced challenges. First, the Executive Officer position became vacant during October of 2014. The Commission with the assistance of the Department of Human Resources engaged in an extensive but successful search for a new Executive Officer who came on board January 5, 2015. In addition, we had a staff member on a leave of absence for two quarters in 2015. The remaining four (4) staff collaboratively worked to maintain operations under the leadership of the new Executive Officer.

Department staff did an outstanding job of diligently and tirelessly working together to minimize the impact on the Commission's operations and critical functions. They are to be commended for their excellent hard work and commitment to the merit system.

Budget

The Department's budget last fiscal year fully funded all six (6) FTE's and ended with a surplus due to the vacancy of the Executive Officer and leave of absence for one staff. We were able to successfully negotiate an increase in the work order amount retrieved for services rendered to the Public Utilities Commission (PUC) by \$20,800 and Municipal Transportation Agency (MTA) by \$30,000, reducing our reliance on general fund dollars by \$50,800. It is important to note that the work order amounts had not been adjusted since 2006. Unfortunately, we were not able to fund our expansion plan for Live Streaming commission meetings. Our approved overall budget for 2014-2015 of 1.119M will increase to \$1.173M in 2015-2016 and is projected to increase to \$1.193 for FY 2016-17.

Appeals and Hearings

The Commission received a total of 47 new appeals and requests for hearings in Fiscal Year 2014-15, in addition to the 9 active unresolved appeals that were carried over from the previous fiscal year. The Commission heard and resolved 45 of the 56 pending appeals last

fiscal year, representing 80%, which remains significantly above its target of 70%. (Attachment B). The Commission concluded the fiscal year having resolved all appeals filed prior to January 2015, with the exception of three appeals that have been taken off-calendar pending the resolution of ongoing litigation, grievance and/or arbitration.

Inspection Service Requests

In Fiscal Year 2014-2015, the Commission received a total of 84 Inspection Service Requests from employees, departmental representatives, anonymous individuals or those requesting confidentiality, labor representatives, job applicants/candidates and members of the public. (Attachment C). The Commission exceeded its goal of 80% by resolving 83% (70 out of 84) Inspection Service Requests within 60 days. Commission staff noted there were more delays in departmental response to Inspection Service Requests that focused on the post-referral process. In several of the larger City departments, the post-referral process is conducted by divisional managers and staff, not human resources staff. Due to delays in hiring decisions or divisional staff not understanding the importance of maintaining organized documentation of the post-referral process, departments had challenges responding in a timely manner. However, through these challenges, Commission staff had opportunities to meet with department personnel analysts and supervisors who provided us valuable feedback on the training needed in the departments. For many supervisors, it was their first time meeting with Commission staff and understanding the role of the Civil Service Commission.

Commission staff further reviewed examination administration because of the number of requests to review examination content. Commission staff does not substitute the knowledge of subject matter experts but a close review of examination questions and rating criteria clearly indicate the goals of the department to find the best qualified candidate for the position. After reviewing the Commission's findings with the complainants, complainants began to understand the standardized examinations are screening tools utilized to find the best qualified manager or candidate and not solely to find an expert in a specific subject, program, skill or trade.

Merit System Audit Program

This fiscal year the Commission focused on reviewing the following selection and appointment practices for eight randomly-selected positions within various City departments to assess compliance with Charter provisions, Commission Rules, and merit system policies and processes:

- Information provided on Permanent Civil Service examination announcements regarding appeal rights and other required information;
- Departmental practices with respect to the verification and documentation of minimum qualifications for individuals appointed to Permanent Civil Service (PCS), Provisional or Exempt positions; and

- Departments' justification for exempting positions from Civil Service appointment, selection and removal procedures in accordance with Charter section 10.104 and for making provisional hires under Charter Section 10.105.

Our findings discovered:

- The audit found that all job announcements for examination recruitments included appropriate appeal rights and other required information. There was one announcement which did not include appropriate job information for recruitment of permanent exempt hire. This was brought to their attention and the Department has been very receptive, quick to respond and is currently working with the Classification Unit at DHR in correcting this issue.
- All of the appointees were deemed by their respective department appointing officers or designees to have met the minimum qualifications for the position to which they were appointed, but three did not obtain verification prior to making the employment offer or appointment start date.
- The audit included two (2) departments which posted positions that were Permanent Exempt and one (1) department with a Temporary Exempt status position. The Exempt Justification forms were present in the Official Personnel File and met the criteria established under the Charter.

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

Rule Amendments and Revisions

The Commission was productive in updating a number of Rules, policies and procedures in the last fiscal year.

Eight Civil Service Commission Rules were amended:

1. Rule 412 – Eligible Lists, Section 412.30 – Tenure of Eligible Lists and Section 412.31 0 Provisions for Automatic Expiration of Eligible Lists
2. Volumes I and IV of Rule Series 11A – Position Based Testing, Article VI: Administration of Eligible Lists and Article VII: Certification of Eligibles
3. Volumes I and IV of Rule Series 12 – Eligible Lists – Article I: Administration of Eligible Lists and Article II: Eligible Lists and Eligibility

4. Volumes I and IV of Rule Series 13 – Certification of Eligibles
5. Rule 112 Eligible Lists – Add Article VIII to establish Office of Community Investment – Only Eligible Lists to transition former San Francisco Redevelopment Agency (SFRA) employees into permanent positions with the City and County of San Francisco.
6. Rule 221.3 – Examination without Charge – extending the pilot program to charge for entry level police examinations by an additional one and one half years (1.5) years with an expiration date of December 15, 2016.
7. Rule 311.5.2 – Examination without Charge – extending the pilot program to charge for entry level fire examinations by an additional one and one half years (1.5) years with an expiration date of November 15, 2016.
8. Rule Series 020 – Leave Of Absence – implementing compliance with California Labor Code Section 245-249 Healthy Workplace Healthy Family Act of 2014) changing definitions of family; expand coverage to include preventive care, victim of domestic violence, or stalking; provide sick leave benefit for all employees; reduce the qualifying time for access to accruals to 90th day of employment; and restore balances if return to service within 12 months from separation.

Commission Policies and Procedures

After the Civil Service Commission Rules were amended in Volumes I and IV to clarify the selection procedures following eligible list referral, the Commission issued the Civil Service Commission Policy on the Civil Service Selection Process on September 10, 2014. In appropriate circumstances, the hiring department is not required to send a Notice of Inquiry if it has determined that it has sufficient information to make a merit-based, objective determination as to who the best qualified reachable candidate is based on what the candidate has already submitted and their performance on an examination. However, the hiring department must administer and document the non-discriminatory, merit-based criteria used to further screen and select from the reachable eligible ranks.

After the rule amendment and policy was issued, the Commission received several inquiries to explain the process from departments and employee organizations. The Commission and the Department of Human Resources are working together to find ways to improve communication with departments and employee organizations.

The Civil Service Commission continues to strive to clarify and demystify the Civil Service Policies and Procedures.

- After meeting with the Unions and interested stakeholders, the Civil Service Commission reissued the Policy and Procedures on Personal Services Contracts in November 2014 to clarify any outstanding issues.
- All internal form letters to appellants requesting a hearing before the Commission upon resignation, release from probation, or termination, with no recommendations of future employment restrictions by the appointing officer, will include language to remind appellants that the commissioners, at their discretion, have the authority to impose restrictions.
- Our internal policy now provides for faster receipt of correspondence by appellant, if they provide their email address, we can send an electronic copy of the U.S. mail correspondence.

This fiscal year, Commission staff went before the Sunshine Ordinance Task Force (SOTF) to respond to a claim that the Civil Service Commission violated Administrative Code Section 67.5 (Sunshine Ordinance) by conducting an appeal hearing regarding claims of discrimination against a peace officer during a closed session of the Civil Service Commission meeting of April 1, 2013. In addition to providing the SOTF with California Penal Code Section 832.7 and the Copley Press decision (Copley Press, Inc. v. Superior Court (2006) 39 Cal.4th 1272), Commission staff presented the Civil Service Commission's Peace Officer Proceedings Guidelines. After three (3) meetings, SOTF did not find that the Civil Service Commission violated the Sunshine Ordinance, but urged the department to reexamine its policies concerning peace officers. SOTF believed there may be better options to more appropriately balance the public's right to know with the degree of peace officer confidentiality required by statute.

Public Records Requests

We received an unusually high number of Public Records Request from one source. With our small staff, reviewing approximately 170 emails over a six (6) month period and preparing responses to approximately 74 Public Record Requests proved to be burdensome and a disruption to the work of the Commission. Emails contained not only requests for records and information but also contained interrogatories that were repetitive and unrelenting. Using the "Rule of Reason" referenced in the City Attorney's, "Good Government Guide", we were able to place the requestor on notice and manage outstanding requests. (Attachment E).

Summary

In summary, the Commission has been very productive last fiscal year despite their challenges. Credit must be given to the Civil Service Commission staff members who tirelessly work in supporting the mission of the Civil Service Commission. They have provided incredible and unmeasurable support to me as the Executive Officer.

Elizabeth Aldana, Sr. Clerk Typist, Jennifer Bushman, Jr. Management Assistant, Lizzette Henriquez, Personnel Technician, Luz Morganti, Sr. Personnel Analyst, and Sandra Eng, Deputy Director are well deserving of acknowledgement for their individual jobs well done. In this

small but powerful Department, their great team work, dedication and exemplary service prove that strength is not always measured in numbers.

Attachments:

- Attachment A: Report on the Civil Service Commission Department's Achievement of its Fiscal Year 2014-2015 Goals and Objectives (see pages 9-20)
- Attachment B: Fiscal Year 2014-2015 Appeals Log (see pages 22-26)
- Attachment C: Fiscal Year 2014-2015 Inspection Service Request Log (see pages 28-35)
- Attachment D: Merit System Audit Program Report (see pages 37-49)
- Attachment E: Excerpt from City Attorney's "Good Government Guide" (see page 52)

ATTACHMENT A



CITY AND COUNTY OF SAN FRANCISCO CIVIL SERVICE COMMISSION

Report on the Civil Service Commission Department's Achievement of its Fiscal Year 2014-2015 Goals and Objectives

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

Objective	Performance Measures	Status of Performance Measures
<p>Increase the availability of information about the Civil Service Commission.</p>	<p>Continue to ensure that all information on the Civil Service Commission's website is accurate and current.</p> <p>Continue to expand upon the information available on the Civil Service Commission's Facebook page and Twitter and update the information as needed throughout the fiscal year.</p>	<p>Completed/Ongoing: Commission staff continues to regularly update the Commission's website after each meeting, and immediately upon any Civil Service Rule or Commission policy change.</p> <p>Completed/Ongoing: All Commission meeting agendas and minutes are also now posted on the Commission's Facebook and Twitter pages. We continue to research the ability to post all prospective Commission Annual Reports and Civil Service Rule on these accounts.</p>
<p>Ensure that information on the Civil Service Commission's website is intuitive and easily accessible.</p>	<p>Prepare and/or update informational publications about the Civil Service Commission as needed throughout the fiscal year.</p> <p>Continue to ensure that the Civil Service Rules are in a format conducive to printing (e.g., consistent font and paragraph spacing, review for legibility, etc.).</p> <p>By January 31, 2015 post the official Civil Service Rules in PDF format as well so that they may be printed in a formal format.</p>	<p>Completed/Ongoing: Revised Civil Service Adviser No. 8 Selection from Civil Service Eligible Lists.</p> <p>Ongoing</p> <p>Completed/Ongoing: Direct links to PDF format are not available at this time, but depending on the user's internet software (i.e. Chrome), it is automatically converted with the ability to save or print in PDF. Ongoing discussion with IT will be to determine the best method to provide direct links, ease of updating Rule changes for all formatted versions and to assure compliance with accessibility ordinance.</p>

<p>Increase the availability of information on the Civil Service Commission's website.</p>	<p>Continue to increase the availability of information and documents under the Civil Service Commission's purview on the Commission's website (e.g., post established policies, publications and relevant historical documents, historical staff reports, etc.).</p>	<p>Completed/Ongoing: Posted proposed policy changes and rule proposals before each scheduled meeting so employees, unions, and the public have an opportunity to ask questions and obtain additional information if needed.</p>
<p>Ensure that Commission staff and the Civil Service Commissioners have quick, efficient and easy access to the Commission's historical documents and files for proper record retention purposes and any specific research needs.</p>	<p>Continue to expand the use of the Commission's web-based document management system ("DocumentMall"):</p> <ul style="list-style-type: none"> o Expand upon the types of documents uploaded into the system (e.g., meeting materials, policies, communications, publications and reports). o Require that all Commission staff use, access and/or upload documents into DocumentMall on a weekly basis throughout the fiscal year. o Convert paper reports and other Civil Service Commission documents into digital files on DocumentMall, with the goal of uploading at least 700 pages of documents into the system on a weekly basis. 	<p>Completed/Ongoing: The Commission now has 5 1/2 years (2005-2012) of meeting material scanned into DocMall; staff continues to scan meeting material, appeals, inspection service requests, memos, policy and procedures, and rules into DocMall.</p>
	<p>Undertake a systematic review of all Commission hard copy documents and files throughout the year.</p> <ul style="list-style-type: none"> • Continue to purge all duplicative/unnecessary hard copy documents (either through proper destruction procedures, or by sending them to storage at the San Francisco Public Library) and upload all relevant historical documents and files into the system. 	<p>Completed/Ongoing: Staff continues to reduce making hard copy documents by scanning and emailing correspondence, then filing the original documents for recordkeeping; will continue to focus on weekly resolving one box of documents/files.</p>

	<ul style="list-style-type: none"> Resolve at least one box (or the equivalent) of documents/files each week.
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Goal #2: Create greater transparency and efficiencies in the Civil Service Commission's procedures and communications.

Objective	Performance Measures	Status of Performance Measures
<p>Improve communications with appellants so that they understand the Civil Service Commission's Rules, policies and meeting procedures.</p>	<ul style="list-style-type: none"> Update the Commission's appeal and meeting procedures by the fall of 2015 to reflect improvements implemented in Fiscal Years 2013-2015 and as advised by the City Attorney's Office. Update and finalize meeting procedures and protocols for peace officer appeals by December 2014. Continue to provide appellants with as much information as possible so that they understand meeting and appeal procedures. 	<p>Ongoing: Staff continues to communicate with appellants by email, mail, and phone to ensure appellants are aware of deadlines and procedures for processing appeals; The new Executive Officer will continue to work in consultation with the City Attorney to finalize the meeting procedures and protocols for peace officer appeals by December 31, 2015.</p>

Civil Service Commission's Goals and Objectives for Fiscal Year 2014-2015

<p>Improve communications with departments so that they understand the Civil Service Commission's policies, meeting procedures and expectations with respect to staff reports.</p>	<ul style="list-style-type: none"> o By winter 2014, create template staff reports for departmental use on various matters, and update the Commission's instructions on staff report content to ensure consistency in, and quality of departments' staff report submissions. o Offer training/guidance to departments on how to prepare staff reports to the Commission. 	<p>Ongoing: The new Executive Officer will continue the work on creating template staff reports to be available by December 31, 2015 and schedule trainings for personnel professionals and departments.</p>
<p>Increase the use of electronic communications with departments and appellants (if requested) in an effort to reduce paper consumption and staff resources, create efficiencies and expedite communications with Commission stakeholders.</p>	<p>Throughout the fiscal year, seek ways to further expedite and streamline the Commission's communications with its stakeholders, and reduce the Commission's paper consumption and drain on staff resources.</p>	<p>Completed/Ongoing: The Executive Officer will continue to seek ways to streamline communications with its stakeholders, and reduce the Commission's paper consumption and drain on staff resources. Suggestions have been made to better present reports before the Commission with concise and relevant information. In addition we have updated our email contact list of department heads and personnel professionals to disseminate information to a more complete and comprehensive target.</p>
<p>Issue all reports regarding Civil Service Commission deliverables and achievements on a timely basis.</p>	<p>No later than the second meeting in August 2014, finalize the draft Fiscal Year 2013-2014 Annual Report and Year-End Report for the Commission's review and approval.</p> <p>No later than the first meeting in February 2015, report to the Civil Service Commission on the status of the Commission's achievement of its goals and objectives for the first half of Fiscal Year 2014-2015.</p> <p>No later than the first meeting in June 2015, schedule the Civil Service Commission's Strategic Planning Session to establish the Commission's new goals and objectives for Fiscal Year 2015-2016.</p>	<p>Completed</p> <p>Completed</p> <p>Completed</p>

<p>Ensure that Commission staff understand and are focused on supporting the Civil Service Commission's mission, goals and objectives.</p>	<p>No later than August 29, 2014, complete all Commission staff performance evaluations for the preceding review period concluding on June 30, 2014.</p> <p>No later than August 29, 2014, establish all Commission staff performance plans for the next performance review period (Fiscal Year 2014-2015), and ensure that the plans include deliverables specifically tied to the Civil Service Commission's Fiscal Year 2014-2015 Goals and Objectives.</p>	<p>Completed</p> <p>Completed</p>
<p>Ensure that the Commission's internal policies and administrative procedures are documented for Commission staff.</p>	<p>No later than June 30, 2015, revisit and update as needed all Commission internal policies and standard operating procedures to ensure consistency and facilitate cross training,</p>	<p>Ongoing: Staff completed its initial standard operating procedures for each position in the department and continues to update throughout the year due to program/system changes.</p>

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

Objective	Performance Measures	Status of Performance Measures
<p>Resolve appeals in a timely manner to the extent possible.</p>	<p>Process 100% of appeals and requests for hearing within seven (7) days of receipt in Fiscal Year 2014-2015 (i.e., review for jurisdiction and timeliness, record the appeal into the Commission's Pending Appeal Log (PAL) and communication log, send appellants acknowledgement of receipt letters, and notify departments of the appeal and targeted hearing dates).</p>	<p>Completed/Ongoing: 96% of appeals and requests for hearings were processed within 7 days.</p>
	<p>By June 30, 2015, resolve and/or forward to the Civil Service Commission for hearing, at least</p>	<p>Completed/Ongoing: As of June 30, 2015, the Commission resolved 80% of the appeals received and outstanding during in Fiscal Year 2014-2015.</p>

Civil Service Commission's Goals and Objectives for Fiscal Year 2014-2015

<p>Monitor appeals and develop strategies to improve the efficiency by which appeals are resolved.</p>	<p>70% of the appeals received in Fiscal Year 2014-2015.</p> <p>By May 29, 2015, evaluate the effectiveness of the Commission's appeals policies procedures (e.g., staff report deadlines, revised communications to departments, etc.) based on performance measure achievements over the past three fiscal years. By June 30, 2015, implement new, or adjust existing policies and procedures as appropriate for Fiscal Year 2015-2016.</p> <p>Issue the Civil Service Commission's Meeting Schedule and Deadlines for Calendar Year 2015 no later than November 2014 to ensure that departments are aware of staff report submission deadlines.</p> <p>Regularly update and monitor the Pending Appeals Log on a biweekly basis, and communicate with departments as appropriate, to ensure that staff reports on appeals are submitted within a reasonable period of time.</p> <p>Convene monthly meetings with the Department of Human Resources on the status of departments' staff reports.</p> <p>Obtain advice and guidelines from the City Attorney's Office as needed on legal issues concerning appeals in as far advance as possible to avoid delays and backlogs (e.g., closed session matters, privacy protections, Brown Act requirements, etc.).</p>	<p>Nine (9) appeals were carried over into 2014-2015 and 47 new appeals were received.</p> <p>Completed/Ongoing</p>
	<p>Completed</p>	
	<p>Completed/Ongoing: The pending appeals log is updated biweekly and as soon as it is resolved.</p>	
	<p>Completed/Ongoing: The Executive Officer and the Department of Human Resources conducts monthly meetings to review status of pending appeals and now include other related matters.</p> <p>Ongoing</p>	

Goal #4: Seek ways to address City departments' need for flexibility in personnel management issues while at the same time maintaining the integrity of the City's merit system.

Objective	Performance Measures	Status of Performance Measures
<p>Work collaboratively with departmental representatives, the Department of Human Resources and City Attorney's staff to establish new or amend current Rules, policies and procedures to address changing needs as appropriate.</p>	<p>Throughout the fiscal year, seek input from operating departments on the effectiveness of the merit system and areas needing improvement.</p> <p>Convene regular meetings of the Commission's Committee on Policy and Rules Revision (COPAR) throughout the fiscal year to: 1) discuss and vet with departmental human resources representatives any new Rules, policies or procedures, or needed/requested revisions thereto; and 2) seek departmental input on inconsistencies between the Civil Service Rules and current departmental practices, to recommend appropriate action to the Commission (e.g., consider proposing a Rule change, issue an Adviser to clarify Rule requirements, etc.).</p>	<p>Completed/Ongoing: The Department regularly solicits input from departments on merit system issues of concern, including through presentations and trainings and at monthly human resource representatives' meetings.</p> <p>Ongoing: The Executive Officer continued conducting COPAR meetings beginning January 2015.</p>
<p>Ensure that the Civil Service Rules, policies and procedures are consistent with current departmental practices and system requirements/capabilities/limitations under the new eMerge PeopleSoft system.</p>	<p>Meet with eMerge representatives in the fall of 2014 and spring of 2015 to continue to ensure that there are no inconsistencies in existing Civil Service Rules or Commission policies and procedures resulting from further implementation or programming of the new eMerge system.</p>	<p>Completed/Ongoing: Commission staff has met with eMerge and DHR representatives on revisions to PeopleSoft concerning the post-referral system and future employment restrictions.</p>

Goal #5: Work to ensure that the Civil Service Commission's Rules, policies and procedures are easily understood and known by all stakeholders, consistent with the law, and reflective of current and best practices.

Objective	Performance Measures	Status of Performance Measures
<p>Review the Civil Service Rule series and recommend revisions/deletions/additions to the Rules for the Commission's consideration as necessary and appropriate.</p>	<p>Review one Civil Service Rule series every other month on average and recommend revisions/deletions/additions for the Commission's consideration. Revisions will be prioritized as follows:</p> <ol style="list-style-type: none"> 1. Rule provisions that conflict with, or that are otherwise inconsistent with the law. 2. Rules that are confusing, inconsistent with other Rules or policies, or inconsistently applied by departments. 3. Rule provisions that would support operational needs. 4. Rule provisions that are no longer applicable. 5. Revisions that would consolidate or streamline the Rules. 6. Rules needed to address merit system issues discovered during the course of Inspection Service reviews or the Audit Program. 7. Clean-up (e.g., remove Rules that have expired, etc.). 	<p>Completed/Ongoing: As of June 30, 2015, the Commission reviewed and adopted amendments to the following Rules: 1) Rule Series 11A Position-Based Testing, 12 Eligible Lists, and 13 Certification of Eligibles in Volumes I and IV; 2) Rule 412 Article IV Duration of Eligible Lists; 3) Rule 112 Eligible Lists adding Article VIII to establish OCI Only lists to transition former SFRA employees; 4) Rule 311.5.2 – Examination without Charge extension; 5) Rule 211.3 – Examination without Charge extension; and 6) Rule020 Series – Leaves of Absence. The Executive Officer continues to review Rules to address merit system issues.</p>
<p>Review existing Civil Service Commission policies and recommend revisions to existing policies and procedures, or the creation of new ones, as appropriate.</p>	<p>Review at least one existing Civil Service Commission policy every quarter and recommend revisions as appropriate for the Commission's consideration. The Executive Officer will also recommend for the Commission's consideration the creation of policies as needed and appropriate on merit system issues for which Civil Service Commission stakeholders require more guidance.</p> <p>The Executive Officer's policy review will be prioritized based on directives from the Civil</p>	<p>Completed/Ongoing: Revised the Policy and Procedures on Personal Service Contracts; Amended Rules and created Policy on Civil Service Selection Process;</p>

Civil Service Commission's Goals and Objectives for Fiscal Year 2014-2015

	<p>Service Commission, requests from Commission stakeholders, and the frequency of Inspection Service complaints received on a particular issue.</p>	
<p>Conduct meet and confer negotiations and adopt new and amended Rules, policies and/or procedures when required under state law.</p>	<p>As needed during the fiscal year, conduct meet and confer sessions with the City's labor unions on any new or amended Rules or policies when required under state law.</p>	<p>Completed/Ongoing: The Executive Officer convened meet and confer/informational sessions with the City's labor unions on the six (6) proposed Rule changes indicated above.</p>
<p>Conduct best practice reviews of merit system matters in other jurisdictions.</p>	<p>Research best practices in the Bay Area and/or comparable jurisdictions (e.g., Los Angeles) upon request of the Civil Service Commission during the fiscal year.</p>	<p>Not applicable, as there have been no such formal requests to date.</p>
<p>Provide outreach, training and support to the Civil Service Commission's stakeholders regarding the Civil Service Rules, policies and procedures.</p>	<p>Upon request/as needed during the fiscal year, develop and conduct seminars and trainings on the merit system; the Civil Service Rules, policies and procedures; and other matters under the jurisdiction of the Civil Service Commission.</p>	<p>Ongoing: Commission staff conducted informational meetings with SEIU regarding Policies and Procedures on Personal Service Contracts; the Executive Officer will continue conducting trainings on the merit system.</p>
	<p>Give regular presentations and updates on merit system issues during the Department of Human Resources' Monthly Human Resources Representatives meetings.</p>	<p>Ongoing: The Executive Officer will continue to provide presentations and updates on the merit system as requested.</p>
	<p>Provide a presentation on the merit system to new human resources analysts on an annual basis.</p>	<p>Ongoing: The Executive Officer will continue to provide presentations on the merit system to new human resources analysts on an annual basis.</p>

	<p>Offer to provide other Commission stakeholders with an overview of the merit system upon request (e.g., union representatives/ employee groups, operational managers, elected officials, Deputy City Attorneys, etc.).</p> <p>Seek input from the Commission's stakeholders on common merit system areas of confusion and issue publications on Frequently Asked Questions and develop new Advisers on reoccurring issues as needed during the fiscal year.</p> <p>Offer to provide labor representatives with informational articles on the Civil Service Commission for their member newsletters upon request.</p>	<p>Ongoing</p> <p>Ongoing: Commission staff continues to seek input from the Commission's stakeholders on the hiring process.</p> <p>Ongoing</p>
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Goal #6: Strengthen the Civil Service Commission's ability to meet its Charter mandates and oversee the operation of the merit system.

Objective	Performance Measures	Status of Performance Measures
<p>Review the operation of the merit system in City departments.</p>	<p>Conduct eight departmental audits in Fiscal Year 2014-2015.</p> <p>Resolve/complete within 60 days, 80% of Inspection Service Requests received in Fiscal Year 2014-2015.</p>	<p>Completed</p> <p>Completed: 83% of the Inspection Service Requests received in the Fiscal Year 2014-2015 were completed in 60 days.</p>
	<p>In the event that Commission staff determines in the course of its audits and/or Inspection Service reviews that some department practices conflict with established Rules or policies, issue formal clarifying statements and/or trainings within 60 days so that all</p>	<p>Completed/Ongoing: City departments have made changes to ensure they are consistently applying the applicable Rules to examinations, eligible lists, and leaves of absences.</p>

	<p>departments are aware of and understand applicable merit system requirements.</p>	
<p>Increase the Civil Service Commission's access to information regarding the operation of the merit system.</p>	<ul style="list-style-type: none"> No later than the second meeting in November 2014, submit for the Commission's review its Calendar of Reports for Calendar Year 2015 (this details the reports that City departments are required to submit to the Civil Service Commission each year). Include for the Commission's review a list of available canned queries, reports and available information related to merit system matters in the event that the Civil Service Commission wishes to expand upon the information it currently receives from Commission staff and/or City departments (e.g., exempt appointment justifications, personal services contracts, examination plans, etc.). By the end of December 2014, issue the final 2015 Calendar of Reports to departments so that departments are aware of their reporting requirements in advance. Additionally, issue an electronic reminder one month prior to each report's due date. 	<p>Completed</p>
<p>Ensure that departments are complying with the Civil Service Commission's request for reports and/or additional information.</p>	<p>When applicable, record any conditions, restrictions or reporting requirements that the Civil Service Commission places on a Personal Services Contract (PSC). Utilize a tickler system so that the Commission is able to ensure that departments comply with the Commission's conditions, restrictions or reporting requirements for PSC approvals.</p> <p>When applicable, record and create a "tickler system" for any additional reports that the Commission requests throughout the fiscal year.</p>	<p>Completed/Ongoing</p>
		<p>Completed/Ongoing</p>

Civil Service Commission's Goals and Objectives for Fiscal Year 2014-2015

<p>Complete/coordinate all Charter-mandated wage/benefit surveys requiring Commission certification under the Charter.</p>	<p>By November 26, 2014, develop a work plan and schedule for achieving Charter-mandated surveys for the fiscal year.</p> <p>Utilize a "tickler system" for departmental reports to ensure that Charter-mandated surveys are timely submitted (e.g., Office of Labor Standards and Enforcement prevailing wage survey, and Department of Human Resources survey of nurse salaries and benefits).</p> <p>No later than the second meeting in May 2015, complete the annual salary adjustments for Elected Officials in accordance with Charter Section A8.409-1-Employees Covered.</p>	<p>Completed</p> <p>Completed/Ongoing</p> <p>Completed</p>
<p>Ensure that the Civil Service Commission's budget in Fiscal Year 2014-2015 is sufficient so that it can adequately carry out its Charter obligations to oversee the merit system.</p>	<p>No later than April 30, 2015, complete the salary survey for the Board of Supervisors in accordance with Charter Section 2.100 Compensation and Salary.</p> <p>Negotiate with the Mayor's Office, Controller's Office and Board of Supervisors to maintain the Commission's budget in Fiscal Year 2015-2016 at an adequate level to support its operations, Charter functions and merit system goals and objectives.</p>	<p>Completed</p> <p>Completed: The Civil Service Commission was exempted from the 1% budget reduction amount required by the Mayor's Office for Fiscal Year 2015-2016; we increased the Department's expenditure recovery from MTA and PUC; were able to maintain current staffing levels; but we were unable to obtain additional revenue for future projects. FY 2014 - 2015 budget: 1.119 M FY 2015 - 2016 budget: 1.173 M FY 2016 - 2017 budget: 1.193 M</p>

ATTACHMENT B

Civil Service Commission
Fiscal Year 2014-15 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0270-14-4	4	Salaheddin O. Alibakht Appealing the rejection of his application for the 9139 Transit Supervisor examination.	12/12/14	12/16/14	Reiskin Ellison Leung Kim Tharayil	03/02/15	02/19/15	04/20/15	1	Resolved
0152-14-6	6	Rogerio Bittencourt Appealing on behalf of Rogerio Bittencourt the Human Resources Director's decision to administratively close his discrimination complaint EEO File No. 1783.	07/15/14	07/16/14	Callahan Simon Wong	09/15/14	09/04/14	11/21/14	5	Resolved/Withdrawn
0195-15-4	4	Sharon L. Bosley Appealing the rejection of her application for the 1241 Personnel Analyst examination.	06/03/15	06/04/15	Callahan Gard Kraus	08/17/15	08/06/15	06/10/15	4	Resolved
0209-15-4	4	Anthony Bryant Appealing the rejection of his application for Class 5241 Engineer - Electrical specialty.	06/09/15	06/12/15	Callahan Gard Kraus Miles	08/17/15	08/06/15			Scheduled for CSC mtg of 9/21/15.
0208-15-4	4	Anthony Bryant Appealing the rejection of his application for Class 5211 Engineer/Architect/Landscape Architect Senior Electrical specialty.	06/09/15	06/12/15	Callahan Gard Kraus Miles	08/17/15	08/06/15			Scheduled for CSC mtg of 9/21/15.
0065-15-8	8	David Canham, SEIU Local 1021 Appealing PSC #2013-08/09 - Modification - Behavioral health services in locked facilities.	03/26/15	03/27/15	Callahan Gard B. Lewis J. Hale	05/18/15	05/07/15	04/06/15	1	Resolved
0066-15-8	8	David Canham, SEIU Local 1021 Appealing PSC # 4113-11/12 - Modification - Third party vendor administrative and other services for Healthy SF.	03/26/15	03/27/15	Callahan Gard B. Lewis J. Hale	05/18/15	05/07/15	04/06/15	1	Resolved
0135-15-8	8	David Canham, SEIU Local 1021 Appealing the PSC #46237-14/15 - Community Health Equity and Promotion, Community-based Primary Prevention Services - Department of Public Health.	05/07/15	05/08/15	Callahan Gard S. Choi Hale	05/18/15	05/12/15	05/18/15	1	Resolved
0136-15-8	8	David Canham, SEIU Local 1021 Appealing the PSC #42832-14/15 - As Needed Credential Verification and Related Transcription Personnel Services - Department of Public Health.	05/07/15	05/08/15	Callahan Gard S. Choi Hale	05/18/15	05/12/15	05/18/15	1	Resolved
0061-15-6	6	(Redacted -Peace Officer) Appealing the Human Resources Director's decision regarding Discrimination Complaint EEO File No. 1773	03/23/15	03/24/15	Callahan Gard Simon Mattias	05/18/15	05/07/15	05/18/15	1	Resolved
0153-14-4	4	Herman Carrillo Appealing the rejection of application for the 1803 Performance Analyst I position.	07/15/14	07/17/14	Callahan Kotake Kraus Voccia	09/15/14	09/04/14	07/29/14	4	Resolved
0258-14-6	6	Willie Crawford Appealing the Human Resources Director's decision to close his discrimination complaint EEO File No. 1677.	11/24/14	11/25/14	Callahan Gard Simon Weigelt	02/02/15	01/22/15			On hold - pending litigation.
0134-15-6	6	Joseph A. Deleonardo Appealing the Human Resources Director's decision on his discrimination complaint, EEO File No. 1810.	05/04/15	05/07/15	Callahan Gard Simon S. Yee	07/20/15	07/09/15			On hold - pending litigation.

Civil Service Commission
Fiscal Year 2014-15 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	Resolved On No.	Comments
0270-14-4	4	Salahuddin O. Alibakht Appealing the rejection of his application for the 9139 Transit Supervisor examination.	12/12/14	12/16/14	Reiskin Ellison Leung Kim Tharayil	03/02/15	02/19/15	04/20/15	1	Resolved
0152-14-6	6	Rogerio Bittencourt Appealing on behalf of Rogerio Bittencourt the Human Resources Director's decision to administratively close his discrimination complaint EEO File No. 1783.	07/15/14	07/16/14	Callahan Simon Wong	09/15/14	09/04/14	11/21/14	5	Resolved/Withdrawn
0195-15-4	4	Sharon L. Bosley Appealing the rejection of her application for the 1241 Personnel Analyst examination.	06/03/15	06/04/15	Callahan Gard Kraus	08/17/15	08/06/15	06/10/15	4	Resolved
0209-15-4	4	Anthony Bryant Appealing the rejection of his application for Class 5241 Engineer - Electrical specialty.	06/09/15	06/12/15	Callahan Gard Kraus Miles	08/17/15	08/06/15			Scheduled for CSC mtg of 9/21/15.
0208-15-4	4	Anthony Bryant Appealing the rejection of his application for Class 5211 Engineer/Architect/Landscape Architect Senior Electrical specialty.	06/09/15	06/12/15	Callahan Gard Kraus Miles	08/17/15	08/06/15			Scheduled for CSC mtg of 9/21/15.
0066-15-8	8	David Canham, SEIU Local 1021 Appealing PSC #2013-08/09 - Modification - Behavioral health services in locked facilities.	03/26/15	03/27/15	Callahan Gard B. Lewis J. Hale	05/18/15	05/07/15	04/06/15	1	Resolved
0066-15-8	8	David Canham, SEIU Local 1021 Appealing PSC # 4113-11/12 - Modification - Third party vendor administrative and other services for Healthy SF.	03/26/15	03/27/15	Callahan Gard B. Lewis J. Hale	05/18/15	05/07/15	04/06/15	1	Resolved
0135-15-8	8	David Canham, SEIU Local 1021 Appealing the PSC #46237-14/15 - Community Health Equity and Promotion, Community-based Primary Prevention Services - Department of Public Health.	05/07/15	05/08/15	Callahan Gard S. Choi Hale	05/18/15	05/12/15	05/18/15	1	Resolved
0136-15-8	8	David Canham, SEIU Local 1021 Appealing the PSC #42832-14/15 - As Needed Credential Verification and Related Transcription Personnel Services - Department of Public Health.	05/07/15	05/08/15	Callahan Gard S. Choi Hale	05/18/15	05/12/15	05/18/15	1	Resolved
0061-15-6	6	(Redacted -Peace Officer) Appealing the Human Resources Director's decision regarding Discrimination Complaint EEO File No. 1773	03/23/15	03/24/15	Callahan Gard Simon Mattias	05/18/15	05/07/15	05/18/15	1	Resolved
0153-14-4	4	Heman Carrillo Appealing the rejection of application for the 1803 Performance Analyst I position.	07/15/14	07/17/14	Callahan Kotake Kraus Voccia	09/15/14	09/04/14	07/29/14	4	Resolved
0256-14-6	6	Willie Crawford Appealing the Human Resources Director's decision to close his discrimination complaint EEO File No. 1677.	11/24/14	11/25/14	Callahan Gard Simon Weigelt	02/02/15	01/22/15			On hold - pending litigation.
0134-15-6	6	Joseph A. Deleonardo Appealing the Human Resources Director's decision on his discrimination complaint, EEO File No. 1810.	05/04/15	05/07/15	Callahan Gard Simon S. Yee	07/20/15	07/09/15			On hold - pending litigation.

Civil Service Commission
Fiscal Year 2014-15 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0001-15-6	6	Marco Evoniuk Appealing the Human Resources Director's decision to dismiss his discrimination complaint EEO File No. 1735.	01/06/15	01/08/15	Callahan Gard Simon Weigell	03/02/15	02/19/15	03/02/15	1	Resolved
0097-15-2	2	Theresa Foglio Appealing the job specifications for 7512 Apprentice Laborer	04/02/15	04/06/15	Callahan Gard Ponder	06/01/15	05/21/15	05/18/15	3	Resolved
0188-15-6	6	Maureen Foley Appealing the Human Resources Director's decision to dismiss her discrimination complaint EEO File No. 1823	05/26/15	06/02/15	Callahan Gard	08/03/15	07/23/15			Scheduled for CSC mtg of 8/3/15.
0233-14-6	6	Gregory Gordon Appealing the decision of the Department of Human Resources to administratively close his reasonable accommodation complaint EEO File No. 1819.	10/22/14	10/23/14	Simon Kim	01/05/15	12/24/14	12/23/14	5	Resolved/Withdrawn
0009-15-6	6	Nathaniel A. Gladding, Jr. Appealing the Human Resources Director's decision to administratively close his discrimination complaint EEO File No. 1824	01/15/15	01/23/15	Callahan Gard Simon Leung Wood	03/16/15	03/05/16	03/16/15	1	Resolved
0125-14-4	4	James E. Grant Appealing the disqualification for the 7329 Electronic Technician Maintenance Assistant Supervisor examination.	05/29/14	05/30/14	Callahan Kotake Kraus Regier	08/04/14	07/24/14	08/08/14	4	Resolved
0257-14-6	6	Jon Gray Appealing the decision of the Human Resources Director to close his discrimination complaint EEO File No. 1756	11/21/14	12/12/14	Callahan Gard Simon Gee	03/02/15	02/19/15	04/20/15	1	Resolved
0115-15-4	4	Veronica Hicks Appealing the rejection of her application for a 2708 Custodian position with the San Francisco Public Library due to her conviction history.	04/17/15	04/21/15	Callahan Buick Gard K. Walden D. Marion	07/06/15	06/25/15			Scheduled for CSC mtg of 7/6/15.
0194-14-4	4	Alicia B. Wong Hin Appealing the rejection of application for the 8207 Building and Grounds Patrol Officer position.	09/03/14	09/08/14	Callahan Gard Kraus Marion	11/03/14	10/23/14	11/03/14	1	Resolved
0144-14-4	4	Kristina Juco Appealing the rejection of application for the 1210 Benefits Analyst examination.	07/01/14	07/02/14	Callahan Kotake Mattias	09/15/14	09/04/14	11/03/14	1	Resolved
0058-15-2	2	Tsui-Hwa Lee Appealing her out-of-class claim with the Public Utilities Commission	03/16/15		Brown			03/30/15	5	Resolved/Withdrawn
0249-14-6	6	Anita Lofton Appealing the Human Resources Director's decision to close her harassment, discrimination, and retaliation complaint EEO File No. 1780	11/17/14	11/18/14	Callahan Gard Simon Gee	02/02/15	01/22/15	03/05/15	5	Resolved/Withdrawn
0273-14-4	4	Farhad Mojaferi Appealing his background rejection for the Q-2 Police Office Application.	12/18/14	12/19/14	Callahan Gard Kraus B. Houston W. Ware	03/02/15	02/19/15	04/06/15	1	Resolved

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Civil Service Commission
Fiscal Year 2014-15 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0189-14-4	4	Emily A. Meneses Appealing the administration of the 2930 Psychiatric Social Worker examination.	09/04/14	09/05/14	Callahan Gard Kraus Weigelt Cowman	11/03/14	10/23/14	N/A	5	Resolved/Withdrawn
0226-14-4	4	Emily A. Meneses Appealing the decision of the Department of Human Resources not to uphold her protest of the administration of the 2930 Psychiatric Social Worker examination.	10/14/14	10/14/14	Callahan Gard Kraus Weigelt Cowman	12/15/14	12/04/14	02/02/15	1	Resolved
0186-14-4	4	Nyi Nyi Myint Appealing the rejection of application for the 7371 Electrical Transit System Mechanic examination with the MTA.	09/03/14	09/04/14	Ellison Leung	11/03/14	10/23/14	11/03/14	1	Resolved
0235-14-6	6	Deanna M. Noonan Appealing the HRD's decision to close her sexual harassment/hostile work environment complaint EEO File No. 1792.	10/24/14	10/28/14	Callahan Gard Simon Louie	01/05/15	12/24/14	05/04/15	1	Resolved
0117-14-6	6	Tyrone Pruitt Appealing the Human Resources Director's decision on his discrimination complaint, EEO File No. 1777.	05/22/14	05/27/14	Callahan Kotake Simon Bushong	08/04/14	07/24/14	08/18/14	1	Resolved
00094-15-4	4	Rowaldo A. Saulog Appealing examination scores.	04/01/15		Brown			04/03/15	3	Resolved
0261-14-4	4	Miguel Velasco Appealing his background rejection for the Q-2 Police Office Application.	12/02/14	12/03/14	Callahan Gard Kraus B. Houston W. Ware	02/02/15	01/22/15	02/02/15	1	Resolved
0158-14-4	4	Vincent K. Yu Appealing the exam administration for Q-2 Police Officer.	07/24/14	07/24/14	Callahan Kotake Johnson	10/6/2014	09/25/14	09/18/14	4	Resolved
SEPARATIONS - REQUESTS FOR HEARING										
0322-11-7	7	Onorio Antonucci Request for hearing on future employment restrictions as a 3434 Arborist Technician with the Rec & Parks Department.	11/30/11	12/02/11	Callahan De Vera Kin Gee	01/09/11		07/21/14	1	Resolved
0008-14-7	7	Manuel Bermudez Requesting a hearing on future employability with the Municipal Transportation Agency.	01/22/13	01/23/14	Kotake Ellison Iborra	04/07/14	03/27/14	07/21/14	1	Resolved
0268-12-7	7	Edward Campos Requesting a hearing on his designation as "services unsatisfactory" in his resignation as a 2896 Representative with the Human Rights Commission.	07/05/12	07/09/12	Callahan De Vera Kotake Sparks	08/20/12		02/02/15	1	Resolved
0010-15-7	7	Crystal Chow Requesting a hearing on her future employment restrictions as a 2918 HAS Social Worker with the City and County of San Francisco.	01/21/15	01/23/15	Callahan Gard Kim	03/16/15	03/05/15			On hold - pending arbitration.
0162-12-7	7	George Dugan Request for hearing on future employment restrictions with the PUC.	05/29/12	06/04/12	Callahan De Vera Marini	07/02/12		12/15/14	1	Resolved

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Civil Service Commission
Fiscal Year 2014-15 Appeals Log

Register No.	Type	Appellant	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0183-14-7	7	Mark P. Fa'Ala	Request for hearing on his future employability with the City and County of San Francisco.	08/29/14	09/02/14	Callahan Gard Wong	11/03/14		05/15/15	4	Resolved
0126-06-7	7	Augustine Fallay	Request for hearing on future employment restrictions as a Planner IV (DBI).	03/05/06	03/08/06	Ginsburg Jacobi Lee	06/05/06		10/06/14	1	Resolved
0057-15-7	7	Mark A. Roberts	Requesting a hearing on his future employment as a 9153 Transit Operator with the Municipal Transportation Agency.	03/20/15	03/23/15	Reiskin Ellison Iborra Kim	05/18/15	05/07/15	05/15/15	4	Resolved
0222-14-7	7	Gary W. McMurtry	Requesting hearing on his future employability as a 7366 Transit Power Line Worker.	10/06/14	10/07/14	Reiskin Ellison Iborra Kim Gard	12/15/14	12/04/14	02/02/15	1	Resolved
0171-14-7	7	Zaida Mendoza	Requesting a hearing on her future employability with the City and County of San Francisco.	08/07/14	08/15/14	Callahan Kotake Weigelt Brooks-Houston	11/03/14	10/23/14	10/14/14	4	Resolved
0007-14-7	7	Jimmy Ng	Requesting a hearing on his future employability as a 7381 Automotive Mechanic with the Department of Public Works.	01/21/14	01/23/14	Kotake Wong	04/07/14	03/27/14	03/16/15	4	Resolved
0211-11-7	7	Andrew Sisneros	Request for hearing on future employment restrictions as a 9163 Transit Operator with the MTA.	07/26/11	07/27/11	Johnson Ellison DeVera	10/03/11		02/26/15	4	Resolved
0179-14-7	7	Debbie B. Odiye	Requesting a hearing on her future employability as a 2618 Food Service Supervisor with the Department of Public Work.	08/13/14	08/14/14	Callahan Kotake Weigelt Brooks-Houston	11/03/14	10/23/14	02/03/15	4	Resolved
0055-15-7	7	James E. Peavey	Request for hearing on his future employability with the San Francisco Public Library.	03/16/15	03/18/15	Callahan Buick Gard D. Marion	06/01/15	05/21/15			On hold - pending grievance/settlement discussions.
0244-14-7	7	Bianca P. Watkins	Requesting a hearing on her future employability as a 3417 Gardener with the City and County of San Francisco.	11/10/14	11/12/14	Callahan J. Buick S. Gard K. Gee	02/02/15	01/22/15			On hold - pending arbitration.
0271-14-7	7	David Yee	Requesting a hearing on his future employment as a 9150 Train Controller with the Municipal Transportation Agency.	12/12/2014	12/16/14	Reiskin Ellison Kim Iborra	03/02/15	02/19/15			On hold - pending grievance/settlement discussions.
POSITION BASED TESTING											
0025-15-4	4	Brian Coultersmith	Appealing his background disqualifications for the 1042 IS Engineer-Journey (PBT_1042-062890) position with the SFPD.	2/3/2015	2/4/2015	Callahan Gard Kraus B. Houston W. Ware	3/2/2015	2/19/2015	3/2/2015	1	Resolved
0187-14-4	4	Michael B. McGowan	Appealing the minimum qualifications of the Maintenance Machinist Supervisor I (PBT-7258-063936).	09/04/14	09/05/14	Reiskin Ellison Leung	10/6/2014	09/25/14	10/06/14	1	Resolved

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Civil Service Commission
Fiscal Year 2014-15 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0184-15-4	4	Menaka Mohan Appealing the examination administration for the 5278 Planner II (PBT-5278-063771) position with the Planning Department.	05/22/15	05/26/15	Callahan Gard Kraus Yamamoto Eng	6/15/2015	06/04/15	06/03/15	4	Resolved
0182-15-4	4	Robin A. Ocubillo Appealing the examination administration for the 5278 Planner II (PBT-5278-063771) position with the Planning Department.	05/22/15	05/26/15	Callahan Gard Kraus Yamamoto Eng	6/15/2015	06/04/15	06/03/15	4	Resolved
0246-14-4	4	Paul J. Rullhausen Appealing the administration of the T256 Maintenance Machinist Supervisor I examination.	11/12/2014	11/13/14	Reiskin Ellison Leung	12/1/2014	11/20/2014	12/2/2014	3	Resolved
0281-14-4	4	Paul J. Rullhausen Appealing the decision (that his matter is not appealable) of the Executive Officer.	12/26/2014	12/29/2014	Eng Reiskin Ellison Kim Leung	2/2/2015	1/22/2015	2/2/2015	1	Resolved

Number of Appeals	
Carried Over from FY2013-14	9
Appeals Received in FY2014-15	47
Total Number of Appeals in FY14-15	56

Total Appeals by Category	
Classification (2)	2
Compensation (3)	0
Examination (4)	21
EEO/Discrimination (6)	12
Future Employment Restrictions (7)	16
Personal Services Contracts (8)	4
Position-Based Tests	6

Resolutions	
Hearing at CSC (1)	25
Untimely (2)	0
Not Appealable (3)	3
Resolved Administratively (4)	12
Other (5)	5
Total Resolved	45
% Resolved	80%

ATTACHMENT C

Inspection Service Log FY 2014-15 Year End Report

Total for 2014-15 84

Totals by Category

Letter or Email	45
Phone - Walk in	39
Resolved in 60 days	70
83%	
Appointments (1)	14
Examinations (2)	24
Conflict of Interest (3)	1
ERO Administrator (4)	0
Salary Setting (5)	0
Rule Application (6)	8
Certification/Selection (7)	20
Classification (8)	3
Miscellaneous (9)	12
Layoffs (10)	2

Code	Received Date	Letter or Email	Phone Walk in	Requested By	Issue	Job Class	Dept.	Resolution/Remedy	Date Resolved	60 days
2	7/1/2014	1	1	Sin Yee Poon	Alleges that selection for exam 2907 at Human Services Agency was not objective. One applicant (E. Yong) was deemed qualified to take the exam and then disqualified and this was cited as an example of selective decisions.	2907		Review conducted. Findings: Analyst followed HR procedures and Rules and was objective and consistent in his evaluations of applicant qualifications. The applicant provided incorrect information regarding years of exp on application - indicated 4 yrs when she actually had only been in Class 2907 for 2 yrs. She was correctly deemed disqualified by the HR analyst. - LM	7/17/2014	Y
6	7/10/2014	1	1	Anonymous	Employee in acting assignment did not pass exam; eligible list is posted; can the dept. choose to suddenly fill the position?	7276	PUC	According to dept., due to restructuring, position was cancelled. SE	7/11/2014	Y
9	7/18/2014	1	1	Joanna Cameron	TEX FT since January 2013; dept. is not allowing her to take vacation until September 2014		SFUSD	Admin Code 16.10 regularly scheduled employee with continuous service is eligible for vacation after 1 year; dept. HR checking payroll and will contact employee. SE	7/24/2014	Y
7	7/23/2014	1		Susan Arding	Complainant is currently in Class 2944 and applied for reassignment to Family & Children's Division. However, another employee who is in class 2944 was selected.	2944	HSA	Inspection review conducted. The issue of reassignment procedures fall under the collective bargaining agreement between the City and SEIU and is not a Commission matter. However, the review validated that HSA reassigned another employee currently in the 2944 class at HSA in accordance with the CBA provisions for reassignment. - LM	8/7/2014	Y
7	7/29/2014	1		Briseida Banuelos	Has a number of questions about the application of certification rules and supplemental certifications, asked for information on referrals that have gone out for the 8173, Legal Assistant Eligible List.	8173		Inspection review conducted. Ms. Banuelos is reachable; there are 11 vacancies city wide and the cert rule is Rule of ten and the ranks of eligibles are one through nineteen. - LM	8/4/2014	Y
1	8/1/2014	1		Anonymous	Appointee is not a reachable eligible	7226	PUC	Due to 2 vacancies and 1 rank not responding, appointee became a reachable eligible SE	8/26/2014	Y
9	8/4/2014	1	1	CSC	At the meeting, CSC requested EO and DHR to review SEIU concern regarding the # of As Needed Student Nutrition Workers employed for several years and requested SFUSD to prepare a report on their compliance with the merit system	2615	SFUSD	SFUSD presented report to CSC at the meeting of 9/15/14. JJ	9/15/2014	Y

Inspection Service Log FY 2014-15 Year End Report

1	8/5/2014	1	Juan Garcia	Provisionals appointed to the positions were not reachable eligibles; favoritism	7380	MTA	Due to waivers/no response, alternate eligibles became reachable SE	9/4/2014	Y
2	8/5/2014	1	Whistleblower Complaint -	Breach of confidentiality; lack of oversight of the examination process for class 6122; lack of standardized scoring for the supplemental questionnaire.	6122	DPH	DPH is having the questionnaires re-evaluated and rated by raters of other jurisdictions. Candidates have been notified. - LM	9/4/2014	Y
2	8/5/2014	1	Whistleblower Complaint -	Breach of confidentiality; lack of oversight of the examination process for class 6124; lack of standardized scoring for the supplemental questionnaire.	6124	DPH	DPH is having the questionnaires re-evaluated and rated by raters of other jurisdictions. Candidates have been notified. - LM	9/4/2014	Y
9	8/12/2014	1	Cheryl Turner	Inquiry as to why Class 9140 at MTA is PEX when typically it is PCS	9140	MTA	Review conducted: MTA's justification for designating the 3 positions as PEX meets the criteria of Charter Section 10.104 category 18. - LM	8/26/2014	Y
9	8/15/2014	1	Denn Baisa	Wanted information oh how to obtain certain records from the City to verify his employment for disability retirement.		DPH	Researched his personnel records and referred him to the appropriate contact at DPH. -JJ	8/18/2014	Y
1	8/29/2014	1	Enrique Samson	3280 Layoff from REC to HSA; HSA created new class 2919; request status grant to PCS 2919	2919	HSA	Bumped into 3280 at HSA; no protest/appeal on establishing new 2919 class or 2919 exam; must be reachable eligible to be appointed to PCS position JJ	9/9/2014	Y
9	9/2/2014	1	Stephanie Lyons	Can employee's Educational Leave of Absence be included to meet MQ experience requirement?		GSA	Educational leave of absence should not be included because the employee is not actually performing the work that qualifies for work experience. SE	9/2/2014	Y
10	9/2/2014	1	Gregg Bosnak	Employee will be retiring from Chef position; is he guaranteed to be selected to fill the vacancy?		DPH	if the dept. submits a request to fill vacancy, holdover who meets MQ/Spec. Cond. has rights to the position before candidates from the eligible list SE	9/2/2014	Y
2	9/4/2014	1	Abdessamad El Baroudi	Alleges that the exam for Class 1092 was not rated fairly - believes he should have received a higher rating	1092	HSA	Inspection review conducted - exam & ranking conducted accordingly. - LM	9/19/2014	Y
2	9/4/2014	1	Kindad Lu	Alleges that the exam for Class 1092 was not rated fairly - believes he should have received a higher rating	1092	HSA	Inspection review conducted - exam & ranking conducted accordingly. - LM	9/19/2014	Y
7	9/5/2014	1	Anonymous	Appointee is not a reachable eligible; Rule of 10 and appointee ranked 15		GSA	Reachable eligibles are dependent on the number of vacancies, certification rule, and eligibles who failed to respond or waived SE	9/5/2014	Y
2	9/8/2014	1	Stephen Mungovan	Alleges that the exam for Class 6272 was not rated fairly - believes he should have received a higher rating and requests that the exam be nullified and the eligible list rescinded.	6272	DBI	Review conducted: Examination process conducted accordingly. - LM	9/24/2014	Y
2	9/8/2014	1	Anonymous	Oral panelists in the exam were not anonymous and one panelist knew many of the applicants and were close to several of the applicants	8239	DEM	Panelist was a previous manager in the dept.; ratings do not show any candidate scored favorably or harshly by one rater; Rules do not restrict previous managers from being on the panel SE	9/24/2014	Y
3	9/10/2014	1	Anonymous	Complainant alleges that favoritism/nepotism has been involved in the hiring of Mark Kennedy at SFO because his uncle - Larry Mazola is the airport commission president.		SFO	Mark Kennedy was released from PEX (category 18) Class 1844 on 9/28/2013. Therefore, there is not a current selection/appointment process to review. - LM	9/12/2014	Y
9	9/12/2014	1	Harun David	New dept rescinded job offer with no explanation; previously non-disciplinary released from probationary period from a different dept; cleared background check		DA	exempt position; only conditional job offer pending background; dept. may rescind job offer SE	9/23/2014	Y

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10	9/17/2014	1	Sheah Rao			Explain bumping and layoff process; What are his holdover rights? Can he return to similar class?	HRC	Employees being laid off have 60 day notice; employees being bumped have 10 day notice; may return to previous PCS position; holdovers still have benefits and priority over eligibles; near list only with approval of HRD. SE	9/17/2014	Y
2	9/17/2014	1	Joanne Adams			Received rejection letters for positions she was qualified for 1822, 1233, 1244, 2966, 1822, 1232	DHR	Did not keep disqualification letters from the past; disqualification from PBT is not appealable SE	9/18/2014	Y
7	9/19/2014	1	Mike Duckworth			Employee in acting assignment did not meet MQs to be ranked on the eligible list; given acting assignment to gain supervisory experience; another eligible did not meet MQs; dept selection process favored other applicants	GSA	Alleged eligibles met the MQs with employment verification; ratings did not show a rater favored or were biased against any candidates SE	11/14/2014	Y
7	9/22/2014	1	Roger Joiner			Informed he performed well in the performance exam; stopped early in the selection process; questioned why he was not hired; discrimination in the selection process	SFJA	Post referral process was a competitive selection process with diverse panel; interview questions were job-related and uniform; appointees met MQs and were reachable eligibles SE	10/10/2014	Y
7	9/22/2014	1	Anonymous			Alleges that an employee has been pre-selected for a temporary exempt/reassignment position at HSA - class 2917	HSA	Review conducted - there is no posting for 2917. Correspondence to complainant has also explained that TEX positions are not subject to civil service procedures and that reassignments are covered by the MOU. - LM	9/25/2014	Y
6	9/23/2014	1	Jennifer Stoughton- SFPOA			SFPOA alleges that SFPD is incorrectly using Rule Section 217.6 Successive Probationary Appointment to have officers begin a new probationary status because they have been on LOA	SFPD	SFPD and POA have discussed and agreed to extending probations in accordance with Rule 217.2.2 as the basis for defining the probationary period. - LM	10/22/2014	Y
7	9/30/2014	1	Kelli Grotzke			Request for inspection regarding certification and appointment process for class 2904.	HSA	Selection and appointments were conducted accordingly. LM	11/25/2014	Y
7	9/30/2014	1	Kelli Grotzke			Request for inspection regarding certification and appointment process for class 2940 at HSA.	HSA	Selection and appointments were conducted accordingly with Commission Rules, policies and procedures. - LM	11/25/2014	Y
9	9/30/2014	1	Shante Jackson			States she was on the 9704 eligible list and was not sent any notice of inquiries when HSA had vacancies in 2013.	HSA	Notice of Inquiry was sent to applicant - applicant did not respond. Ms. Jackson was subsequently hired March 2014. She was reachable and was contacted via email on all referrals issued between 2011 and 2013. HSA was compliant with Rules and procedures. - LM	11/6/2014	Y
7	10/1/2014	1	Joanne Adams			Met MQs but received 2 letters of failure	DHR	Qualified to take exam, but did not pass the exam; 2nd email due to notifying all applicants of score calculation correction SE	10/2/2014	Y
9	10/30/2014	1	Leonard Madison			Applicant ranked #1 but was not selected and questions the selection process.		Two candidates who were ranked #3 were reachable eligibles and appointed. The department followed Rules and procedures. - LM	11/19/2014	Y
6	11/4/2014	1	Rey Okamoto			If employee makes a lateral move from PCS to PEX position, do they lose seniority? Do they have any protection of their PCS position?	ECD	Employee may request LOA to accept exempt position and protect their PCS position; if released from exempt position, they may be reinstated to previous position. SE	11/5/2014	Y

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6	11/6/2014	1	Jackie Chadwick	Meeting with employee regarding Rules and procedures governing the certification and selection process. Has applied for many positions and has received notice of inquiries indicating she is an alternate and requested assistance in understanding the process.				Explained Rules and procedures. LM	11/6/2014	Y
6	12/15/2014	1	Anonymous	How does Rule 120.41 apply to Personal Leave of Absence? Dept denies Educational LOA; how does this affect benefits?		SFUSD		Personal LOA is not a guarantee approval; dept. must still review how services will be affected; employee may need to resign to accept outside employment; employee will not lose years of service if they resign and return at a later date; reappointment may apply; see Rule 114 SE	12/16/2014	Y
2	1/12/2015	1	Anonymous	Several applicants disqualified from 7332 Maintenance Machinist but were allowed to participate in 7258 supervisor examination	7258	MTA		Applicant did not completely meet training requirement for lower classification; higher classification allowed substitution. SE	4/6/2015	n
1	1/12/2015	1	Anonymous	7253 appointee has less than 1 year of 7380 experience but classification requires 6 years of experience	7253	MTA		Outside experience and acting assignment qualified appointee SE	3/26/2015	n
2	1/12/2015	1	Anonymous	Favoritism in the hiring of 7371 Electrical Transit Mechanics because subject matter expert was employed with the same previous employer as the candidates	7371	MTA		Subject matter expert disclosed is previous employment on Confidentiality Form; ratings did not indicate favoritism by the panelist SE	4/30/2015	n
2	1/12/2015	1	Anonymous	LG has no experience on maintenance procedures to be SME for 7318 Electronic Technician	7318	MTA		LG was not SME; however HR records indicate the employee has extensive experience. SE	1/22/2015	Y
2	1/12/2015	1	Anonymous	LR has not experience on maintenance procedures to be SME for 7216 Electronic Shop Supervisor I	7216	MTA		LR was not a rater or SME but oversaw process SE	1/22/2015	Y
2	1/15/2015	1	Paul Rullhausen	Eligibles did not meet MQs	7258	MTA		Applications indicate eligibles met MQs; no selection yet SE	3/2/2015	Y
2	1/16/2015	1	Romauldo Castro	Department was unclear on the reason he was disqualified; submitted education verification and transcripts	1820	HSA		Degree was in related field; dept. reviewed transcripts and determined applicant met MQs SE	1/16/2015	Y
2	1/16/2015	1	Nathan Walmer	Provided documentation to indicate he met MQs but dept still disqualified him	7318	AIR		dept. did not reject yet; requested additional information SE	1/17/2015	Y
1	1/27/2015	1	Kevin Hughes, Local 6	Why TEX appointment when there is an active eligible list; only 2 PCS appts in dept.	7276	PUC		PUC secured approval for a TEX position and appointed a qualified employee. - LM	3/4/2015	Y
1	1/27/2015	1	Anonymous	Unfair interview process; appointee is not a reachable eligible	2909	DPH		DPH appointed 3 reachable eligibles within the certification rule of three scores. Two eligibles at rank 5 did not respond to notice of inquiry so eligibles at rank 6 were reachable. The same interview questions were asked of all candidates interviewed and they were applicable to the class level. DPH was compliant to Rules and policies. LM	3/17/2015	Y
7	1/29/2015	1	Ted Zarzecki	Conducting selection process but no announcement posted	1931	MTA		PBT announcement posted in August 2014 but did not complete exam until Jan. 2015 SE	1/29/2015	Y
1	2/6/2015	1	Anonymous	Favoritism in the hiring of Manager IV Electric Shop		SFIA		Previously investigated in 2013; dept. has not yet hired PCS Head Airport Electrician; still discussing appropriate classification for the position. SE	2/17/2015	Y
2	3/9/2015	1	TWU Local 200	Some candidates had advance knowledge to exam questions; candidates with acting assignments had unfair advantage	9160	MTA		Questions for review were not the same as the exam questions; scores did not indicate that Acting Mgrs had any advantage SE	3/24/2015	Y

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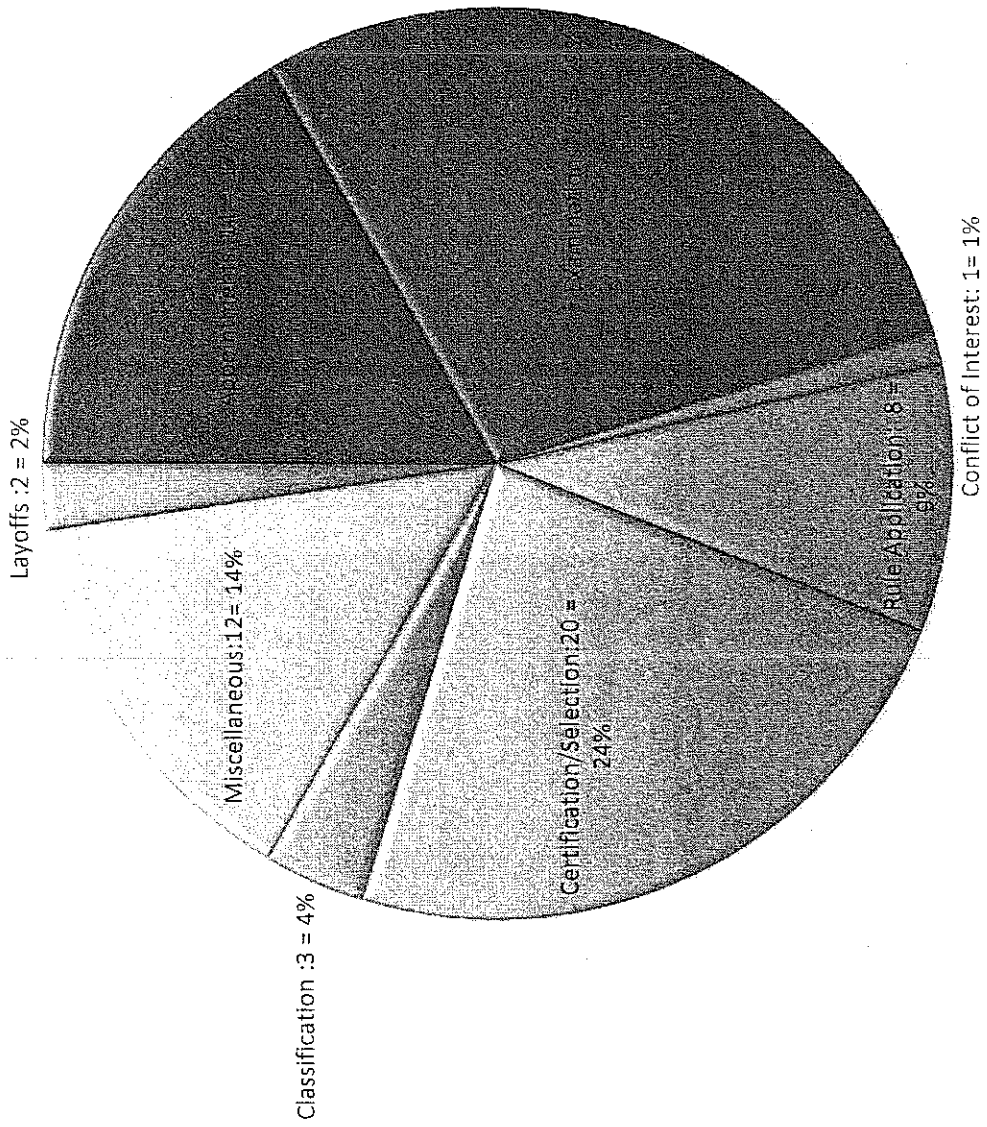
7	3/13/2015	1	Donnie Chilton Jr.		Never contacted for interviews; alternate ranks were contacted for interviews	7215	PRT	Citywide there were 8 vacancies; ranks 1-10 were reachable; he was not selected for interviews with the Port SE	3/13/2015	Y
7	3/18/2015	1	Carlos Hidalgo		Applicant felt he was treated unfairly because he submitted letter of recommendation by previous employer but hiring supervisor informed him that he would not be hired by any transit employer because of his performance with his previous employer.	7258	MTA	Applied with a different City SE	3/23/2015	Y
7	3/18/2015	1	Steve Russell		Dept. would not inform him who was appointed; why was he not notified?	7238	PRT	Informed dept. that appointee's name is public information; applicant was reachable but not selected for interviews SE	3/19/2015	Y
8	3/20/2015	1	Lisa Manca		Can she appeal the dept. head's decision to deny out-of-class claim? Filed appeal and going through grievance procedure; dept. did not conduct job analysis	2587	DPH	can only appeal HRD decision after job analysis has been conducted SE	3/23/2015	Y
6	3/24/2015	1	Glyns Rogers		Processing employee request for reasonable accommodations; Does Rule 115 apply to SFUSD? DHR unable to assist because there is no agreement with the dept.; position may be available within dept.; need referral	2727	SFUSD	DHR reviewed SFUSD procedures for Requests for reasonable accommodations; assisted dept. with the referral SE	4/2/2015	Y
7	3/27/2015	1	Anonymous		Appointees are not reachable eligibles; favoritism and nepotism in the hiring process	7215	DPW	Due to refusals and no responses from higher ranked eligibles, alternate eligibles became reachable SE		n
7	4/1/2015	1	Anonymous		Unfair selection process because dept. selected candidate before conducting the selection process	922	HSA	Department conducted competitive selection process for the TEX position MB	6/26/2015	
9	4/6/2015	1	TWU Local 200		Acting Assignment over 1 year; dept. said assignment would end by 03-31-15; dept did not conduct exam; eligible list expired	9174	MTA	Employee was reassigned to another position SE	4/15/2015	Y
6	4/20/2015	1	Dolores Johnson		TEX 17 position ended; dept did not reinstate; reasonable accommodation request; told she could not be placed in previous PCS or TEX job		PUC	Unable to reinstate because previous position deleted due to restructuring; can be placed in a vacant position where she meets MQs and can perform essential functions with or without reasonable accommodations new position cannot be more than 5% of current salary Rule 115 SE	4/20/2015	Y
7	4/22/2015	1			Complainant alleges that the Rec and Park department did not adhere to civil service procedures for the hiring of class 3289 positions	3289	Rec	Certification Rule was Rule of the List - dept did not violate any Rules or procedures. - LM	6/3/2015	Y
7	4/22/2015	1	Dawanna St. Germain		Questions the post referral process because she claims that she was not contacted for the interview process and she was ranked 4.	4230	HSA	HSA called the candidate using the cell phone number listed on the application - the number was wrong as it belongs to a business. They then called the home phone number and left a message. After a week HSA still did not receive a response from the eligible so they conducted the post referral interview process and selected four candidates. HSA conducted the process accordingly. - LM	4/30/2015	Y
6	4/27/2015	1	Louis Smith		Questions regarding release from Probationary Period.	9139	MTA	Release from Probationary Period is not an appealable matter. Reviewed other counties: MB	5/5/2015	Y
2	5/12/2015	1	Paul Kashtanoff		Alleges the written exam for class 8219 benefitted certain individuals.	8219	MTA	Findings of the review are that the exam was administered in compliance with the Rules and HR protocol and were applicable to the position criteria. - LM	6/11/2015	Y

Inspection Service Log FY 2014-15 Year End Report

2	5/14/2015	1	Nancy		Amended announcement so others could qualify; exam process different from previous exams	8219	MTA	No protests after posting amended announcement; did not provide names; After job analysis, dept. may change exam process. SE	5/14/2015	Y
7	5/15/2015	1	Anonymous		Favoritism in the post-referral process	1244	MTA	Competitive selection process; appointee performed well in the post-referral process SE	6/12/2015	Y
2	5/15/2015	1	Ziliang Yang		Alleges that certain candidates had prior access to the questions for the written exercise causing an unfair advantage over others.	9139	MTA	The test in question was a written exercise given as part of the post-referral selection process. MTA decided to eliminate the written exercise and decided instead to interview all reachable interested eligibles. LM	6/22/2015	Y
2	5/15/2015	1	Mark Calgaro		Favoritism and Nepotism by Assistant Directors in examination	8219	MTA	Witness did not come forward; see above SE	6/22/2015	Y
2	5/18/2015	1	Alex Reyes		Cronyism; An employee witnessed Assistant Directors coaching other Internal candidates; LGBT biased	8219	MTA	Witness did not come forward; referred to DHR EEO; exam under investigation SE	5/18/2015	Y
9	5/22/2015	1	Whistleblower Complaint -		Alleges that a member of the interview panel for class 7540 provided certain candidates the questions that was to be asked so they could prepare for the interview.	7540	MTA	review pending - LM		
2	5/28/2015	1	Sonya Rama		Disqualified from exam; Special condition does not accept National Certification; disagreed with announcement and exam process	2586	DPH	5 days to protest disqualification; submit employment/education/training verification; disqualification appealable to CSC; described process in detail SE	5/28/2015	Y
2	5/28/2015	1	Whistleblower Unit		Alleges that employees who belong to certain groups - religious and ethnic were given priority and help with the examination.	8219	MTA	Findings of the review are that the exam was administered in compliance with the Rules and HR protocol and were applicable to the position criteria. - LM	6/11/2015	Y
8	6/8/2015	1	Anonymous		Performing out-of-class for the last 3 years; submitted memo with explanation to dept. head and left msgs for HR; no response	1444	SFPD	Submit memo to human resources mgr in the dept and attach previous documents submitted to the memo; job analysis conducted; may be acting assignment; duties may be removed or determined to be performing duties of current class; may appeal to CSC SE	6/8/2015	Y
9	6/10/2015	1	Jacqueline Flagg		Ms. Flagg was released as a 1452 with MTA who subsequently retired 5/1/15 and MTA told her they won't pay out her vacation.	1452	MTA	MTA paid out all her vacation. MB	6/17/2015	Y
1	6/15/2015	1	Whistleblower Unit		Alleges that exempt and PCS appointments violated Commission Rules.	2978	OLSE	review pending - LM		
1	6/16/2015	1	Anonymous		Favoritism in the recent hiring of 7334 Stationary Engineer for Acting Assignment 7262 Maintenance Planner position	7276	DPW	Appointee transferred to PCS 7334 position; not to a 7276 Acting Assignment SE/EA	6/26/2015	Y
1	6/17/2015	1	Anonymous		Nepotism and favoritism in the hiring of 7463 Utility Plumber Apprentice positions	7463	PUC	SE/EA		
1	6/17/2015	1	Anonymous		Favoritism in the hiring of 7250 Utility Plumber Supervisor I position	7250	PUC	SE/EA		
1	6/17/2015	1	Anonymous		Favoritism in the exam and post-referral process for the Distribution and Maintenance Operations Manager V position	933	PUC	SE/EA		
1	6/17/2015	1	Anonymous		Favoritism in the post-referral process for the Principal Mechanical Engineer	5212	PUC	SE/EA		
1	6/17/2015	1	Anonymous		Hired as As-Needed; but not termed when hired by consultant; then promoted to TEX 18 by dept.; does not meet MQ	5201	PUC	SE/EA		
2	6/18/2015	1	Camille Mata		Exam worker erased answers from her test and informed applicant that there was no formal way to file a complaint about the exam administration	5277 5278	PLN	SE		
7	6/22/2015	1	David Mulvey (SEIU)		No Notice of Inquiry in the Post-Referral process for the Station Agent	9131	MTA	Notice of Inquiry was not required for initial list of reachable eligibles MB	6/24/2015	Y
7	6/26/2015	1	David Mulvey (SEIU)		Rating Criteria for selected best qualified candidates were not job related	9131	MTA	SE/EA		

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Inspection Service Reviews Fiscal Year 2014-2015



ATTACHMENT D

CIVIL SERVICE COMMISSION



MERIT SYSTEM AUDIT PROGRAM

FISCAL YEAR
2014-2015

Prepared by:

A handwritten signature in cursive script that reads "Luz Morganti".

Luz Morganti
Senior Personnel Analyst
Civil Service Commission

MERIT SYSTEM AUDIT PROGRAM GOALS & OBJECTIVES

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

In summary:

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

FISCAL YEAR 2014-15 AUDIT OBJECTIVES

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

Therefore, this fiscal year the Commission focused on reviewing the following selection and appointment practices for eight randomly-selected positions within various City departments to assess compliance with applicable Charter provisions, Commission Rules, and merit system policies and procedures:

1. Information provided on Permanent Civil Service examination announcements regarding appeal rights and other required information;
2. Departmental practices with respect to the verification and documentation of minimum qualifications for individuals appointed to Permanent Civil Service (PCS), Provisional or Exempt positions; and
3. Departments' justifications for exempting positions from civil service appointment, selection and removal procedures in accordance with Charter Section 10.104 and for making provisional hires under Charter Section 10.105.

The position recruitments for the following departments listed below were selected for the Fiscal Year 2014-15 Merit System Audit Program.

Department	Classification/Job Type
Administrative Services	3375 Animal Health Technician – Permanent Civil Service
City College of San Francisco	1404 Clerk - Permanent Civil Service
City College of San Francisco	1654 Accountant III – Permanent Exempt
District Attorney	8131 Victim/Witness Investigator II – Permanent Exempt
Health Service System	1209 Benefits Technician – Permanent Civil Service
Human Services Agency	2574 Clinical Psychologist - Provisional
Human Services Agency	2915 Program Specialist Supervisor – Temporary Exempt
Human Services Agency	2919 Child Care Specialist – Permanent Civil Service

STANDARDS

QUALIFICATIONS OF APPLICANTS

Commission Rule 110.9 Qualifications of Applicants states in part,

“Every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination. Experience gained in violation of Commission Rules shall not be recognized. City and County employees shall receive credit only for the duties of the class to which appointed or assigned unless sufficient and credible documentation is provided to verify performance of other duties. Employees may receive credit for duties not usually performed by incumbents in a class if their employee file contains contemporaneous documentation that the duties were assigned and performed. By way of example but not limitation, records that describe and verify the out-of-class assignment that may be accepted as documentation include a valid performance appraisal completed during the normal evaluation period, payroll records filed at the time of the assignment and Notice of Assignment. Credit for duties not usually performed by incumbents in a class based on non-contemporaneous documentation shall require the certification of the Appointing Officer and the approval of the Human Resources Director...”

Commission Policy and Procedures on Exempt Appointments states in part,

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

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

This memorandum outlines procedures and policies regarding obtaining employment history and reference checks for current and past City employees prior to making a job offer. It states in part, “It is the City’s policy that employment verifications for all applicants be completed by departmental Human Resources professionals prior to an offer of employment with the City and County of San Francisco. It is particularly important that departmental Human Resources professionals review and verify employment history information for current and past City employees who are under consideration for appointment to a City position (e.g., promotion, transfer, “Prop G” hire, etc.). To facilitate that review, departmental Human Resources professionals now have access to the PeopleSoft system for purposes of employment verification prior to employment.”

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

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

The policy provides specific instructions on “how” and “when” to verify an applicant’s qualifications:

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

CITYWIDE EMPLOYEE PERSONNEL RECORDS GUIDELINES

The Citywide Employee Personnel Records Guidelines was adopted by the Civil Service Commission on April 6, 1992 and became effective May 2, 1992. They are pursuant to the authority of the Civil Service Commission under Charter Section 10.100 and 10.101 General Powers and Duties. The Guidelines were updated May 7, 2007 to incorporate the changes in law and reflect the role of the Civil Service Commission as a Rules and policy making appeals body approved by the voters (Prop L: 11/93).

The Guidelines prescribe a uniform, standardized system for the access, maintenance, retention, and destruction of all records related to the work history of employees of the City and County of San Francisco. They apply to the personnel records of all employees regardless of employment status in all departments of the City and County and to classified (non-certificated) civil service employees of the School Districts, both civil service appointees and those exempt from civil service examination and removal procedures. The Guidelines are accessible on the Civil Service Commission website.

Official Employee Personnel Files (OEPF) are required to be maintained in such a manner as to be readily available for audit by authorized Federal and State Officers and inspection by representatives of the Civil Service Commission.

Content of Employee Personnel Files: General Requirements

Except as provided in these Guidelines (see Section X), the OEPP shall contain all records pertaining to an employee's work history with the City and County of San Francisco. These records shall be placed in the OEPP in the section and side of the OEPP indicated. Except for the placement of documents within the employee personnel file and the specifications of the file itself, the employee the employee personnel file currently existing in departments shall conform to the contents and other requirements specified in these Guidelines.

The following are some of the forms/documents to be placed in the OEPP that are listed in the Guidelines – Section B General Employment History Records:

- City and County of San Francisco Employment Application
- Resume
- School transcripts
- Verifications of employment
- Copies of required licenses, certificates or credentials
- Appointment processing forms
- Notice to Provisional Appointee
- Notice to Exempt Appointee
- Out-of-class assignment forms

EXAMINATION ANNOUNCEMENTS

Department of Human Resources Procedures

Human Resources procedures state that the announcement will include directions on when and where to file an application, a description of job duties, salary, qualification requirements, a description of the selection procedure(s) including, when relevant, the form, content and weight of each section of an examination. It establishes whether the examination is open on an entrance, promotive or combined entrance and promotive basis. The applicable certification rule is also specified.

Commission Rule 110.2 Examination Announcements and Rule 111.A Position Based Testing states in part, "The examination announcement shall be the official notice of an examination and shall provide the qualifications, dates, and other particulars regarding the selection procedure. Applicants are guided solely by the terms of the examination announcement".

Civil Service Commission Rules 211 for the San Francisco Police Department, 310 for the San Francisco Fire Department and 410 for the Municipal Transportation Agency also address the subject of Examination Announcements and are similar in content provisions. In summary:

- Every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination.

- Examinations are conducted to rate the capacity of the applicants to perform the job of which the applicant is applying.
- Examinations may include, but are not limited to one or more testing devices such as written examinations, oral interviews, performance exercises, or any other device or method to determine merit and fitness for tested positions.

APPEALS OF EXAMINATIONS

Commission Rule 110 Examination Announcements and Applicants Section 110.4 Appeals of Examination Announcements states:

“Appeals concerning the provisions of an examination announcement must be received by the Human Resources Director within five (5) business days from the issuance date. The Human Resources Director shall rule on all appeals and shall notify appellants in writing of the decision. This decision is subject to appeal to the Commission as provided elsewhere in these Rules”.

Civil Service Commission Rules 211 for the San Francisco Police Department, 310 for the San Francisco Fire Department and 410 for the Municipal Transportation Agency also address the subject of Examination Announcements and Appeals and are similar in content provisions. However, Rule 310.3 Protests and Appeals of Examination Announcements requires appeal to be received within seven (7) business days from the issuance date.

If the job announcement is for a Position-Based Test (PBT), it is then subject to Civil Service Commission Rule 111A Section 111A.35.1 Appeals of the Examination Announcement.

Commission Procedures for Appeals and Requests for Hearings

The Civil Service Commission website provides detailed information in the “Procedures for Appeals and Requests for Hearings to the Civil Service Commission”. It clearly states in section IV Notice to Appellants Required – “Unless the Civil Service Commission Rules specify that the decision of the Human Resources Director (or Director of Transportation) is final, appellants are to be notified in writing of their right under Civil Service Commission Rule 05 Series, to appeal the Human Resources Director’s action to the Civil Service Commission; of the deadline for filing the appeal with the Civil Service Commission; and the location where the appeals may be filed”.

EXEMPTING POSITIONS FROM CIVIL SERVICE APPOINTMENT

Commission Rule Series 14 Appointments: Section 114.44 Exclusions from Civil Service Appointment states:

All permanent employees of the City and County shall be appointed through civil service process by competitive examination unless exempted from civil service examination and selection process in accordance with Charter provisions. Appointments excluded by Charter from the competitive civil service examination and selection process shall be known as exempt appointments. Any person occupying a position under exempt

appointment shall not be subject to civil service selection, appointment, and removal procedures and shall serve at the pleasure of the appointing officer.

Civil Service Commission Policy and Procedures on Exempt Appointments

Overview on Exempt Appointments

Exempt appointment is defined as an appointment to a permanent or temporary position exempt from competitive civil service selection, appointment and removal procedures in accordance with the Charter. Exempt employees are considered “at will” and serve at the discretion of the department head.

A. Categories of Exempt Appointments

The Charter provides for 20 categories of employment excluded from civil service, which are generally organized into groups.

1. Group 1: Charter Sections 10.104-1 through 12 is comprised of a variety of positions such as deputy directors, department heads, executive assistants, confidential secretaries and legislative analysts/assistants.

This group is subject to a Charter-imposed “cap” of the percent of full-time exempt employees to the total number of employees that existed on July 1, 1994. In accordance with the Charter, the Commission established the cap at 2%.

2. Group II: Charter Sections 10.104-13 through 15 are attorneys, physicians, hospital chief administrators, dentists and District Attorney investigators. The Commission plays no role with respect to these appointments.
3. Group III: Charter Sections 10.104-16 through 19 includes temporary and seasonal appointments which do not exceed half time (1040 hours of service) in a fiscal year, appointments to temporarily backfill civil service employees on leave (limit of 2 years), special projects and professional services with limited term funding (limit of 3 years), and the City’s program for the employment of severely disabled persons.
4. Group IV: Charter Section 8A.104 (i) is comprised of managerial employees in MTA service-critical positions/classifications designated by the Director of Transportation as exempt from civil service. They are also subject to a cap – the total number of these positions may not exceed 2.75% of the MTA’s total workforce.

B. Two Types of Exempt Appointments

There are two types of exempt appointments: Permanent Exempt (“PEX”) and Temporary Exempt (“TEX”). PEX and TEX appointments may be made to positions that have either part-time or full-time schedules. However, PEX appointments are authorized in the Annual Salary Ordinance (“ASO”) and are therefore generally part of a department and more permanent in nature. TEX appointments are not authorized in the ASO, and they are often of shorter duration and are irregularly scheduled to fill in temporarily or on an “as needed” basis.

Any of the Charter exempt categories can be PEX or TEX, with the exception of those appointments exempted from civil service under Charter Sections 10.104-16 (also known as "As-Needed"), which are exclusively TEX appointments.

Review of Exempt Appointments

The Commission has delegated to the Human Resources Director the authority to review and approve written requests for all exempt positions under Charter Section 10.104 (Groups I through III) (other than "service-critical" positions at the MTA) to ensure that they comply with the Charter and any applicable Civil Service Rules and/or Commission policies as detailed herein. The Commission has also directed the Human Resources Director to establish procedures to ensure that written departmental requests for Group III exemptions are processed expeditiously.

Likewise, the Director of Transportation is responsible for ensuring that any MTA "service-critical" exempt appointment under Charter Sections 10.104 (Groups I through III) or 8A.104 (Group IV) complies with the Charter and any applicable Civil Service Rules and/or Commission policies as detailed herein.

Decisions by the Human Resources Director and Director of Transportation on exempt appointments may be appealed to the Commission in accordance with the Civil Service Rules. The Commission's decisions on such appeals are final.

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

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

The Charter Sections applicable to this review are the following:

- 13. All attorneys, including an attorney to the Sheriff and an attorney for the Tax Collector, City Attorney's and District Attorney's investigators, hospital chief administrators, physicians and dentists serving in their professional capacity (except those physicians and dentists whose duties are significantly administrative or supervisory);
- 16. Temporary and seasonal appointments not to exceed the equivalent of half-time during any fiscal year, except that such positions may be filled through regular civil service procedures;
- 17. Appointments, which shall not exceed two years and shall not be renewable, as substitutes for civil service employees on leave, except that such positions may be filled through regular Civil Service procedures;

- 18. Appointments, which shall not exceed three years and shall not be renewable, for special projects and professional services with limited funding, except that such positions may be filled through regular civil service procedures; and
- 19. Entry level positions designated by an appointing officer with approval of the Civil Service Commission for persons who met minimum qualifications and are certified as blind or severely disabled; persons so appointed whose performance is rated satisfactory by their appointing officer shall after one year of continuous service acquire Civil Service status.

Charter Section 10.105 Provisional Appointments

Provisional Appointments for classified positions for which no eligible list exists shall not exceed three years. Provisional appointments may only be renewed with the approval of the Board of Supervisors and upon certification by the Human Resources Director that for reasons beyond his or her control the Department has been unable to conduct examinations for these positions.

SUMMARY ANALYSIS OF AUDIT FINDINGS

EXAMINATION ANNOUNCEMENTS

The audits related to the selected eight (8) recruitments included a review of the examination announcements regarding the content of information provided to job applicants including information regarding appeal rights if applicable. An announcement is the official notice of an examination for a specific job classification. Announcements are issued by the Department of Human Resources (DHR) and by departments with decentralized examination units. Human Resources procedures state that the announcement will include directions on when and where to file an application, a description of job duties, salary, qualification requirements, a description of the selection procedure(s) including, when relevant, the form, content and weight of each section of an examination. It establishes whether the examination is open on an entrance, promotive or combined entrance and promotive basis. The applicable certification rule is also specified.

Civil Service Commission Rule 110 Examination Announcements and Applicants Section 110.2 and Rule 111A Position-Based Testing (PBT) Section 111A.7.1 states: *The examination announcement shall be the official notice of an examination and shall provide the qualifications, dates, and other particulars regarding the selection procedure. Applicants are guided solely by the terms of the examination announcement.* Civil Service Commission Rules 211 for the San Francisco Police Department, 310 for the San Francisco Fire Department and 410 for the Municipal Transportation Agency also address the subject of Examination Announcements and Appeals and are similar in content provisions.

Civil Service Commission Rule 110 Examination Announcements and Applicants Section 110.4 Appeals of Examination Announcements states in part, *“The Human Resources Director shall rule on all appeals and shall notify appellants in writing of the decision. This decision is subject to appeal to the Commission as provided elsewhere in these Rules”.*

If the job announcement is for a Position-Based Test (PBT), it is then subject to Civil Service Commission Rule 111A Section 111A.35.1 Appeals of the Examination Announcement.

FINDINGS

With the exception of the job announcement for the Permanent Exempt Class 8131 Victim/Witness Investigator II, all of the other announcements audited provided detailed and pertinent information to applicants.

Although the Class 8131 meets the Charter criteria for exempt status, and recruitment for vacancies of this class does not require job announcements, there should be some reference to minimum qualifications required in order to establish a level of competency expected from applicants. The Department of Human Resources Policy on Verifying Possession of Minimum Qualifications states “All candidates selected for permanent civil service, provisional and exempt appointments must meet the minimum qualifications for the jobs to which they are appointed. **Either a job announcement or the class specifications for a position within a class should**

reference minimum qualifications required of a candidate to perform the functions assigned to a position.

MINIMUM QUALIFICATIONS

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, education, certifications, the Exempt Request Justification Form (if applicable), Notice to Provisional Appointee (if applicable) and the Appointment Processing Form. All documents are required to be obtained prior to the appointment date of the candidate and are to be in the OEPF exhibiting compliance of procedures and policies.

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

Verification as Part of the Application Process

Applicants may be required to submit verification of qualifying education and experience, at any point in the application, examination or departmental selection processes. Verification of work experience must be on the employer's letterhead, and must include the applicant's name, job title, description of job duties, dates of service, and signature of the employer. San Francisco City and County employees do not need to submit verification of their City employment, but must submit verification of outside experience. San Francisco City and County employees will not receive credit for experience obtained outside of their classification unless recorded in accordance with the provisions of the Civil Service Rule Series 10.

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

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

The following provide limited information regarding experience and can be used when other verification is not obtainable:

- W2 form
- Income tax returns
- Paycheck stubs

FINDINGS

All of the appointees were deemed by their respective department appointing officers or designees to have met the minimum qualifications for the position to which they were appointed. **However, three (3) departments that participated in the audit were found to be non-compliant with Commission Rules, and DHR policies and procedures. These departments did not obtain verification of qualifying work experience and/or education for the appointee prior to making the employment offer or appointment start date.** Therefore, there was no substantiating documentation of qualifications in the OEPF at the time of audit. The DHR policy states, *"Prior to extending an employment offer, hiring departments shall verify information provided by the applicant regarding their qualifying experience."* **These departments subsequently took immediate corrective action and obtained the required verifying documents as a result of the recommendations discussed at the audit meetings.**

The Appointment Processing Form that must be completed for each appointee was present in the OEPF. The form has a section to be completed to validate that the Pre-employment process was completed. The Checklist is in Section IX: OTHER on the form:

Pre-employment Checklist:

- Restrictions Check Internal Employment Check Education Check
 Conviction History Review External Employment Checks Reference Check

Some departments either failed to complete this section or arbitrarily checked off each box indicating that each area had been completed. Some of the subject matter may not have been applicable to the appointee and therefore the documents would not have been obtained. This section serves as a final reminder (checklist) to ensure that these processes have been reviewed and completed and also that the required documents have been obtained. The accuracy of this area is of importance.

EXEMPTING POSITIONS FROM CIVIL SERVICE APPOINTMENT

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

FINDINGS

The audit included two (2) departments which posted positions that were Permanent Exempt and one (1) department with a Temporary Exempt status position. The Exempt Justification forms were present in the OEPP and/or the reasons for exemption met the criteria of the Charter.

One (1) of the departments had a Provisional appointment and did have the applicable provisional form in the OEPP.

SUMMARY

It was identified that there needs to be greater checks and balances on the DHR side when approving Permanent Exempt hires to require Minimum Qualifications are documented.

After thorough discussions of the issues identified with the departments found to be non-compliant, the departments expressed that they have a clearer understanding of the requirements related to the selection and appointment of qualified candidates. The staff was very receptive to the recommendations and implemented immediate corrective action.

This year's audit illustrates how the Merit System Audit Program is indeed a constructive mechanism utilized to assist departments in reviewing their internal procedures regarding the compliance of Civil Service Commission Rules, policies and/or procedures. Identifying the subject matter areas that required corrective action in this audit will assist the departments in ensuring that they have appointed qualified candidates to their positions and that there is supporting documentation of the appointee's qualifications as required.

ATTACHMENT E

ATTACHMENT E

Excerpt from the "Good Government Guide" - Rule of Reason:

f. The Rule of Reason

In very rare circumstances a public records request or series of requests may become so burdensome, persistent, or sweeping that the demands placed on the department to respond to it within the required time frame would unreasonably impinge on the department's ability to perform its public duties. In these unusual instances, the department may be able to invoke a "rule of reason" (a common law doctrine occasionally cited in case law) to allocate the amount of time and resources a department devotes to responding. Departments believing that circumstances may warrant invoking this rule are urged to consult with the City Attorney's Office before doing so. In general, the timing of a department's response to a request to inspect records must be reasonable in light of all the circumstances, including: the volume of records to be inspected; whether the records are readily available; the need, if any, to review the records to make appropriate redactions; the need, if any, to assign staff to oversee the inspection; whether the department is actively using the records; and the number of other public records requests to which the department is also responding. Without denying or unreasonably delaying the requested inspection, a department may consider the degree of disruption of its operations that inspection will cause in determining the timing and logistics of the inspection. In response to a request to inspect a large number of records, the department may afford the requester access to records for a specified amount of time each day if under the circumstances that procedure is reasonable. Departments may not unnecessarily place roadblocks in the way of requesters seeking to inspect records, but in this era of limited public resources departments must balance the duty to respond to public records requests with their obligation to maintain a high level of service to the general public. When a department responds to a request for copies of excessively voluminous records, the rule of reason likewise may govern the timing of the department's response. Where compliance with a request may pose serious or insurmountable staffing burdens, the department may allocate a limited number of hours per day or week to work on responding to the request, to minimize disruption of its other public duties. In such circumstances, department personnel should endeavor to work cooperatively with the requester to determine if the request can be narrowed to minimize barriers to a prompt response, or to at least prioritize records the requester would like to receive first. If the same person makes multiple requests of a department or of the City as a whole, circumstances may warrant allocating a limited number of hours per day or week to the individual's requests. Because open government laws place such paramount importance on responding promptly to public records requests, a department should neither lightly nor routinely invoke the rule of reason as a basis for elongating the time for fully responding. Indeed, we strongly advise City personnel against invoking the rule of reason unless they have first consulted with the City Attorney's Office about their particular circumstances.

