



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

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EXECUTIVE OFFICER

Date: September 19, 2016  
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 2015-2016**

The following is a summary report on the activities of the Civil Service Commission ("Commission" or "Department") in Fiscal Year 2015-2016, the period covering July 1, 2015 through June 30, 2016.

The Commission primarily focused its efforts in Fiscal Year 2015-2016 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.

The Commission has continued to be productive in Fiscal Year 2015-2016 under the leadership of the Executive Officer. The Department exceeded its' goals and objectives by surpassing many of the 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 2015-2016.

Also attached to this report are the following Fiscal Year 2015-2016 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. After our Appeals Coordinator was promoted, we successfully worked on converting our 1840 position to a 1241 position within our budget for next fiscal year and agreed to participate in the 1249 Internship Program in search of a "well-rounded" 1241 candidate. Unfortunately, we have had this vacancy since December 2015 and the Department of Human Resource 1249 program is just starting. We will not have a permanent 1241 for one (1) year.

CSC 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 once again 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 one vacancy. Although we have not been able to fund our expansion plan, for Live Streaming of commission meetings, the City is continuing to research ways to strengthen our board and commission policies in the direction of providing "Live Streaming". Our approved overall budget for 2015-2016 of 1.173M will increase to \$1.202M in 2016-2017 and is projected to increase to \$1.232 for FY 2017-18 due primarily to projected increases in employee salaries and fringe benefit costs.

### **Appeals and Hearings**

The Commission received a total of 63 new appeals and requests for hearings in Fiscal Year 2015-16, in addition to the 10 active unresolved appeals that were carried over from the previous fiscal year. The Commission heard and resolved 56 of the 73 pending appeals last fiscal year, representing 77%, which remains significantly above its target of 70%. (Attachment B). The Commission concluded the fiscal year having resolved all appeals filed prior to January 2016, with the exception of five appeals that have been taken off-calendar pending the resolution of ongoing litigation, grievance and/or arbitration.

### Inspection Service Requests

In Fiscal Year 2015-2016, the Commission received a total of 109 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 met its goal of 80% by resolving 87 out of 109 (80%) of Inspection Service Requests within 60 days. The subject identified for Inspection Service Requests vary. However, reviews focused primarily on appointments. Our analysis/findings identified a few appointments that violated Commission Rules or policies and procedures. For example, the department received several claims of violations of Civil Service Rules involving exempt appointments.

Although the Charter and the Rules do not require departments to conduct a civil service process for exempt appointments, the Civil Service Commission Policy on Exempt Appointments requires exempt appointees to meet the minimum qualifications from the last examination announcement for that classification or the minimum qualifications in the job specification for that classification. Our findings indicate that there is inconsistency in departments maintaining documentation that the exempt appointee meets the minimum qualifications.

One department assumed that the exempt appointee met the minimum qualifications because the individual previously worked for the department as an outside consultant and maintained the required license for that profession. Some hiring managers assumed that documentation was not necessary because it was an exempt appointment. In other inspection service requests, temporary exempt employees were qualified for examinations based on their duration employed in their temporary exempt position. Further investigation revealed the temporary exempt employees may not have been working in the position full time during that same period.

Departments are required to obtain employment verification from outside employers to ensure the appointee meet the minimum qualifications at the time of their appointment or submission of their application. If any appointee were unable to verify that they met the minimum qualifications for the position, the department would take appropriate action. It was identified that there was an appointment made to a Permanent Civil Service position and the appointee did not meet the qualifications nor was the appointee a reachable eligible. Immediate corrective action was taken.

We received claims of nepotism and/or favoritism in connection with allegations that individuals did not meet the minimum qualifications for the positions. In the cases reviewed, appointees provided documentation of meeting the minimum qualifications. In the cases involving allegations of nepotism, appointees appropriately disclosed family members who are City employees on their application. In these cases, family members were not involved in the hiring process nor were they the hiring manager or direct supervisor, consistent with the Campaign Governmental Conduct Code 3.212, which states in part, "...No officer or employee of the City and County may make, participate in making, or otherwise seek to influence a decision of the City and County regarding an employment action involving a relative. Nothing in this Section shall prohibit an officer or

employee from acting as a personal reference or providing a letter of reference for a relative who is seeking appointment to a position in any City department, board, commission or agency other than the officer or employee's department, board, commission or agency or under the control of any such department, board, commission or agency....A Department Head who is prohibited under Subsection (a) from participating in an employment action involving a relative shall delegate in writing to an employee within the department any decisions regarding such employment action..."

The City's Employee Handbook states in part, "You may not make, participate in making, or seek to influence any employment decision involving a person with whom you have a familial or romantic relationship. You must notify your supervisor if you are, or become related to or romantically involved with another employee in the workplace over whom you have the authority to impose or recommend an employment action. Supervisors and managers should avoid any appearance of favoritism or nepotism in the workplace."

Family members and people who are romantically involved clearly cannot influence hiring decisions of their families and significant others. However family members or significant others may be employed with the City or in the same department. As a result of one Inspection Service, department heads, management, and supervisors should be reminded that they must use good judgement when their hiring decisions may involve people with whom they have a familial or personal relationship. Campaign and Governmental Conduct Code prohibits department heads from participating in an employment action involving a family member and the Employee Handbook states that supervisors and managers should avoid any appearance of favoritism or nepotism in the work place. This includes department heads delegating the signing of appointment forms for family members and people whom they may be romantically involved, regardless of the non-direct reporting relationship.

There was also an increase number of requests to review certification and/or selection processes from employees and employee organizations. Commission staff took the opportunity to explain in detail the post referral process with the complainants, who appreciated the extra effort in assisting them to understand that the department/appointing officer has the ultimate hiring discretion within the parameters as set forth in the Civil Service Commission Rules and Policies on the Civil Service Selection process. The Executive Officer also conducted training on the civil service selection process with departments, (PUC, MTA, HSA and CON), SEIU 1021, and IFPTE Local 21.

#### **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), Temporary Exempt or Exempt positions; and
- Departments' justification for exempting positions from Civil Service appointment, selection and removal procedures in accordance with Charter section 10.104.

Our findings discovered:

- All researched job announcements for examination recruitments included appropriate appeal rights and other required information.
- Appointees were deemed by their respective appointing officer or designee to have met the minimum qualifications for the position to which they were appointed and the verification of qualifications was present in the Official Employee Personnel File.
- Included in the audit were one (1) department which posted a position that was Permanent Exempt and one (1) department with a Temporary Exempt status position. In both cases, 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 updated two Rules, policies and one Advisor in the last fiscal year.

1. Rule 011 Series – Veterans Preference in Examinations applicable to all employees. This amendment updated the definition of a veteran to comply with the California Government Code 18973 (effective January 1, 2014) and expanded the award of preference points to spouse or domestic partner of 100% disabled veterans with a permanent service connected disability declared by the United States Veterans Administration.
2. Rule 311 Examination - Applicable to the Uniformed Ranks of the Fire Department. This amendment replaced expired pilot language and clarified the authority of the Civil Service Commission and the Department of Human Resources to disclose examination questions, scoring keys and related exam material pertaining to H-50 Assistant Chief Examination administered in 2010 in the interest of fairness and impartial treatment of all applicants.
3. Advisor 031/2015 Changes In Sick Leave Entitlement –The advisor was issued to notify Appointing Officers, Personnel Officers, Employees and Employee Organizations that the second phase of the Healthy Workplace Healthy Family Act of 2014 took effect on July 1, 2015. Civil Service Rule Series 020 was amended to comply with California Labor Code

Section 245-249 affecting all City and County employees to provide a sick leave benefit beginning on the 90<sup>th</sup> day of employment effective July 1, 2015.

### **Commission Policies and Procedures**

During the fiscal year 2015-2016 much discussion ensued regarding the clarification of the Post Referral Memorandum issued in 2014. The memorandum was designed to clarify the authority and broad discretion provided to the appointing authority in making selections in the post referral process. SEIU Local 1021 has taken issue and has included areas of concern. Some of the issues of concern include nepotism, favoritism, cheating, blacklisting, discrimination and misuse of temporary exempt appointments. The Civil Service Commission staff performed Inspection Services into these allegations and we continue to have discussions with the Commission on ways to improve the merit system, policies and procedures to remove inaccurate perceptions with more transparency in an attempt to address issues of concern.

### **Public Records Requests**

Our Public Records Requests have continued to be dominated by a single requestor. However, the use of the "Rule of Reason" referenced in the City Attorney's, "Good Government Guide" has proven very useful in managing these requests. (Attachment E). Part of the new function of the 1241 Personnel Analyst will be to manage public records requests and certification of administrative records.

### **Summary**

In summary, the Commission has been very productive last fiscal year despite challenges. The Civil Service Commission staff members in support of our mission have provided incredible and unmeasurable service and support to the Executive Officer. Sandra Eng, Deputy Director, Luz Morganti, Sr. Personnel Analyst, Lizzette Henriquez, Personnel Technician, and Elizabeth Aldana, Sr. Clerk Typist are a dedicated team of true civil servants.

### **Attachments:**

- Attachment A: Report on the Civil Service Commission Department's Achievement of Its Fiscal Year 2015-2016 Goals and Objectives (see pages )
- Attachment B: Fiscal Year 2015-2016 Appeals Log (see pages )
- Attachment C: Fiscal Year 2015-2016 Inspection Service Request Log (see pages )
- Attachment D: Merit System Audit Program Report (see pages )
- Attachment E: Excerpt from City Attorney's "Good Government Guide" (see page )

**STATUS OF CIVIL SERVICE COMMISSION GOALS AND OBJECTIVES**

**FISCAL YEAR 2015-2016**

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

<b>Objective</b>	<b>Performance Measures</b>	<b>Status</b>
<b>Increase the availability of information about the Commission.</b>	<ul style="list-style-type: none"> <li>• Continue to ensure that all information on the Commission's website is accurate and current.</li> <li>• Continue to expand upon the information available on the Commission's Facebook page and Twitter. Update the information as needed throughout the fiscal year.</li> <li>• Prepare and/or update informational publications about the Commission as needed throughout the fiscal year.</li> <li>• Ensure compliance with Language Access Ordinance.</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> </ul>
<b>Ensure that information on the Commission's website is intuitive and easily accessible.</b>	<ul style="list-style-type: none"> <li>• 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.).</li> <li>• Maintain the posting of official Civil Service Rules in PDF format.</li> <li>• Ensure compliance with United States Access Board Section 508 Standards and Section 255 Accessibility Guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>• In Progress - Continual</li> </ul>
<b>Increase the availability of information on the Commission's website.</b>	<ul style="list-style-type: none"> <li>• Continue to increase the availability of information and documents under the Commission's purview on the Commission's website (e.g., post established policies, publications and relevant historical documents, historical staff reports, etc.).</li> <li>• Investigate options for language accessibility for all documents.</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> </ul>
<b>Ensure that Commission staff and</b>	<ul style="list-style-type: none"> <li>• Continue to expand the use of the Commission's web-based document</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> </ul>

<p><b>the Commissioners have quick, efficient and easy access to the Commission’s historical documents and files for proper record retention purposes and any specific research needs.</b></p>	<p>management system (“DocumentMall”):</p> <ul style="list-style-type: none"> <li>○ Expand upon the types of documents uploaded into the system (e.g., meeting materials, policies, communications, publications and reports).</li> <li>○ Require that all Commission staff use, access and/or upload documents into DocumentMall on a weekly basis throughout the fiscal year.</li> <li>○ Convert paper reports and other 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.</li> </ul> <ul style="list-style-type: none"> <li>• Undertake a systematic review of all Commission hard copy documents and files throughout the year. <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ Resolve at least one box (or the equivalent) of documents/files each week.</li> </ul> </li> </ul>	
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**Goal #2: Create greater transparency and efficiencies in the Commission’s procedures and communications.**

Objective	Performance Measures	Status
<p><b>Improve communications with appellants so that they understand the Civil Service Commission Rules, policies and meeting procedures.</b></p>	<ul style="list-style-type: none"> <li>• Update and finalize meeting procedures and protocols for peace officer appeals by December 2015.</li> <li>• Continue to provide appellants with as much information as possible so that they understand meeting and appeal procedures.</li> </ul>	<ul style="list-style-type: none"> <li>• Delayed due to change of Deputy City Attorney and shifting priorities.</li> </ul>



<p><b>Improve communications with departments so that they understand the Commission's policies, meeting procedures and expectations with respect to staff reports.</b></p>	<ul style="list-style-type: none"> <li>• Offer training/guidance to departments on how to prepare and present staff reports before the Commission.</li> <li>• Provide Quarterly Training</li> <li>• Conduct Survey for Satisfaction/Training Topics</li> <li>• Create Accessible Staff Report Template</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> </ul>
<p><b>Improve communications with departments so that they understand the need for transparency when describing accurate information for use of Personal Service Contracts.</b></p>	<ul style="list-style-type: none"> <li>• Explore ways to clarify services being provided when initiating or modifying Personal Service Contracts to include accurate description of smaller contracts providing various services under the one umbrella for transparency to stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> <li>• Developing policy recommendation on continuous contracts.</li> </ul>
<p><b>Increase the use of electronic communications with departments and appellants (if requested) in an effort to reduce paper consumption and staff resources, create efficiencies with Commission stakeholders.</b></p>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> </ul>
<p><b>Issue all reports regarding Commission deliverables and achievements on a timely basis.</b></p>	<ul style="list-style-type: none"> <li>• No later than the second meeting in August 2015, finalize the draft Fiscal Year 2014-2015 Annual Report and Year-End Report for the Commission's review and approval.</li> <li>• No later than the first meeting in February 2016, report to the Commission on the status of the Commission's achievement of its goals and objectives for the first half of Fiscal Year 2015-2016.</li> <li>• No later than the first meeting in June 2016, schedule the Commission's Strategic Planning Session to establish</li> </ul>	<ul style="list-style-type: none"> <li>• Completed</li> <li>• Delivery dates were adjusted due to mass public records request and research project.</li> </ul>

	the Commission's new goals and objectives for Fiscal Year 2016-2017.	
<b>Ensure that Commission staff understand and are focused on supporting the Commission's mission, goals and objectives.</b>	<ul style="list-style-type: none"> <li>No later than August 28, 2015, complete all Commission staff performance evaluations for the preceding review period concluding on June 30, 2015.</li> <li>No later than August 28, 2015, establish all Commission staff performance plans for the next performance review period (Fiscal Year 2015-2016), and ensure that the plans include deliverables specifically tied to the Commission's Fiscal Year 2015-2016 Goals and Objectives.</li> </ul>	<ul style="list-style-type: none"> <li>Continual</li> </ul>
<b>Ensure that the Commission's internal policies and administrative procedures are kept updated and documented for Commission staff.</b>	<ul style="list-style-type: none"> <li>No later than June 30, 2016, revisit and update as needed all Commission internal policies and standard operating procedures to ensure consistency and facilitate cross training.</li> <li>Records Management (electronic)</li> <li>Public Records Requests</li> </ul>	<ul style="list-style-type: none"> <li>Continual</li> <li>Beginning discussions with DHR regarding electronic personnel files.</li> </ul>

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

<b>Objective</b>	<b>Performance Measures</b>	<b>Status</b>
<b>Resolve appeals in a timely manner to the extent possible.</b>	<ul style="list-style-type: none"> <li>Process 100% of appeals and requests for hearing within seven (7) days of receipt in Fiscal Year 2015-2016 (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).</li> <li>By June 30, 2016, resolve and/or forward to the Commission for hearing, at least 70% of the appeals received in Fiscal Year 2015-2016.</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> </ul>

<p><b>Monitor appeals and develop strategies to improve the efficiency by which appeals are resolved.</b></p>	<ul style="list-style-type: none"> <li>• By May 27, 2016, evaluate the effectiveness of the Commission's appeals policies and procedures (e.g., staff report deadlines, revised communications to departments, etc.) based on performance measure achievements over the past three fiscal years. By June 30, 2016, implement new, or adjust existing policies and procedures as appropriate for Fiscal Year 2016-2017.</li> <li>• Issue the Commission's Meeting Schedule and Deadlines for Calendar Year 2016 no later than November 2015 to ensure that departments are aware of staff report submission deadlines.</li> <li>• Regularly update and monitor the Pending Appeals Log on a bi-weekly basis, and communicate with departments as appropriate, to ensure that staff reports on appeals are submitted within a reasonable period of time.</li> <li>• Convene monthly updates with the Department of Human Resources on the status of departments' staff reports.</li> <li>• 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.).</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> </ul>
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**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
<p><b>Work collaboratively with departmental representatives, the Department of Human Resources and City Attorney's staff to establish new or amend current Rules, policies and</b></p>	<ul style="list-style-type: none"> <li>• Throughout the fiscal year, seek input from HR analysts and managers on the effectiveness of the merit system and areas needing improvement.</li> <li>• Convene monthly meetings of the Commission's Committee on Policy and Rules Revision (COPAR) throughout the fiscal year to: 1) discuss and review</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> <li>• Participation in DHR development of Relationship Policy Guidelines.</li> </ul>

<p><b>procedures to address changing needs as appropriate.</b></p>	<p>with departmental human resources representatives any new Rules, policies or procedures, or needed/requested revisions thereto; and 2) seek departmental input on inconsistencies between the Civil Service Rules and current departmental practices, to recommend appropriate action to the Commission (e.g., consider proposing a Rule amendment, issue an Adviser to clarify Rule requirements, etc.).</p>	
<p><b>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.</b></p>	<ul style="list-style-type: none"> <li>• Continue to meet with eMerge representatives as needed 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 eMerge system upgrades.</li> </ul>	<ul style="list-style-type: none"> <li>• Continual</li> <li>• CSC may be included in next phase of time management Self Service.</li> </ul>

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

<b>Objective</b>	<b>Performance Measures</b>	<b>Status</b>
<p><b>Review the Civil Service Rule series and recommend revisions/deletions/additions to the Rules for the Commission's consideration as necessary and appropriate.</b></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"> <li>1. Rule provisions that conflict with, or that are otherwise inconsistent with the law.</li> <li>2. Rules that are confusing, inconsistent with other Rules, or policies, or inconsistently applied by departments.</li> <li>3. Rules provisions that would support operational needs.</li> <li>4. Rule provisions that are no longer applicable.</li> <li>5. Revisions that would consolidate or streamline the Rules.</li> <li>6. Rules needed to address merit system</li> </ol>	<p>Frequency has been delayed due to various reasons such as staffing, requests for public records and mass research projects.</p>

	<p>issues discovered during the course of Inspection Service reviews or the Audit Program.</p> <p>7. Clean-up (e.g., remove Rules that have expired, etc.).</p>	
<p><b>Review existing Commission policies and procedures; and recommend revisions to existing policies and procedures, or the creation of new ones, as appropriate.</b></p>	<ul style="list-style-type: none"> <li>Review at least one existing Commission policy every quarter and recommend revisions as appropriate for the Commission's consideration. The Executive Officer will also recommend for the Commission's consideration the creation of policies as needed and appropriate on merit system issues for which Commission stakeholders require more guidance.</li> <li>The Executive Officer's policy review will be prioritized based on directives from the Commission, requests from Commission stakeholders, and the frequency of Inspection Service complaints received on a particular issue.</li> </ul>	<ul style="list-style-type: none"> <li>Continual</li> </ul>
<p><b>Conduct meet and discuss and facilitate meet and confer negotiations to adopt new and amended Rules, policies and/or procedures when required under state law.</b></p>	<ul style="list-style-type: none"> <li>As needed during the fiscal year, conduct meet discuss sessions with the City's labor unions or meet and confer sessions when appropriate with City's labor unions on any new or amended Rules of policies when required under state law.</li> </ul>	<ul style="list-style-type: none"> <li>Completed - Continual</li> </ul>
<p><b>Conduct best practice reviews of merit system matters in other jurisdictions.</b></p>	<ul style="list-style-type: none"> <li>Research best practices in the Bay Area and/or comparable jurisdictions (e.g., Los Angeles) upon request of the Commission during the fiscal year.</li> </ul>	<ul style="list-style-type: none"> <li>Continual</li> </ul>
<p><b>Provide outreach, training and support to the Commission's stakeholders regarding the Civil Service rules, policies and procedures.</b></p>	<ul style="list-style-type: none"> <li>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 Commission.</li> <li>Give regular presentations and updates on merit system issues during the Department of Human Resources'</li> </ul>	<ul style="list-style-type: none"> <li>Completed – Continual</li> <li>Provided training to SEIU 1021, Local 21, PUC HR Staff, MTA, CON and HSA Managers.</li> </ul>

	<p>Monthly Human Resources Professional Group meetings.</p> <ul style="list-style-type: none"> <li>• Provide a presentation on the merit system to new human resources analysts and managers on an annual basis.</li> <li>• Offer to provide other Commission stakeholders with an overview of the merit system upon request (e.g., union representative/employee groups, operational managers, elected officials, Deputy City Attorneys, etc.).</li> <li>• 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.</li> <li>• Offer to provide labor representative with informational articles on the Commission for their member newsletters upon request.</li> </ul>	
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**Goal #6: Strengthen the Commission's ability to meet its Charter mandates and oversee the operation of the merit system.**

<b>Objective</b>	<b>Performance Measures</b>	<b>Status</b>
<p><b>Review the operations of the merit system in City departments.</b></p>	<ul style="list-style-type: none"> <li>• Conduct eight departmental audits in Fiscal Year 2015-2016.</li> <li>• Resolve/complete within 60 days, 80% of Inspection Service Requests received in Fiscal Year 2015-2016.</li> <li>• In the event that Commission staff determines in the course of its audits and/or Inspection Service reviews that some department practices conflict with established Rules or policies, issue formal clarifying statements and/or trainings within 60 days so that all departments are aware of and understand applicable merit system requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Completed</li> </ul>
<p><b>Increase the Commission's access to information regarding the operation of the merit system.</b></p>	<ul style="list-style-type: none"> <li>• No later than the second meeting in June 2015, submit for the Commission's review its Calendar of Reports for Calendar Year 2016 (this details the reports that City departments are required to submit to the Commission each year). Include for the Commission's review a list of available</li> </ul>	<ul style="list-style-type: none"> <li>• Completed</li> </ul>

	<p>canned queries, reports and available information related to merit system matters in the event that the Commission wishes to expand upon the information it currently receives from Commission staff and/or City departments (e.g., exempt appointment justifications, personal services contracts, examination plans, etc.).</p> <ul style="list-style-type: none"> <li>• By the end of December 2015, 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.</li> </ul>	
<p><b>Ensure that departments are complying with Commission's requests for reports and/or additional information.</b></p>	<ul style="list-style-type: none"> <li>• When applicable, record any conditions, restrictions or reporting requirements that the Commission places on a Personal Services Contract (PSC). Utilize a tickler system so that the Commission is able ensure that departments comply with the Commission's conditions, restrictions or reporting requirements for PSC approvals.</li> <li>• When applicable, record and create a "tickler system" for any additional reports that the Commission requests throughout the fiscal year.</li> </ul>	<ul style="list-style-type: none"> <li>• Completed - Continual</li> </ul>
<p><b>Complete/coordinate all Charter-mandated wage/benefit surveys requiring Commission certification under the Charter.</b></p>	<ul style="list-style-type: none"> <li>• By November 25, 2015, develop a work plan and schedule for achieving Charter-mandated surveys for the fiscal year.</li> <li>• 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).</li> <li>• No later than the second meeting in May 2016, complete the annual salary adjustments for Elected Officials in accordance with Charter Section A8.409-1- Employees Covered.</li> <li>• No later than April 30, 2016, complete</li> </ul>	<ul style="list-style-type: none"> <li>• Completed</li> </ul>

	the salary survey for the Board of Supervisors in accordance with Charter section 2.100 Compensation and Salary.	
<b>Ensure that the Commission's budget in Fiscal Year 2015-2016 is sufficient so that it can adequately carry out its Charter obligations to oversee the merit system.</b>	<ul style="list-style-type: none"> <li>• Negotiate with the Mayor's Office, Controller's Office and Board of Supervisors to maintain the Commission's budget in Fiscal Year 2016-2017 at an adequate level to support its operations, Charter functions and merit system goals and objectives.</li> </ul>	<ul style="list-style-type: none"> <li>• Completed – Substitution of 1840 for 1241 position.</li> </ul>



# **ATTACHMENT B**

Civil Service Commission  
Fiscal Year 2015-16 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0028-16-4	4	Appealing the administration of the 2112 Medical Records Technician examination.	01/18/16	01/21/16	Callahan Gard Kraus Weigelt Covman	04/04/16	03/24/16	02/11/16	4	Resolved Administratively - DPH decided not to use results from the exam and not to adopt the eligible list and instead will administer a new supplemental questionnaire.
0160-16-4	4	Appealing the rejection of application for Class 2840 Adult Protective Services Worker.	04/14/16	04/20/16	Callahan Gard Kraus Kim	06/20/16	06/09/16			
017516-4	4	Appealing the rejection of his application for the class 7345 Electrician examination.	04/26/16	04/28/16	Callahan Gard Kraus Bisbas Fratorelli Robert			04/28/16	4	Resolved administratively
0235-15-4	4	Appealing the rejection of his application for the 9126 Transit Traffic Checker examination.	07/09/15	07/09/15	Reislin Ellison Klim Leung	09/21/15	09/10/15	07/15/15	4	Resolved administratively; MTA is making a onetime exception of accepting his application in light of him initially submitting the wrong one. JB formally closed on 7/17/15.
0208-15-4	4	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	09/25/15	1	Resolved; Denied the appeal of / Human Resources Director's decision. and upheld the
0208-15-4	4	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	09/25/15	1	Resolved; Denied the appeal of / Human Resources Director's decision. and upheld the
0310-15-5	5	Appealing the Director of Transportation's decision to dismiss her discrimination complaint, EEO File # 1919.	09/18/15	09/22/15	Reislin Ellison Klim Simron	12/07/15	11/25/15	04/04/16	1	Resolved; denied appeal, directed MTA and DHR to report back to CSC on any recommended further action by MTA in 6 months
0424-15-5	5	Appealing the Director of Transportation's decision to dismiss her discrimination complaint EEO File# 1918	12/11/15	12/14/15	Reislin Ellison Klim Simron	03/07/16	02/25/16	04/04/16	1	Resolved; denied appeal; directed MTA and DHR to report back to CSC on any recommended further action by MTA
0236-15-5	5	Appealing the PSC #49384-14/15 - Peer to Peer and Family to Family Training Services - DPH	07/09/15	07/10/15	Callahan Gard Lewis Hale	07/20/15	07/14/15	07/20/15	1	Resolved; Granted SEIU, Local 1021's appeal in part, with the condition that the contract duration is reduced to two (2) years until 2017. In addition, the Department of Public Health will provide an annual report in 2016 and will continue discussions with SEIU, Local 1021. Notified the Office of the Controller, and the Office of Contract Administration.
0301-15-8	8	Appealing the PSC #4065-10/11 - Intermittent, as-needed professional radiologist technologists Registry - DPH	09/10/15	09/11/15	Callahan Gard Hale	09/21/15	09/15/15	09/21/15	1	Resolved; Conditionally approved Personal Services Contract Number 4065-10/11 with the proviso that: (1) the Department of Public Health will continue ongoing engagements with SEIU, Local 1021 to monitor, analyze, and evaluate the use of registry with the goal and commitment to reduce the use of and allocation of funding for registry positions over the next year. (2) The Department of Public Health will report back to the Civil Service Commission on progress in this regard including assessing and reducing the registry use, in six months and again in one year; (3) Notify the Office of the Controller and the Office of Contract Administration. (Note of 4 to 0)

Civil Service Commission  
Fiscal Year 2015-16 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0315-15-6	6	Appealing the Human Resources Director's decision to dismiss his discrimination complaint EEO File #1931.	09/24/15	09/25/15	Callahan Gard Simon Louie Fratirelli	11/18/15	11/05/15	12/16/15	4	Resolved; Withdrawn by Appellant
0030-15-4	4	Appealing the rejection of her application for the 9520 Transportation Safety Specialist (CBT-9520-M00118).	02/05/16	02/05/16	Reiskin Ellison Leung Dominguez	04/18/16	04/07/16	04/18/16	1	Resolved
0257-15-6	6	Appealing the rejection of his application for Class 9102 Transit Car Cleaner (CBT -9102-M00132)	06/15/16	06/17/16	Reiskin Ellison Leung Castellano	09/19/16	09/08/16			
0002-16-6	6	Appealing the Human Resources Director's decision to dismiss his discrimination complaint, EEO File No. 1889.	07/24/15	07/27/15	Callahan Gard Simon Kim	10/05/15	09/24/15	07/28/15	4	Resolved; DHR conduct further investigation
0002-16-6	6	Appealing the HRD's findings in his Discrimination Complaint EEO File No. 1889	01/04/16	01/05/16	Callahan Gard Simon	03/07/16	02/23/16	04/04/16	1	Resolved; denied appeal
0258-14-6	6	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			05/07/16 pending litigation; DPH filed for dismissal on the week of May 2nd; 03/16/15 Litigation; 02/25/16 Postponed to the meeting of 3/16/15 at the request of the appellant
0300-15-6	6	Appealing the Human Resources Director's decision to close his discrimination complaint EEO File No. 1906.	09/10/15	09/30/15	Callahan Gard Simon Weigelt	12/07/15	11/25/15			05/07/16 pending litigation; DPH filed for dismissal on the week of May 2nd; 10/17/15 Form 13 - Appeal to be held in abeyance due to pending litigation.
0345-15-6	6	Appealing the Human Resources Director's decision to administratively close his discrimination complaint EEO File No. 1853.	11/04/15	11/05/15	Callahan Gard Simon Weigelt	01/21/15	02/01/16			05/07/16 pending litigation; DPH filed for dismissal on the week of May 2nd;
0134-15-6	6	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			8/27/15 Litigation (Scheduled for March 2016);
0188-15-6	6	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	06/03/15	1	Resolved. Appeal denied.
0284-15-4	4	Appealing the rejection of his application for the Class 5211 Engineer/Architect/Landscape Architect - Senior CBT recruitment	06/10/16	06/14/16	Callahan Gard Kraus Miles Blasbas	09/19/16	09/08/16			
0284-15-4	4	Appealing the rejection of his application for the 7430 Assistant Electronic Maintenance Technician examination.	09/04/15	09/08/15	Reiskin Ellison Kim Leung	11/02/15	10/22/15	11/16/15	1	Resolved. Appeal denied. Continued to 11/16/15 to allow MTA to address the relationship between JFK experience and 2 years of education requirement.
0302-15-8	8	Appealing PSC #48231-15/16 - Temporary Security Guard Services for SF General Hospital Rebuild Project - DPH	09/10/15	09/11/15	Callahan Gard Hals	09/21/15	09/15/15	09/21/15	1	Resolved; Conditionally approved PSC# 48231-15/16 for the duration of three (3) months. In addition, the DPH will report back with the hiring plan in December 2015. (Vote of 4 to 0)

Civil Service Commission  
Fiscal Year 2015-16 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0255-15-8	8	Appealing PSC #43868-14/15 - Personal Assisted Employment Services (PAES) Counseling and Pre-Vacation Services - Department of Public Health.	07/23/15	07/24/15	Callahan Gard Lewis Hale	08/03/15	07/29/15	08/17/15	1	Resolved: Granted SEIU, Local 1021's appeal with the following two (2) modifications: (1) Conditionally approved Personal Services Contract #43868-14/15 for three (3) years, with the proviso that the Department of Public Health and the Human Services Agency continue discussions with SEIU, Local 1021, which includes work that might be performed by Civil Service classifications and in consideration of those factors for contracting out cited in the Personal Services Contract; and (2) The Department of Public Health and Human Services Agency provide an annual progress report to the Commission. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)
0262-15-3	8	Appealing PSC #4110-10/11 - Sales and Use Tax Audit, Analysis and System Services - Office of the Controller.	08/06/15	08/07/15	Callahan Gard Lewis Kinolisiki	08/17/15		08/17/15	1	Resolved.
0263-15-3	8	Appealing PSC #39548-13/14 - Multimedia Design Services - Municipal Transportation Agency.	08/06/15	08/04/15	Callahan Gard Lewis Hamada	08/17/15		08/21/15	1	Resolved: Conditionally approved Personal Services Contract Number 39548-13/14 with the proviso that the Municipal Transportation Agency continues to work with SEIU, Local 1021 to explore how the work can be completed in-house and to report back in one (1) year. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)
0264-15-8	8	Appealing PSC #43887-14/15 - As-Needed American Sign Language Interpretation Services - DPH.	08/06/15	08/07/15	Callahan Gard Lewis Hale	08/17/15		08/17/15	1	Resolved: Granted SEIU, Local 1021's appeal with the following four (4) modifications: (1) Conditionally approved Personal Services Contract #43877-14/15 for three (3) years, until June 30, 2018; (2) The Department of Public Health will work with the Department of Human Resources to expedite the recruiting and hiring process for the 2586 Health Worker II - American Sign Language Interpreter position and will work with SEIU, Local 1021 regarding recruitment efforts; (3) American Sign Language Interpreter work performed by contractors will be transitioned to the newly hired Civil Service 2686 Health Worker II to the extent possible and the dollar amount under this PSC will be reduced commensurately; and (4) the Department of Public Health will report back to the Commission in one (1) year, on August 15, 2016. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)
0265-15-8	8	Appealing PSC #41467-13/14 - Neuronmonitoring Services for Patients at San Francisco General Hospital - DPH.	08/06/15	08/07/15	Callahan Gard Lewis Hale	08/17/15		10/05/15	1	Resolved. Conditional approval. DPH requested postponement for Personal Services Contract #41467-14/15 to 10/05/15 to provide program staff more time to gather information. Postponed to 9/21/15 to allow all parties to be present for the appeal.
0325-15-8	8	Appealing PSC #3012-13/14 - Street Team Outreach and Information Services - SFMTA	10/08/15	10/09/15	Callahan Gard Lewis Ellison Hamada	10/19/15		10/09/15	5	Resolved. Appeal withdrawn.
0353-15-8	8	Appealing the PSC #4151-8/10 - Behavioral Health Integrated and Full Service Outpatient Services- DPH	11/05/15	11/06/15	Hale Callahan Bulck Gard Lewis	11/16/15	11/10/15	12/07/15	1	Resolved: SEIU & DPH mutually agree that 1) DPH will continue ongoing engagement with Local 1021 to assess the extent to which this work may be performed by Civil Service classifications and to provide input on the upcoming RFP process; and 2) DPH will report back to the Commission on progress in this regard in one year.

Civil Service Commission  
Fiscal Year 2015-16 Appeals Log

Register No.	Type	Subject	Date Received	Date Transferred	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0354-15-8	8	Appealing the PSC #4160-09/10 - Prevention and Early Intervention (PEI) - DPH	11/06/15	11/06/15	Hale Callahan Buick Gard Lewis	11/16/15	11/10/15	12/07/15	4	Resolved; SEIU Local 1021 withdrew appeal.
0180-16-6	6	Appealing the Human Resources Director's decision to administratively close her discrimination complaint. EEO File No. 1988.	04/28/16	05/02/16	POBR	07/18/16	07/07/16			
0115-15-4	4	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. Marlon	07/06/15	06/25/15	07/07/15	1	Resolved - The commission adopted the staff report and accepted the recommendation to place [redacted] on the current 2708 Custodian eligible list (CBT-2708-900696). (Vote of 4 to 0). JB formally closed appeal on 7/27/15.
0176-16-4	4	Appealing the denial of request to file a late application for the H-30 Captains examination.	04/27/16	04/29/16	Callahan S. Gard J. Kraus A. Blasbas Johnson	07/18/16	07/07/16			
0013-16-6	6	Appealing the HRD's findings in his Discrimination Complaint EEO File No. 1761	01/11/16	01/13/16	Callahan Gard Simon Fratelloni Louie Kim	04/04/16	03/24/16	04/13/16	1	Resolved; DHR EEO conducting investigation on new items brought to the Commission
0332-15-4	4	Appealing her rejection of her application for the H-50 Assistant Chief examination.	10/19/15	10/20/15	Callahan Gard Kraus Johnson Bushong	12/21/15	12/10/15	11/16/15	5	Resolved. Appeal withdrawn. Postponed to 11/16/15.
0237-15-6	6	Appealing the HR Director's decision to deny her retaliation complaint.	06/22/16	06/23/16	Callahan Gard Simon Bushong	09/19/16	09/08/16			
0237-15-6	6	Appealing the HRD's decision on the discrimination complaint EEO File No. 1765.	07/09/15	07/10/15	Gard Simon Hayes-White Bushong	09/21/15	09/10/15	07/16/15	4	Resolved; Form 13 - On June 4, 2015, Jasusa Bushong, Department Personnel Officer, mailed [redacted] a letter informing her of corrective actions to be taken against her based on a determination by Micki Callahan, Human Resources Director. The letter also advised her of her right to appeal Director Callahan's determination. On July 9, 2015 during a Member Conference, [redacted] acknowledged that she received Ms. Bushong's June 4, 2015 letter at her home address. She said she had been sick and was not able to review or act on the letter. Nonetheless, [redacted] did receive the June 4, 2015 Letter mailed to her and was on notice of the timeframe to appeal. JB formally closed appeal on 7/30/15.
0234-15-6	6	Appealing the Municipal Transportation Agency's decision on his discrimination complaint.	07/07/15	07/15/15	Reiskin Eilson Kim Goree	09/21/15	09/10/15	09/25/15	5	Resolved; appellant withdrew his appeal.
0113-16-4	4	Appealing the rejection of his application for the 2468 Supervising Chemist examination	03/18/16	03/21/16	Callahan Gard Charan Campbell	06/06/16	05/26/16	03/23/16	4	Resolved administratively - applicant deemed qualified to take exam

Civil Service Commission  
Fiscal Year 2015-16 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0366-15-6	6	Appealing the Director of Transportation's decision to administratively close his discrimination complaint. EEO File #1937.	11/09/15	11/10/15	Reiskin Ellison Fleisler Simon	02/01/16	01/21/15	02/01/16	1	Resolved
0147-16-8	4	Appealing the rejection of his application for Class 7381 Automotive Mechanic (GBT-7381-601167)	06/08/16	06/13/16	Reiskin Ellison Kong Leung	09/19/16	09/08/16			
0147-16-8	8	Appealing the PSC #44181-15/16 As-needed/TEX Medical Record Coding - DPH	04/07/16	04/11/16	Callahan Gard Lewis Hale	04/18/16	04/12/16	04/18/16	1	Resolved
0146-16-6	6	Appealing the HRD's decision on the discrimination complaint EEO File No. 1801.	04/05/16	04/08/16	Callahan Gard Simon Wong	06/20/16	06/09/16	04/27/16	4	Resolved administratively - untimely appeal
0184-16-1	1	Appealing the Executive Officer's decision to concur with the HR Director's decision that discrimination complaint was untimely	05/19/16	05/20/16	Eng					
	4	Appealing his background disqualification for Class 6331 Building Inspector with DBI	06/16/16	06/17/16	Callahan Gard Yamasaki Palleo Vilhanueva	09/19/16	09/08/16			
0019-16-4	4	Appealing the rejection of his application for the 9110 Fare Collection Receiver examination.	01/13/16	01/19/16	Reiskin Ellison Kim Leung	04/04/16	03/24/16	02/25/16	2	Resolved Administratively - appeal untimely
0020-16-4	4	Appealing the rejection of his application for the 9116 Senior Fare Collection Receiver examination.	01/13/16	01/19/16	Reiskin Ellison Kim Leung	04/04/16	03/24/16	04/04/16	1	Resolved; denied appeal
0320-15-4	4	Appealing her examination results for the 2915 Program Specialist Supervisor (PBT-2915-063511) position with the Human Services Agency.	09/29/15	09/30/15	Callahan Gard Kraus Kim Palma	11/02/15	10/27/15 (optional)	11/02/15	4	Resolved administratively
0312-15-4	4	Appealing the rejection of her application for the Class 1204 Senior Personnel Clerk examination.	06/22/15	09/23/15	Callahan Gard Kraus	11/16/15	11/05/15	11/16/15	1	Resolved - The commission adopted the staff report and denied the appeal by 1
0313-15-4	4	Appealing the rejection of her application for the Class 1202 Personnel Clerk examination.	09/22/15	09/23/15	Callahan Gard Kraus	11/16/15	11/05/15	11/16/15	1	Resolved - The commission adopted the staff report and denied the appeal by 1
0240-15-6	6	Appealing the Human Resources Director's decision on her discrimination complaint EEO File No. 1841.	07/14/15	07/15/15	Callahan Gard Simon Kim Louie Yeung	09/21/15	09/10/15	12/07/15	1	Resolved
0089-16-6	6	Appealing the HR Director's decision to administratively close the discrimination complaint File No. 2000	03/08/16	03/10/16	Callahan Gard Simon Wong	06/06/16	05/26/16	06/06/16	1	Resolved; no show

Civil Service Commission  
Fiscal Year 2015-16 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0322-15-1	1	Appealing the Executive Officer's Decision to Deny the Appeal of the Post-Renewal Selection Process for Class 9703 Human Services Agency Employment & Training Specialist II.	10/07/15	10/14/15	Michael Brown		11/02/15	11/16/15	1	Resolved
0331-15-4	4	Appealing the rejection of his application for the H-50 Assistant Chief examination.	10/19/15	10/20/15	Callahan Gard Kraus Johnson Busbong	12/21/15	12/10/15	11/02/15	1	Resolved
0182-15-4	4	Appealing the denial of her request to file an application for the H-30 50 Captain examination.	05/02/16	05/09/16	Callahan Gard Kraus Blasbas Johnson Lo	07/18/16	07/07/16			
0326-15-6	6	Appealing the HRD's findings in her Discrimination Complaint EEO File No. 1846.	10/09/15	10/13/15	Callahan Gard Simon Lew Mattias	12/21/15	12/10/15	01/04/16	1	Resolved
	4	Appealing the rejection of his application for the Class 7318 Electronic Maintenance Technician.	05/06/16	05/07/16	Callahan Gard Kraus Blasbas Charan	09/19/16	09/08/16			
0041-16-4	4	Appealing the Human Resource's Director's decision to deny her request to use the flexible promotive program to promote to a 5207 Associate Engineer	02/09/16	02/10/16	Callahan Gard Kraus Charan	05/02/16	04/21/16	04/11/16	5	Resolved administratively - was appointed to a 5207 position through an active eligible list.
0352-15-7	7	Requesting a hearing on his future employment as a 7334 Stationary Engineer with the Laguna Honda Hospital/DPH.	11/05/15	11/06/15	Callahan Buick Gard Weigel Ramirez	02/01/16	01/21/16	03/07/16	1	Resolved
0010-15-7	7	Requesting a hearing on her future employment restrictions as a 2918 HSA Social Worker with the City and County of San Francisco	01/21/15	01/23/15	Callahan Gard Kim	03/18/15	03/05/15			8/17/15: Not scheduled for arbitration as of yet per Laurie Juergent. 7/24/15: Arbitration on 9/22/15 (Winnograd) - handled by DCA Ruth Bond 06/01/15 Pending Arbitration; 05/04/15 Pending arbitration; 04/02/15 Arbitration.
0181-16-7	7	Requesting a hearing on future employment as a 7338 Electrical Line Worker with the Dept. of Technology	04/13/16	04/15/16	Callahan Gard Wong	07/18/16	07/07/16	05/05/16	5	File closed - there were no restrictions to remove
0185-16-7	7	Requesting a hearing on future employment as a 9163 Transit Operator with the MTA	04/21/16	04/25/16	Reiskin Ellison Kim Helms	07/18/16	07/07/16	05/31/16	4	Resolved: Arbitration Award
0351-15-7	7	Requesting a hearing on his future employment as a 1312 Public Information Officer with the Department of Public Works.	11/05/15	11/06/15	Callahan Gard Wong	01/21/16	02/01/16	1/11/2016	4	Resolved: DPW rescinded the restrictions.
0136-16-7	7	Request for hearing on his future employability with the City & County of San Francisco	03/26/16	03/29/16	Callahan Gard Koehler	06/20/16	6/9/2016			4/01/16: is currently in the grievance process for his termination. The department requests that the appeal be postponed until his termination grievance is resolved.
0090-16-7	7	Requesting a hearing on future employment as a 9163 Transit Operator with the MTA	03/09/16	03/10/16	Reiskin Ellison Kim Helms	06/06/16	05/25/16	05/20/16	4	Resolved: rescinded restrictions.

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Fiscal Year 2015-16 Appeals Log

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Tentative Date	Report Due Date	Resolved On	No.	Comments
0440-15-7	7	Requesting a hearing on dismissal with services unsatisfactory in 2716 Custodial Assistant Supervisor	12/24/15	01/05/16	Callahan Gard Heo	03/07/16	02/25/16	3/4/2016	4	Resolved: withdrawn by appellant
0055-15-7	7	Request for hearing on his future employability with the San Francisco Public Library.	03/16/15	03/18/15	Callahan Buick Gard D. Marlon	06/01/15	05/21/15	06/01/16	4	Resolved administratively - (settlement agreement)
0239-15-7	7	Requesting a hearing on his future employment as a 9163 Transit Operator with MTA.	07/10/15	07/13/15	Reiskin Ellison Kim Ibora	09/21/15	08/10/15			3/9/16 Litigation scheduled for 4/18/16; 01/21/16 Litigation; 8/21/15 - Parveen Bopari is requesting an extension to 10/7 or 10/21 to submit the staff report.
0043-16-7	7	Requesting a hearing on her future employability with the City and County of San Francisco.	02/10/16	02/11/16	POBR	05/02/16	04/21/16	5/2/2016	1	Resolved
0188-16-7	7	Requesting a hearing on his future employability with the Public Utilities Commission	05/06/16	05/11/16	Callahan Charan			5/11/2016	2	Resolved Untimely
0244-14-7	7	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	3/30/2016	4	Resolved Administratively
0084-16-7	7	POBR: appealing designation of services unsatisfactory as a C-4 Police Officer.	03/03/16	03/07/16	POBR	06/08/16	05/28/16	6/6/2016	5	Resolved Administratively; withdrawn
0271-14-7	7	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 Ibora	03/02/15	02/19/15	3/7/2016	4	Resolved: Termination rescinded - settlement agreement. 05/06/15 Grievance per CI; 02/24/15 Arbitration
0308-15-7	7	Requesting a hearing on his future employability with the City and County of San Francisco.	9/11/2015	09/16/15	POBR	11/16/15	11/05/15	1/4/2016	1	Resolved
<b>POSITION-BASED TESTINGS</b>										
0403-15-4	4	Appealing your application disqualification for the 6211 Supervising Building and Grounds Patrol Officer. (PBT-8211-065360)	12/02/15	12/03/15	Callahan S. Gard J. Kraus A. Blasbas D. Marlon J. Borizza	12/21/15	12/10/15	12/10/15	4	Resolved. Appeal withdrawn. Resolved Administratively.

Number of Appeals	
Carried Over from FY2014-15	10
Appeals Received in FY2015-16	63
<b>Total Number of Appeals in FY15-16</b>	<b>73</b>

Total Appeals by Category	
Classification (2)	0
Compensation (3)	0
Examination (4)	22
EO/Discrimination (6)	20
Future Employment Restrictions (7)	18
Personal Services Contracts (8)	12
Position-Based Tests	1

Resolutions	
Hearing at CSC (1)	32
Untimely (2)	2
Not Appealable (3)	0
Resolved Administratively (4)	16
Other (5)	6
<b>Total Resolved</b>	<b>56</b>
<b>% Resolved</b>	<b>77%</b>



# **ATTACHMENT C**

FY 2015-16 Inspection Log

Totals by Category		Totals by Category		Totals by Category		Totals by Category		Totals by Category		Totals by Category		Totals by Category	
Code	Received Date	Letter or Email	Phone Walk in	Requested By	Issue	Job Class	Dept.	Resolution/Remedy	Date Resolved	60 Days			
1	7/17/2015	1	1	Anonymous	Appointee does not meet MQs	1053 1241	CON	Meets MQs for 1241 SE		N			
8	7/20/2015	1	1	redacted	Application was disqualified but applicant believes she is qualified.	7316	PUC	Applicant submitted additional explanatory information via email to PUC to attach to application - this was re-reviewed by subject matter experts who now deem the applicant qualified. Applicant will be invited to take exam. - LM	7/27/2015	Y			
7	7/22/2015	1	1	redacted	Position transitioned from DEM to TXX; originally policy legislative now performing financial policy, legislative contract, grants, etc. Is it appropriate that I am now being asked to perform financial duties and responsibilities?	1824	TXX	Yes. As long as those financial duties are appropriate for the level of responsibility for the classification. MB	12/22/2015	N			
6	7/23/2015	1	1	redacted	Violation of the hiring process	7380	MTA	Explained CSC oversight and post-referral process; referred to MTA HR for more specific information MB	7/24/2015	Y			
9	7/24/2015	1	1	redacted	Question regarding accepting other city jobs while just got hired and on probation.			Employee may apply for other City positions, but it may impact the current position if the employee has not completed the probationary period yet. MB	7/24/2015	Y			
6	7/24/2015	1	1	redacted	Does military service count towards seniority?	7108/ 7208		Seniority date is determined by the certification date of the eligible list that was referred to the department. Military service does not count towards seniority date. MB	7/24/2015	Y			
2	7/23/2015	1	1	redacted	Question regarding not to be allowed to take another exam for Class 7108			LH Responded	7/27/2015	Y			
9	8/4/2015	1	1	redacted	Where do the exams take place for jobs? How do I apply for jobs with the City?			Referred applicant to D-HR website. MB	8/4/2015	Y			
6	8/12/2015	1	1	redacted	Hiring reachable eligibles without interviewing them		GSA	Reviewed CSC Policy, Reachable eligibles may be hired without interview but must have documentation of merit system procedures in selection. SE	8/12/2015	Y			
7	8/13/2015	1	1	Anonymous	Complaint questions the appointment of S.R.	931	PUC	PUC conducted selection/appointment in compliance with Rules and procedures. - LM	9/29/2015	Y			
2	8/13/2015	1	1	SEIU	Requests review of the exam administration	8420	SFSD	Inspection review completed - exam was administered accordingly. - LM	10/9/2015	Y			

Totals for 2015-16 109

32 Appointments (1)  
 15 Examinations (2)  
 0 Conflict of Interest (3)  
 2 ERO Administrator (4)  
 0 Salary Setting (5)  
 19 Rule Application (6)  
 20 Certification/Selection (7)  
 4 Classification (8)  
 15 Miscellaneous (9)  
 2 Layouts (10)

66 Letter or Email  
 43 Phone - Walk in  
 87 Resolved in 60 days

0

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1	8/18/2015	1	Anonymous	Alleges that candidates who are not reachable are being considered for positions and are not required to participate in interviews which others are.	2905	HSA	Allegations are without merit. At the time of the complaint the dept had not scheduled or conducted any interviews and did not make any decisions regarding appointments. All eligibles are reachable. - LM	9/9/2015	Y
9	8/24/2015	1	redacted	Is it possible to transfer from another state governmental agency to the City and County of San Francisco? if not, how do I apply?			CCSF does not provide opportunity for transfers from another state governmental agency; transfer only available within CCSF departments; referred applicant to retirement and DHR web page. MB	8/24/2015	Y
7	8/26/2015	1	TMU Local 200	Dept not hiring from eligible list; eligibles were not informed how to apply; dept is hiring exempt employees in the same class; reclassification issues	9139 9150	MTA	Dept. not required to issue Notice of Inquiry; dept. meeting with Local 200 SE	9/2/2015	Y
1	8/26/2015	1	Anonymous	Appointees does not meet MQs	1053	DEM	DHR conducted investigation; DEM provided documentation showing appointee met MQs	8/2/2015	Y
7	8/27/2015	1	redacted	Is it a violation to promote an employee to supervisor without the use of a civil service exam			Employee may be promoted to an exempt position without conducting an examination. MB	8/27/2015	Y
6	8/27/2015	1	redacted	Inquiry regarding applicability of promotive points			LM responded	8/27/2015	Y
2	8/29/2015	1	redacted	Applicant questioned written examination because she scored higher on previous examination; class is represented by TMU Local 200; rules are different from other service official classes	9141	MTA	Although Rules are not specific for Local 200, the DOT does not substitute for the knowledge of subject matter experts. SE	8/31/2015	Y
4	8/29/2015	1	redacted	Inquiry regarding minimum qualifications for temporary exempt status positions		SFO	LM responded	8/29/2015	Y
7	8/31/2015	1	redacted	Received notification that eligible list was adopted but never received email to find out if she was interested; dept. is still utilizing personnel in acting assignments.	9140	MTA	Still has not conducted post-referral process yet SE	10/15/2015	Y
7	9/1/2015	1	SEIU	Post-referral appointment process for Employment & Training Specialist II	9703	HSA	HSA was in full compliance with selection/appointments for Class 9703. - LM	10/21/2015	Y
6	9/1/2015	1	redacted	Ranked higher than many appointees but they were appointed before him; what is the Rule of 3 Scores?	2903	HSA	Number of vacancies plus the Rule of 3 minus 1 = the number of reachable eligibles for that referral; appointing officer is not required to always hire the highest ranked eligible; appointing officer may hire the best qualified reachable eligible on the list. MB	9/2/2015	Y
9	9/8/2015	1	anonymous	Complaint cites that an employee L.C. was appointed to a position for which she is not qualified for.	8152	CAT	Incumbent is not performing duties associated with class 8152. Recommendation is that Mgr of Classification - DHR advise the dept & identify the appropriate classification. - LM	9/22/2015	Y
4	9/9/2015	1	redacted	Inquiry regarding the status of his interview	7308		sent an email to the recruitment analyst requesting that the analyst contact the eligible. Also explained the general process for selections. - LM	9/9/2015	Y
9	9/11/2015	1	redacted	Inquiry regarding seniority and certification dates		MTA	Discussed rule applications & referenced MOU	9/11/2015	Y
9	9/11/2015	1	redacted	Inquiry regarding seniority and certification dates		MTA	Discussed rule applications & referenced MOU	9/11/2015	Y
6	9/21/2015	1	redacted	Was on holdover roster which expired and questions why she cannot be reinstated now that the dept conducted an exam.	5272	DPW	Review completed - dept conducted process in compliance with Rules and Post-Referral policy. - LM	10/29/2015	Y

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1	9/21/2015	1	CSC		Review appointments made from Eligible List to determine if appointees met MQs	5241 5211	DHR	no 5211 appointments from the eligible list; 5241 appointees met MQs; delay due to obtaining employment verification SE/EA	5/20/2016	N
9	9/22/2015	1	redacted	Inquiry re reverting back to previous PCS position if probation is not completed in new position		8140	MTA	LM responded	9/22/2015	Y
10	9/24/2015	1	redacted	Inquiry regarding combining positions				LM responded	9/24/2015	Y
9	10/2/2015	1	SEIU	PCS Employee reasonable accommodated to another position but not PCS and informed she must complete probationary period			SHF	Employee placed in permanent exempt category 19 position SE	11/7/2015	Y
7	10/9/2015	1	redacted	Applied for PCS position; not informed until training that he was exempt; then told he would become PCS but remained exempt; new hires coming in as PCS		9139	MTA	After PCS positions were filled, MTA appointed him to PEX position; after budget was approved, he was selected for PCS positions a few months later, no violations in hiring process SE		N
7	10/9/2015	1	Anonymous	Unfair post-referral process		7262	DPW	Appointee met MQ, was a reachable eligible, and successful in post-referral process SE/EA	12/14/2015	N
7	10/13/2015	1	redacted	Biased later in the post-referral process		9139	MTA	MTA Delay, uniform and job-related questions and rating criteria; no evidence of bias in ratings SE	2/10/2016	N
6	10/16/2015	1	redacted	If applicant has a disability, are departments required to apply Rule 1157				Rule 115 allows department to id entry level positions for the individuals who are severely disabled; describes the process involved in hiring these individuals as exempt and the ability to move to PCS; does not require depts to guarantee these positions to particular individuals SE	10/16/2015	Y
1	11/6/2015	1	redacted	TEX 1244 did not meet MQs		1244	HSA	Dept. provided documents verifying education and 3 years of 1241 experience SE/EA	12/10/2015	Y
1	11/10/2015	1	redacted	Are 7318 and 9145 appointees reachable eligibles?			PUC MTA SFUS D	Appointees are reachable eligibles SE		Y
6	11/16/2015	1	redacted	Retiree ranked 2 on current eligible list, but would like to be reappointed		2312	DPH	Dept. not required to reappoint and may choose to select from eligible list; if reappointed or hired, retiree must also contact Retirement SE	11/16/2015	Y
7	11/16/2015	1	CSC Request	Jose Serrano was not selected and allegedly blacklisted for previously leaving the CalWorks Program as a 9703				Individuals were not blacklisted for leaving the CalWorks Program. ; was a 2903 who is on the eligible list for 9703. 2903 and 9703 do different work. 9702 who do similar work were selected and those with recency in the program and closely related experience were considered for this round of hires. Other 2903's and candidates from outside of CalWorks Program were hired. MB	11/16/2015	Y
6	11/24/2015	1	redacted	Began as PEX 9139, and later appointed PCS 9139; what is her seniority date?		9139	MTA	Seniority date is the certification date of the eligible list that she was appointed from; refer to MOU for shift/vacation bidding SE	12/7/2015	Y

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7	12/9/2015	1	1	redacted	is provisional 8226 Museum Guard who was interviewed but then notified that she is not reachable.	8226	FAM	12/11/2015	Y	Spoke to HR Director - FAM attempts to interview all candidates on eligible list although many may not be reachable according to the cert rule. This is done in the event that candidates become reachable and then this step in the process is already completed. Full compliance by dept - LM
6	12/6/2015	1	1	redacted	Does employee retain rank and seniority when being reassigned within the same agency?			12/22/2015	Y	Reinstatement to former PCS position shall be with former Civil Service Seniority; reassignment or acting assignment does not change Civil Service seniority; department use of seniority for vacation and shift bidding may be different from civil service seniority MB
7	12/14/2015	1	1	anonymous	Complaint claims that appointee in Class 2891 for HRC is not qualified.	2891	HRC	2/6/2016	Y	Request for inspection review sent to HRC Director. DHR Client Services Representative for HRC reviewed appointee's qualifications and it was determined that the appointee does not meet the MQ's and will be released from appointment. - LM
10	12/15/2015	1	1	Local 21	How is seniority date determine for SFUSD classified employees? What is City Seniority data versus department seniority date?			12/15/2015	Y	City Seniority date is the certification date of the PCS employee appointed to the classification; department seniority date is the date the PCS employee is appointed to the department. TEX employees have no seniority date. SE
9	12/23/2015	1	1	redacted	Is the CCSF Surveyor a civil service or at will position?			12/23/2015	Y	May be PCS or EX; PCS requires candidate to meet MQ, compete in exam and become reachable; EX may be PEX/TEX are time limited, project oriented and are at will- no exam required MB
8	12/24/2015	1	1	redacted	What is the difference between the 2 classifications? What happens when an employee is performing the duties of another classification?	1750 1752	ASR	12/24/2015	Y	Employee may be performing out-of-class assignments and may receive acting assignment pay; candidate must meet MQs, successfully compete in exam, and become reachable to be appointed to that class. MB
8	12/30/2015	1	1	redacted	Inquiry re rule interpretation of certification rule; acting assignment, eligible list expiration.		MTA	12/30/2015	Y	
8	1/5/2016	1	1	Local 21	Which rule applies to nepotism or favoritism?			1/5/2016	Y	Rule 113.1.2 and Campaign and Government Conduct Code 3.212 SE
1	1/12/2016	1	1	Anonymous	Nepotism: In the hiring of Cynthia Martinez	923	HSA	4/15/2016	N	No family member was involved in the hiring process; appointee met MQs, reachable, and successfully completed competitive selection process. SE/EA
2	1/19/2016	1	1	Laborers 261	Requested a review of the exam. July announcement indicated supervisory battery test and technical examination; participated in both examinations in Oct and Nov; in Jan, received email that deadline to apply was extended; Feb, announcement shows technical exam no longer in the selection process; no explanation given to applicants who participated in original exam	7281	PUC	3/18/2016	Y	Inspection review identified that upon verification of work experience and out-of-class assignments one candidate on the eligible list did not meet the MQ's. PUC had the eligible list amended. - LM
2	1/22/2016	1	1	redacted		2488	PUC			SE

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1	1/25/2016	1	Local 21	Department hired internal candidate who was in the lower classification for several years; favoritism?	5272	SFA	If appointee met the MQ, competed in the examination, became reachable, and successfully completed department's post-referral process, then appointing officer makes final decision. SE	1/25/2016	Y
1	1/25/2016	1	Local 21	Can dept. refuse to extend LOA for PCS employee in promotive exempt position? What options does employee have if released from exempt position?			Refusal may be appealable to HRD; may reinstate to previous PCS class in any vacancy citywide; may apply for other exempt positions (empl will have 3 years experience in the promotive class); may compete in other exams while in exempt position. SE	1/25/2016	Y
1	1/27/2016	1	Local 21	If the TEX (Cat 18) employee has a LOA from previous PCS position and there is a layoff, can the employee return to the dept? Is there bumping? If she is promoted to another TEX position, do they accrue any seniority?			If the employee decides to return to previous PCS position while still on a LOA, the employee may reinstate back to the position; if position is deleted, employee may bump the employee with the least seniority in that class; employees do not accrue any seniority in TEX positions. SE	1/27/2016	Y
7	1/29/2016	1	Anonymous	What is a reachable eligible, alternate eligible, and the Rule of 3 Scores?			Explained what a reachable eligible is and the Rule of 3 Scores. EA	1/29/2016	Y
1	2/4/2016	1	anonymous	Nepotism in the hiring of an Associate Engineer	5207	DBI	Appointee met the MQs; DHR conducting further investigation. SE/EA		N
2	2/16/2016	1	anonymous	Selected eligibles did not meet the minimum qualifications	2913	HSA	Eligibles' experience as 2803, 2805 and 1404 (in eligibility programs) met the MQs; SE/EA	4/5/2016	Y
8	2/16/2016	1	redacted	Assigned duties from another class without meet and confer with SEIU; Employee from the other classification is training them on their new duties	2818	HSA	DHR notified union; SEIU did not protest/appeal when class was established and amended; may file grievance for acting assignment pay SE/EA	2/25/2016	Y
8	2/17/2016	1	redacted	Assigned duties from another class without meet and confer with SEIU	2978	HSA	DHR notified union; SEIU did not protest/appeal when class was established and amended; may file grievance for acting assignment pay SE/EA	2/25/2016	Y
2	2/18/2016	1	Anonymous	Unable to review their written response to the examination and concerned if their document was changed without their knowledge; unable to see how they can improve; dept. forgot promotive points; could there be additional errors in the examination administration	2978	DPW	Responses to written examination were saved by date and time; no discrepancies found; uniform, job-related questions and criteria SE/EA	3/29/2016	Y
1	2/26/2016	1	Anonymous	Department appointed TEX employee to PEX position because the TEX employee did not become reachable on eligible list; favoritism in selected 2 employees for acting assignment and TEX appointment because they did not meet MQs	2978	OLSE	TEX employee met MQs; Acting Assignment not required to meet MQs; No PEX appointment; GSA stopped hiring process and will wait until the new director is appointed SE/EA	5/10/2016	N
1	2/26/2016	1	redacted	Department appointed TEX employee to PEX position because the TEX employee did not become reachable on eligible list; hiring manager discriminated against other internal candidates who were reachable on the eligible list	2978	OLSE	TEX employee returned to previous PCS in another department; GSA stopped hiring process and will wait until the new director is appointed. SE/EA	4/15/2016	Y
9	3/11/2016	1	anonymous	Anonymous complaint alleging that employee of SFUSD in class 0891 does not meet the MQ's for the position. Also that she did not meet MQ's for previous position - 1450.		SFUSD LM	Appointee met qualifications for both positions and verifications were obtained. -	4/8/2016	Y

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1	3/8/2016	1	Anonymous	Appointee does not meet MQs; favoritism because appointee receiving Step 5 pay; 2nd appointee does not meet MQs; internal employee not receiving acting assignment pay but new employee receiving acting assignment pay	5241 5207	DPW	Both appointees met MQs; internal candidate is receiving acting assignment pay; new appointee's experience and pay with previous employer supports step 5 pay. SE/EA			
7	3/23/2016	1	redacted	Complaint regarding the selection/interview process.	8121	MTA	MTA is conducting the post referral selection accordingly. - LM	3/31/2016	Y	
9	3/31/2016	1	Anonymous	After PBT eligible list with special conditions was adopted, dept. did not contact eligibles for 3 months; claims CIO does not like the reachable eligibles who are all internal candidates; CIO now claims reorganization and wants to cancel list	1044	DPH	Met with DPH CIO and HR; waiting for written response SE			
1	4/5/2016	1	CSC Commissioners	At the Commission meeting on 4/4/16, Commissioners directed a review of allegations made during public comment regarding the qualifications of appointees to Class 8802 at DEM.	8802	DEM	review conducted - each appointee is qualified for the position they are appointed to. - LM	4/21/2016	Y	
1	4/5/2016	1	CSC Commissioners	At the Commission meeting on 4/4/16, Commissioners directed a review of allegations made during public comment regarding the qualifications of appointees to Class 0922 at DEM.		DEM	review conducted - each appointee is qualified for the position they are appointed to. - LM	4/21/2016	Y	
1	4/5/2016	1	CSC Commissioners	At the Commission meeting on 4/4/16, Commissioners directed a review of allegations made during public comment regarding the qualifications of appointees to Class 0932 at DEM.		DEM	review conducted - the appointee is qualified for the position they are appointed to. - LM	4/21/2016	Y	
1	4/5/2016	1	CSC Commissioners	At the Commission meeting on 4/4/16, Commissioners directed a review of allegations made during public comment regarding the qualifications of appointee (Kraus) to Class 1241 at HSA.	1241	HSA	Appointee meets qualifications for class 1241. HSA conducted selection appointment accordingly. - LM	4/28/2016	Y	
1	4/5/2016	1	CSC Commissioners	At the Commission meeting on 4/4/16, Commissioners directed a review of allegations made during public comment regarding the qualifications of appointee (Lin) to Class 1241 at HSA.	1241	HSA	Appointee meets qualifications for class 1241. HSA conducted selection appointment accordingly. - LM	4/28/2016	Y	
7	4/5/2016	1	redacted	Complaint regarding the selection/interview process for 7514 at SFA.	7514	SFA	There is currently no PCS vacancies but he has been contacted to interview for a provisional vacancy. - LM	4/5/2016	Y	
7	4/5/2016	1	Anonymous	Favoritism in the post-referral process; new employee given acting assignment; although the post-referral process was not completed yet and no appointment made, division informed reachable eligible that they would not be chosen for the position	8121	MTA	no cs process for acting assignment; appointee met MQ, reachable eligible, successfully completed competitive selection process. SE	5/20/2016	Y	
7	4/6/2016	1	Anonymous	Favoritism in the post-referral process; witnessed supervisor informing candidate that they would do everything to keep the person in the supervisor position; favored candidate is never required to be out in the field; candidate is 1 of 2 finalists	8121	MTA	supervisor not involved in post-referral process or hiring decision; appointee met MQs, reachable eligible and successfully completed competitive selection process SE	5/20/2016	Y	
8	4/7/2016	1	Anonymous	Resigned with satisfactory services but could not reinstate to previous PCS position in another dept because the current department already terminated him.		SFPD	submitted resignation papers and department terminated employee; employee did not inform department about returning to previous department; submitted forms for reappointment. SE	4/8/2016	Y	
2	4/8/2016	1	Anonymous	Eligible was still ranked lower after everyone receive promotive points, then 2nd amendment of eligible list the eligible ranked much higher than him	2978	GSA	While many received their promotional points in the second amended list, this one eligible did not receive promotional points until the third amended list. SE	4/11/2016	Y	
2	4/11/2016	1	Anonymous	After department amended eligible list to give everyone their promotive points, an eligible ranked way below suddenly ranked above others. If they all received 60 promotive points, everyone should have remained in the same ranks.	2978	GSA	While many received their promotional points in the second amended list, this one eligible did not receive promotional points until the third amended list. SE	4/21/2016	Y	
2	4/13/2016	1	redacted	Informed that she was disqualified because her US Passport did not provide proof of US citizenship	8564/8 321	JUV	California Commission of POST website states the following: A. Simply put, U.S. Passports can legitimately be issued to non-citizens such as U.S. Nationals and some others (who are not citizens). SE	4/15/2016	Y	

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7	4/13/2016	1	redacted	Alleges that the post-referral process violates Commission rules because all eligibles on list are not being interviewed/considered.	2112	DPH	Review conducted - Certification rule is Rule of Three Scores - at time of referral DPH had 8 approved vacancies so eligible ranks are 1-10. Complainant is ranked #15 and notified that she is an alternate. DPH is conducting the process accordingly. - LM	4/27/2016	Y
6	4/18/2016	1	Local 21	PEX employee transferred to a PCS position in a new department was told they had to complete a 12 month probationary period.	6318	MTA	Rule 114.32 applies to employees who have completed probationary period in PCS position and transferred to another department in the same class; this is a new employee; therefore according to MOU, 12 month probationary period. SE	4/19/2016	Y
9	4/22/2016	1	Anonymous	Employee has permanent work restrictions from work injury and is being separated; will he lose civil service status?		SFUSD	Received treatment and temporary accommodations, restrictions became permanent; dept did not have vacant position where he could perform essential functions with or without reasonable accommodations; separated from the City; will need to apply, successfully complete competitive exam, be reachable, and selected to obtain civil service status again. SE	4/22/2016	Y
6	4/22/2016	1	redacted	Released from probationary period but she should have completed probationary period after 3 months because she was previously in exempt position	8214	MTA	employee did not promote from FCS position where she completed the probationary period to another PCS position; according to MOU, duration is 6 months for new employees, not 3 months. SE	4/22/2016	Y
1	4/24/2016	1	redacted	Alleges unfair hiring process for Executive Director position for Southeast Community Facilities.	1843	PUC	Position is Permanent Exempt and not subject to Civil Service procedures. The appointee does meet MQ's. - LM	5/17/2016	Y
2	4/25/2016	1	redacted	Department conducted unfair exam because raters could identify applicants' responses to the written exam	2962	DPW	Raters did not meet the applicants and were not informed of who the applicants were; department utilized ID code in place of an applicant's name on the answer sheet, uniform questions and answer sheet, job related questions and criteria utilized to evaluate responses. SE/EA	6/3/2016	Y
7	4/26/2016	1	Anonymous	Complainant alleges that Karina Henriquez was promoted to Class 1824 and was not required to take an exam; and is not qualified for the position.	1824	SFUSD	Review conducted; Position appointment is PEX - not subject to civil service selection procedures, however, appointee does meet the qualifications for the position.	5/24/2016	Y



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7	4/28/2016	1	Anonymous	Complainant alleges that Stefanie Eldred was hired for Class 0694 Manager and was not required to take an exam; and is not qualified for the position.			SFUSD	Review conducted: Position appointment is PEX - not subject to civil service selection procedures, however, appointee does meet the qualifications for the position.	5/24/2016	Y
1	4/28/2016	1	redacted	Appointee did not meet MQs; dept. did not acknowledge receipt of her application or inform her that she was disqualified.	2817	HSA		Appointee's experience met the MQs; department confirmed that the complainant was notified of their disqualification. SE/EA	6/7/2016	Y
6	4/27/2016	1	Anonymous	Unfair selection process; appointee is not reachable	2854	DPH		Due to no response from original reachable, appointee became a reachable eligible, provided employment verification that they met the MQs. SE/EA	5/26/2016	Y
9	4/27/2016	1	redacted	employed at part-time and informed by supervisor that she could not apply for full time position	2824	DPH		Must meet Rule 114.8 Advancement to Full-Time or request HRD approval (Rule 110.9.2); also referred to MOU for reassignment SE	4/29/2016	Y
1	4/28/2016	1	Anonymous	nepotism was involved in the hiring of Sid Lezama	1408	DPW		Dept. requested extension; waiting for additional information SE	6/22/2016	n
2	5/2/2016	1	redacted	Alleged the testing facility was unsafe and process unfair.	7378	SFIA				Y
2	5/3/2016	1	redacted	Currently on the 3417 Eligible List for REC and previously employed as 7514 at SFIA, does not understand the reason he was disqualified from participating in 3417 examination at SFIA	3417	SFIA		Dept allowed candidate to take exam, be on waiver until he submitted additional documents to verify experience. SE	5/4/2016	Y
9	5/11/2016	1	redacted	Retiree interested in Class 2312 positions and was interviewed, and offered TEX position but then it was rescinded.	2312	DPH		It was not clear initially to DPH that this was a retiree applying for 2312 positions. They did not have a position designated for Prop F hiring and a temporary position is not logical for a retiree to discontinue retirement benefits. This was researched with DPH who has followed up with retiree. - LM	5/12/2016	Y
2	5/12/2016	1	redacted	Applicant did not pass exam and requested to re-take exam for 3602 due to disability	3602	Library		Applicant requested reasonable accommodation for exam and accommodations provided. He did not protest/appeal at the time of exam any issues. His request to re-take the exam was denied by DHR as the accommodations requested were provided to him at the time. - LM	5/19/2016	Y
6	5/17/2016	1	redacted	Received opportunity to accept promotional PEX Appointment for 18 months but department denied leave of absence	1084	DEM		Rule 120.42.2 Appeal Procedures (DHR); Rule 114.27 Reinstatement CS Adviser No. 18/2003 Reinstatement SE	5/17/2016	Y
2	5/17/2016	1	redacted	Request for review alleging that DPH did not comply with Rules 110.2 and 111.9.1 when administering the exam for 2112.	2112	DPH		Review conducted - allegations were not valid. - LM	5/14/2016	Y

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6	5/18/2016	1	redacted	Three 1220s working out-of-class for 3 years; filed grievance and received back pay and acting assignment; told these duties could be taken away and end acting assignment; they are not on 1222 eligible list; is the department required to appoint them PCS?	1220/ 1222	SFPD	Dept. head has authority to remove acting assignment. Rules do not require dept to appoint these 3 employees; there must be 3 vacancies with approved requisitions, employees must be reachable eligibles; dept. head MAY select them if they are the best qualified candidates for the positions. Union may continue working with dept. SE		Y	
1	5/20/2016	1	Anonymous	Manager V does not meet MQs; favoritism	933	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of 9910 Public Service Aide	9910	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of Truck Driver	7345	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of General Laborer Supervisor I	7215	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of Junior Engineer and Student Design Trainee I	5201	DPW	SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of Junior Administrative Analyst	5380	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of Sewer Service Workers	7449	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of Public Service Aide to Professionals	9922	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of Water Quality Technician	2481	PUC	Dept. requested extension SE			
1	5/20/2016	1	Anonymous	Nepotism in the hiring of Senior Payroll and Personnel Clerk	1222	PUC	Employee was laid off in 2009; record retention is 5 years SE	5/31/2016	Y	
6	6/3/2016	1	redacted	Distinction between CBT versus PBT appointments			Class based Testing and Position Based Testing refers to the type of examination; CBT is a Citywide examination and PBT is an examination for a specific position in a specific department; The creation of the PBT Testing program was assigned to Departments in testing on a position based criteria. MB		6/3/2016	Y
6	6/23/2016	1	redacted	Staff working out-of-class; completed job analysis questionnaire; what is the process?	3417	REC	Dept. conducts job analysis; if out-of-class duties, duties may be removed, acting assignment pay or determined duties are within current classification; union may file grievance SE		6/23/2016	Y

# **ATTACHMENT D**

**CIVIL SERVICE COMMISSION**



**MERIT SYSTEM**  
**AUDIT PROGRAM**

**FISCAL YEAR**  
**2015-2016**

Prepared by:

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**Civil Service Commission**

## **INTRODUCTION**

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

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

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

## **COMPLIANCE REVIEW AND TECHNICAL ASSISTANCE**

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

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

## **MERIT SYSTEM AUDIT PROGRAM GOALS & OBJECTIVES**

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

In summary:

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

## **ACKNOWLEDGMENT**

Appreciation is extended to the departments and their staff who graciously participated in the audit.

**FISCAL YEAR 2015-16  
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;
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; and
4. The Post-Referral Selection process for Permanent Civil Service appointments.

The position recruitments for the following departments listed below were selected for the Fiscal Year 2015-16 Merit System Audit Program.

<b>Department</b>	<b>Classification &amp; Job Type</b>
Office of the Assessor-Recorder	1054 IS Business Analyst-Principal - PEX
Office of the Controller	0931 Emergency Planning & Disaster Recovery Mgr - PBT
Department of Public Health	2312 Licensed Vocational Nurse - CBT
San Francisco Environment	5638 Environmental Assistant - PBT
San Francisco International Airport	7404 Asphalt Finisher - CBT
San Francisco International Airport	0933 Manager V - TEX
San Francisco Public Library	3632 Librarian II - PBT
Public Utilities Commission	1043 IS Database Engineer - PBT

## 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 F” hire, etc.). To facilitate that review, departmental Human Resources professionals now have access to the PeopleSoft system for purposes of employment verification prior to employment.”



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

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

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

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

***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 OEPF 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 OEPF in the section and side of the OEPF 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 OEPF 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

#### **Post-Referral Selection Process Requirements**

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

The appointing officer has the discretion to determine the appropriate screening and selection processes, provided that they are: 1) merit-based; 2) job-related; 3) non-discriminatory; and 4) documented. Provided that they are appropriately documented and uniformly applied, such nondiscriminatory merit-based screening and selection criteria *may* include, for example, any one or more of the following: performance on the examination; responses to job-related panel interview questions; performance assessments; reviews of examination application materials and/or written supplemental submissions (e.g., to determine the possession of desirable qualifications as posted on the examination announcement); work performance; disciplinary history; reference checks; etc.

#### **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 I: 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.

## 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

**Each job/examination announcement was thorough in providing detailed and applicable information.**

### MINIMUM QUALIFICATIONS

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, education, and/or licenses/certifications.

Minimum qualifications (MQs) as listed on the job/examination announcement are formal statements describing what is required for individuals to have in order to compete further in the employee selection process. They are descriptions of the education, training, work experience, licenses, certifications, etc., that one must have to possess the competencies needed to perform a

job at entry. Applicants who do not meet the stated MQs are eliminated from the selection process. Screening applications on the basis of MQs is considered a selection procedure that is covered by the Federal Uniform Guidelines on Employee Selection Procedures. To successfully withstand Title VII lawsuits that allege discrimination or other illegal hiring practices, any MQ that is used to screen applicants must be job-related and consistent with business necessity. Generally, the minimum qualifications for the tested position will remain the same as the minimum qualifications that are stated in the class specification.

### **Verification as Part of the Application Process**

Applicants may be required to submit verification of qualifying education and experience, at any point in the application, examination or departmental selection processes. All documents related to verification of minimum qualifications are required to be obtained prior to the appointment date of the candidate and are to be in the OEPPF exhibiting compliance of procedures and policies.

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 reviewed for this audit were deemed by their respective department appointing officers or designees to have met the minimum qualifications for the position to which they were appointed. **Review of the Official Employee Personnel Files verifies and validates the qualifications of each appointee.**

### 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 Official Employee Personnel File (OEPF) was audited for presence and completeness of the Exempt Request Justification Form.

The audit included one (1) department which posted a position that was Permanent Exempt and one (1) department with a Temporary Exempt status position. **The Exempt Justification forms were present in the OEPF for each appointee and/or the reasons for exemption met the criteria of the Charter.**

### APPOINTMENT PROCESSING

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the Appointment Processing Form.

## FINDINGS

**One department had incomplete Appointment Processing Forms for each appointee that was audited.** 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

Although the one department verified the work experience for each appointee, the section for internal/external employment checks was left blank. 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. **The form also has a Department Certification Section which its instructions direct the following: "Upon receipt of confirmation of DHR validation, print out AP Form and have the Appointing Officer/Authorized Designee and Appointee sign." The appointing officer and the appointees' signatures were absent from the forms for each of its appointees.**

It is recommended that this section accurately reflect which documents are applicable and have been obtained as part of the Pre-employment review and that the Appointing Officer/Authorized Designee and Appointee signatures are obtained as instructed.

**One department failed to include the employment application for each of its appointees in the OEPF.** The employment applications were retrieved from the Jobs App system and placed in the OEPF.

#### **OVERALL SUMMARY**

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

# AUDIT REVIEWS

## OFFICE OF THE ASSESSOR-RECORDER

### *About the Office of the Assessor-Recorder*

The Office of the Assessor-Recorder is responsible for carrying out the property tax-related functions governed by the State Constitution and state and local laws. Responsibilities include: locating all taxable property in the county and identifying ownership of the property; establishing a taxable value for all property subject to property taxation; collecting City revenue from the recording of legal documents; maintaining public records and other related functions.

### *Overview*

The Assessor-Recorder was contacted for participation in the Merit System Audit Program. The audit review was conducted with the Senior Personnel Analyst.

### *Class 1054 IS Business Analyst – Principal (Permanent Exempt)*

### *Job Announcement*

On January 7, 2015 a recruitment announcement was posted for an IS Business Analyst Principal. It stated the appointment type as Permanent Exempt excluded by the Charter from the competitive civil service examination process due to its project duration of up to three (3) years.

### *Position Description*

Under the direction of the IS Director, the incumbent of this position serves as functional project manager for the City's property tax system replacement project. The project manager is responsible for planning, directing and coordinating the analysis, design, development and implementation of the replacement systems.

### *Minimum Qualifications*

The minimum qualifications are:

1. Possession of a baccalaureate degree from an accredited college or university preferably in computer science, business administration, IT or a closely related field; and
2. Five (5) years of experience, with at least two (2) years at the senior level, in the information systems field, including programming and system analysis or directly related experience which demonstrates the knowledge and ability to supervise other IS analysts and/or project managers, communicate expert knowledge of current and emerging techniques to a project team, or which demonstrates the highest technical expertise. This experience must include five (5) years of IT project management experience.

### *Desired Qualifications*

Master's degree in computer science, business administration, IT or related field; project management training and certifications (PMP); other PMO certifications desirable.

### *Qualifications of Appointee to Class 1054 IS Business Analyst-Principal*

The selected candidate was appointed on March 18, 2015 to a permanent exempt (category 18) status. **The appointee was deemed qualified due to the work experience acquired while employed for the California Public Utilities Commission (CPUC) in various Information Systems roles from 2006 to 2015.** Specifically, from 2008 to 2015 at the CPUC the appointee was an IS Project Manager. Education obtained by appointee is a Bachelor of Science degree in Computer Science and a Master of Science degree in Engineering Management.

### *Review of Documents/Findings*

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, education and the Appointment Processing Form. It also included the exempt justification documents. **Of significance is that the verification of work experience and education was obtained prior to appointment as required and demonstrated the qualifications of the appointee.**

The staff was efficient and cooperative in producing the documents for review. **The documentation that was submitted for this audit review prior to the on-sight meeting at ASR department demonstrated the department's knowledge and professionalism in Human Resources functions.** During the on-sight meeting at ASR it was evident that the department's staff has a clear understanding of the requirements related to the selection and appointment of qualified candidates and of the applicable Rules, policies and procedures pertinent to the subject matter addressed in this audit.

## **OFFICE OF THE CONTROLLER**

### ***About the Office of the Controller***

The Office of the Controller is responsible for the City's financial operations, maintaining the City's internal control environment, processing payroll for City employees, managing the City's bonds and debt portfolio, and processing and monitoring the City's budget.

### ***Overview***

The Office of the Controller was contacted for participation in the Merit System Audit Program. The audit review was conducted with the Senior Personnel Analyst.

### **Class 0931 (Manager III) Emergency Planning and Disaster Recovery Manager**

### ***Job Announcement***

On July 13, 2015 a recruitment announcement was posted for an Emergency Planning and Disaster Recovery Manager. It listed the appointment type as a Position-Based Test Permanent Civil Service position.

### ***Position Description***

This position is responsible for strategic, long range planning and management of large, highly complex finance related emergency management initiatives and projects including, but not limited to: a) recovery of disaster related costs through State and Federal Disaster Assistance programs, b) financial systems recovery, and c) integration of disaster related cost accounting and information tracking with the City's financial and human resources information systems.

### ***Minimum Qualifications***

The minimum qualifications are:

1. Possession of a baccalaureate degree from an accredited college or university in Public Policy, Public Administration, Business Administration or a closely related field; and
  - Five (5) years project management or program administration experience in the non-profit, public or private sectors, with three (3) of these years performing work in the areas of finance, accounting, or auditing; or
2. Possession of a Master's degree from an accredited college or university in Public Policy, Public Administration, Business Administration or a closely related field; and
  - Three (3) years project management or program administration experience in the non-profit, public or private sectors, performing work in the areas of finance, accounting or auditing.

### *Desirable Qualifications*

1. Two (2) years of disaster/emergency planning experience, particularly with finance section responsibilities and activities.
2. Two (2) years of supervisory experience.

### *Selection Procedures*

Applicants took the Management Test Battery which is a computer based examination designed to measure competencies in job-related areas which may include but are not limited to problem solving; leadership; decision making; interpersonal skills; human resources management; team building; communication; conflict management and process improvement. Only applicants with passing scores continued in the selection process. Qualifying applicants then participated in an oral exam. Passing scores determined their rank on the eligible list.

### *Certification of Eligibles*

The certification rule for the eligible list was Rule of Ten Scores. There were a total of seven (7) candidates on the eligible list ranked from # 1 through 7.

### *Post Referral Selection Process*

Eligibles ranked #1 through 6 were invited for oral interviews with the Director of Finance and Administration and the Deputy Controller. Strong consideration was given to candidates who met the desirable qualifications. Three (3) candidates excelled in the interview process. Of these three (3) candidates, two declined consideration for the position.

### *Qualifications of Appointee to Class 0931 Manager III*

The selected candidate was assessed to possess a balance of emergency management and supervisory experience and was appointed on January 11, 2016. **The appointee was deemed qualified due to the work experience acquired while employed as a Senior Administrative Analyst for 3 years 4 months with the City's Assessor-Recorder's Office and 2 ½ years as a Principal Administrative Analyst with SFPUC.** The appointee has a Bachelor of Arts degree and a Master's degree in Public Administration.

### *Review of Documents/Findings*

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, education and the Appointment Processing Form. **The verification of work experience and education was obtained prior to appointment as required and demonstrated the qualifications of the appointee.**

The staff was efficient and cooperative in producing the documents for review. **The analyst submitted a detailed summary of the selection process and the qualifications of the appointee for review prior to the on-sight meeting. In conclusion, The Human Resources staff of the Controller's Office demonstrated their knowledge and compliance of Commission Rules, policies and Human Resources procedures.** During the on-sight meeting it was evident that the staff has a clear understanding of the requirements related to the selection and appointment of qualified candidates and of the applicable Rules, policies and procedures pertinent to the subject matters addressed in this audit.

## ***SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH***

### ***About the Department of Public Health***

The San Francisco Department of Public Health has two Divisions - the San Francisco Health Network and Population Health and Prevention. The SF Health Network is the City's health system and has locations throughout the City including San Francisco General Hospital Medical Center, Laguna Honda Hospital and Rehabilitation Center, and over 15 primary care health centers. The Population Health and Prevention Division have a broad focus on the communities of San Francisco and are comprised of the Community Health and Safety Branch, Community Health Promotion and Prevention Branch, and the Community Health Services Branch.

### ***Overview***

The Director of Human Resources for the Department of Public Health was contacted for participation in the Merit System Audit Program. The audit review was conducted with the department's Human Resources Manager.

### ***Class 2313 Licensed Vocational Nurse (LVN)***

#### ***Job Announcement***

On May 8, 2015 a recruitment announcement was posted for Class 2312 Licensed Vocational Nurse (LVN) positions. It listed the appointment type as Class-Based Test Permanent Civil Service position. *The department had 3 part-time and 1 full-time approved position requisitions for Jail Health Services and 1 full-time position for the STD Control and Prevention Division.*

#### ***Position Description***

The LVN performs routine duties in rendering nursing care to clients/patients. Job functions include: assisting clinicians with therapeutic and diagnostic treatments and procedures; preparing and administering medications and immunizations under the direction of registered nurses; and performing related duties as required.

#### ***Minimum Qualifications***

The minimum qualifications are:

1. Possession of a valid permanent or temporary (including an interim permit) California Vocational Nurse License issued by the California State Board of Vocational Nurse Examiners.
2. Cardiopulmonary Resuscitation (CPR) Certificate Requirement/Provision:  
Possession of a valid Cardiopulmonary Resuscitation (CPR) certificate issued by the American Heart Association is required or will be required to obtain the certificate within two (2) weeks of hire date and maintain validity throughout length of employment.



### ***Selection Procedures***

Candidates were required to complete a supplemental questionnaire (training and experience evaluation weighted at 100%) as part of the online employment application process. They were placed on the eligible list in rank order according to their final score on the supplemental questionnaire.

### ***Certification of Eligibles***

The certification rule for the eligible list resulting from this examination was Rule of Ten Scores. There were 183 eligibles on the list ranking #1 through 27. Reachable ranks were determined to be ranks #1-4.

### ***Post Referral Selection Process***

For the positions assigned to Jail Health Services, the screening criteria to determine the reachable eligibles to be interviewed were experience as an LVN in the following areas: Department of Public Health, Jail Health, Jail Clearance and IV/Blood Draw certification.

Candidates participated in an oral interview and took a medication administration test.

For the position located in the STD Control and Prevention Division, consideration was given to a reachable eligible employed as a provisional 2312 LVN.

### ***Qualifications of Appointees to Class 2312 LVN***

Five (5) candidates were deemed qualified and appointed to PCS Class 2312 LVN positions as a result of this recruitment selection process.

Jail Health Services:

1. Appointee - Rank #5: Appointed November 10, 2015. Current LVN license; CPR certified; and previous work experience in a temporary exempt status with DPH as an LVN Class 2312.
2. Appointee - Rank #8: Appointed January 19, 2016. Current LVN license; IV/Blood Draw certified; and previous work experience in a temporary exempt status with DPH as an LVN Class 2312.
3. Appointee - Rank #12: Appointed February 1, 2016. Current LVN license; CPR certified; and previous work experience in a temporary exempt status with DPH as an LVN Class 2312.
4. Appointee - Rank #7: Appointed December 14, 2015. Current LVN license; CPR certified; and previous work experience as a permanent civil service employee with DPH/Laguna Honda as a Patient Care Assistant Class 2303.

STD Control and Prevention Division:

5. Appointee – Rank #11: Appointed August 4, 2015. Current LVN license; CPR certified; employed as a provisional LVN with DPH which resulted in status change to Permanent Civil Service.

#### ***Review of Documents/Findings***

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, and licenses/certifications. **The verification of work experience and licenses/certifications were verified prior to appointment as required and demonstrated the qualifications of the appointees.**

**The Appointment Processing Form for each appointee was incomplete.** 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

Although the department verified the work experience for each appointee, the section for internal/external employment checks was left blank. 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. **The form also has a Department Certification Section which its instructions direct the following: "Upon receipt of confirmation of DHR validation, print out AP Form and have the Appointing Officer/Authorized Designee and Appointee sign." The appointing officer and the appointees' signatures were absent from the form for each of the five (5) appointees.** It is recommended that this section accurately reflect which documents are applicable and have been obtained as part of the Pre-employment review and that the Appointing Officer/Authorized Designee and Appointee signatures are obtained as instructed.

In conclusion, DPH staff was cooperative in producing the documents for review. The Human Resources Manager submitted a detailed summary of the selection process and the qualifications of the appointees. **It is evident that DPH is hiring/appointing qualified candidates.**

## ***SAN FRANCISCO DEPARTMENT OF THE ENVIRONMENT***

### ***About the Department of the Environment***

The San Francisco Department of the Environment (SF Environment) creates visionary policies and innovative programs that promote social equity, protect human health, and lead the way toward a sustainable future. SF Environment includes Zero Waste, Toxics Reduction and Integrated Pest Management, Environmental Justice, Clean Air Transportation, Climate Change, Energy, Green Building and Public Information Programs.

### ***Overview***

The Director of SF Environment was contacted for participation in the Merit System Audit Program. The audit review was conducted with the department's Payroll and Personnel Coordinator, and Client Services Analysts.

### ***Class 5638 Environmental Assistant***

#### ***Job Announcement***

On April 24, 2015 a recruitment announcement was posted for Class 5638 Environmental Assistant – within the Zero Waste Programs specialty area. It listed the appointment type as a Position-Based Test Permanent Civil Service position. *The department had 3 approved position requisitions.*

#### ***Position Description***

Zero Waste Assistants perform duties related to the development and implementation of San Francisco's zero waste policies and programs. Elements include waste reduction, recycling, composting and environmentally preferable purchasing pursuant to an established institutional framework. This is an entry level position in the series.

#### ***Minimum Qualifications***

The minimum qualifications are:

1. Possession of a baccalaureate degree in public administration, business administration, environmental sciences or a closely related field from an accredited college or university; and
2. One (1) year of professional experience managing and implementing Zero Waste programs; and
3. Possession of a valid California driver's license.

#### ***Selection Procedures***

Candidates were required to complete a supplemental questionnaire (training and experience evaluation weighted at 100%) as part of the online employment application process.

Candidates were placed on the eligible list in rank order according to their final score on the supplemental questionnaire.

### ***Certification of Eligibles***

The certification rule for the eligible list resulting from this examination was Rule of Three Scores. There were 16 eligibles on the list ranking #1 through 15. Reachable ranks were determined to be ranks #1-5.

### ***Post Referral Selection Process***

The department chose to consider only eligibles in ranks #1 through 3. Eligibles in the top 3 ranks were current incumbents in the department who were successfully performing in their permanent exempt roles with the department. They individually met with the Director of Environment who made the hiring decision.

### ***Qualifications of Appointees to Class 5638 Environmental Assistant***

Three (3) candidates were deemed qualified and appointed to PCS Class 5638 Environmental Assistant.

1. Appointee - Rank #1: Date of Appointment: August 3, 2015. Baccalaureate degree; California driver's license; work experience in Department of Environment: Class 5638 PEX status from October 1, 2014 to August 2, 2015; Class 9922 Public Service Aide-Associate to Professionals PEX status from January 11, 2010 to September 30, 2014.
2. Appointee -Rank #2: Date of Appointment: August 3, 2015. Baccalaureate degree, MS degree in Environmental Management; California driver's license; work experience in Department of Environment: Class 5638 Permanent Exempt status from August 16, 2010 to August 2, 2015.
3. Appointee - Rank #3: Date of Appointment: August 3, 2015. Baccalaureate degree; California driver's license; work experience in Department of Environment: Class 5638 PEX status from March 6, 2015 to August 2, 2015; Class 5638 TEX status from June 1, 2010 to March 5, 2015.

### ***Review of Documents/Findings***

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, licenses and education. **The employment application for each appointee was absent from the OEPF and one (1) appointee's file did not contain a copy of the appointee's California driver's license (a requirement for the position).** The HR staff did subsequently obtain the missing employment applications for the OEPF and the driver's license for the appointee in rank #1.

**The Appointment Processing Form for each appointee was not completed accurately.** 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

Because the appointees' were already employed with the department, their work experience with the City was not verified against PeopleSoft data, yet all areas referenced above were checked off as though completed. 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. It is recommended that this section accurately reflect which documents are applicable and have been conducted/obtained as part of the Pre-employment review.

In conclusion, HR staff was cooperative with the review and obtained the missing documents as a result of this audit. **Each appointee is qualified for the position appointed to.**

## ***SAN FRANCISCO INTERNATIONAL AIRPORT***

### ***About the San Francisco International Airport***

The San Francisco International is an international airport approximately 13 miles south of San Francisco, near Millbrae and San Bruno in San Mateo County. It has flights to points throughout North America and is a major gateway to Europe and Asia. SFO is the largest airport in the San Francisco Bay Area including all of Northern California and the second busiest in California, after Los Angeles International Airport.

### ***Overview***

The Director of Human Resources for the SFIA was contacted for participation in the Merit System Audit Program. The audit review was conducted with the department's Human Resources staff.

### **Class 7404 Asphalt Finisher**

#### ***Job Announcement***

On March 2, 2015 a citywide examination announcement was posted for Class 7404 Asphalt Finisher. It listed the appointment type as Class-Based Test Permanent Civil Service.

#### ***Position Description***

Under supervision, this position spreads, rakes and finishes asphalt mixtures in connection with street maintenance and repair projects.

#### ***Minimum Qualifications***

The minimum qualifications are:

1. Two (2) years of verifiable experience in street paving and repair work as an asphalt worker; and
2. Possession of a valid California driver's license.

#### ***Selection Procedures***

Candidates who met the minimum qualifications participated in an oral/performance examination (weighted at 100%) designed to determine their knowledge of techniques and equipment used in spreading, finishing milling operation and in making accurate estimates of paving materials required for various projects; shoveling and rolling asphaltic mixtures; basic safety practices; and other related functions.

### *Certification of Eligibles*

The certification rule for the eligible list resulting from this examination was Rule of Three Scores. Eligibles in rank #1 to rank #3 were certified as reachable and eligibles in rank #4 were considered as alternates. Eligibles from rank #2 declined consideration to continue to the post-referral process.

### *Post Referral Selection Process*

Four (4) candidates participated in an oral interview process specifically for the Airport's Class 7404 position. The process was conducted by a panel of three (3) General Laborer Supervisors.

### *Qualifications of Appointee to Class 7404 Asphalt Finisher*

The selected candidate began employment with the City on December 7, 2014 in Class 7502 Asphalt Worker PCS status and was appointed to Class 7404 Asphalt Finisher PCS status on September 28, 2015. Work experience acquired externally was verified and demonstrated that the appointee had more than the required two (2) years of related experience in street paving and repair work.

### *Review of Documents/Findings*

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience. **The verification of work experience and valid driver's license was obtained as required and demonstrated the qualifications of the appointee.**

**The Appointment Processing Form was incomplete.** 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

Although the department verified the work experience for the appointee, the section for internal/external employment checks was left blank. 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. It is recommended that the form be reviewed for completeness when processing.

**Class 0933 (Manager V) Small Business Affairs Manager**

***Job Announcement***

On April 15, 2015 an announcement was posted for a Temporary Exempt Class 0933 (Manager V) Small Business Affairs Office. It stated that the position was needed to help with the transition of the new Class 0933 Director of Social Responsibility and Community Sustainability for the Airport Administration and Policy Division.

***Position Description***

This position is responsible for planning, directing and overseeing the day-to-day operations of the Airport's Small Business Affairs Office and implementing the Airport's business opportunity program to promote and ensure the participation of local, small and disadvantaged businesses in concession leases, construction and professional service contracts.

***Minimum Qualifications***

The minimum qualifications are:

1. Possession of a baccalaureate degree from an accredited college or university in Public Administration, Business Administration or related field; and
2. Five (5) years managing Small/Disadvantaged Business Programs involving outreach to small and disadvantaged businesses; contract compliance; certification services; and developing and implementing policy and program innovations to maximize business participation.

Substitution:

Additional years of experience as described in #2 may be substituted for the baccalaureate degree on a year for year basis. (One year will be considered equivalent to 30 semester/45 quarter units of college coursework.)

***Qualifications of Appointee to Class 0933 (Manager V) Small Business Affairs Manager***

The selected candidate was appointed on May 11, 2015 to a temporary exempt (retiree rehire) status to Class 0933. The appointee was deemed qualified due to the work experience acquired while employed as a City employee at the Airport as a Manager III from July 1, 2001 to January 10, 2010; and Manager V from January 11, 2010 April 27, 2015.

***Review of Documents/Findings***

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents including the exemption justification form. **The longevity of the**



**incumbent in management positions specifically acquired while working for the SFIA demonstrates the qualifications of the appointee.**

In conclusion, SFIA staff was efficient and cooperative in producing the documents for both position audit reviews. During the on-sight meeting at SFIA it was evident that the department's staff has a clear understanding of the requirements related to the selection and appointment of qualified candidates and of the applicable Rules, policies and procedures pertinent to the subject matter addressed in this audit.

## ***SAN FRANCISCO PUBLIC LIBRARY***

### ***About the San Francisco Public Library***

The San Francisco Public Library (SFPL) is the public library system of the City of San Francisco. The main library is located at Civic Center, 100 Larkin Street. The SFPL has 27 branch libraries.

### ***Overview***

The Director of Human Resources of the SFPL was contacted for participation in the Merit System Audit Program. The audit review was conducted with the department's Senior Human Resources Analysts.

### ***Class 3632 Librarian II***

#### ***Job Announcement***

On October 30, 2014 an examination announcement was posted for Class 3632 Librarian II for the SFPL. It listed the appointment type as a Position-Based Test Permanent Civil Service position. *The department had full-time and part-time approved position requisitions – a total of eight positions.*

#### ***Position Description***

The essential functions of the Librarian II include: planning, directing, and implementing the operations of a branch library or a program of a library division, collections and technical services, or system wide service coordination; supervising staff; interpreting library policy; recommending new procedures and other related duties.

#### ***Minimum Qualifications***

The minimum qualifications are:

1. Possession of a Master's degree in Library and Information Studies (MLS/MLIS) from a college or university accredited by the American Library Association; and
2. Two (2) years of experience as a professional librarian. Experience must be equivalent to the duties and responsibilities of Class 3630 Librarian I.

Special Requirements/Conditions:

Some positions require possession of bilingual skills; twelve (12) months of verifiable experience performing the duties of a Children's or Youth Services Librarian; agreement to work irregular work schedules and various library locations.

### ***Selection Procedures***

Candidates were required to complete a supplemental questionnaire (training and experience evaluation weighted at 60%) as part of the online employment application process. They were then invited to take a Supervisory Test Battery (weighted at 40%) which is a computer based examination. Candidates who achieved passing scores were ranked and placed on the eligible list.

### ***Certification of Eligibles***

The certification rule for the eligible list resulting from this examination was Rule of Ten Scores. There were seventy nine (79) eligibles on the list ranking #1 to #60. Reachable ranks were determined to be ranks #1-17. Subsequent ranks were alternates due to special conditions/requirements.

### ***Post Referral Selection Process***

Twenty five (25) eligibles participated in the interview process. The interview panel was comprised of three individuals. Finalists participated in a second interview.

### ***Qualifications of Appointees to Class 3632 Librarian II***

Eight (8) candidates were deemed qualified and appointed to PCS Class 3632 Librarian II.

1. Appointee - Rank #1: Date of appointment: August 3, 2015. Possession of MLIS degree; work experience in Class 3630 since July 1, 2006 at SFPL.
2. Appointee – Rank #9: Date of appointment: August 15, 2015. Possession of MLIS degree; work experience in Class 3630 since September 22, 2007 at SFPL.
3. Appointee – Rank #16: Date of appointment: August 17, 2015. Possession of MLIS degree; work experience in Class 3630 since October 29, 2011 at SFPL which includes Youth Services Librarian experience since February 16, 2013.
4. Appointee – Rank #26: Date of appointment: August 15, 2015. Possession of MLIS degree; work experience in Class 3630 since December 11, 2010 at SFPL which includes Children's Librarian experience since October 29, 2011.
5. Appointee – Rank #28: Date of appointment: August 17, 2015. Possession of MLIS degree; work experience in Class 3630 since August 5, 2011 at SFPL which includes Children's Librarian experience since October 29, 2011.
6. Appointee - Rank #30: Date of appointment: August 17, 2015. Possession of MLIS degree; work experience in Class 3630 since August 22, 2011 at SFPL.
7. Appointee - Rank #32: Date of appointment: August 15, 2015. Possession of MLIS degree; work experience in Class 3630 since August 23, 2008 at SFPL.

8. Appointee - Rank #51: Date of appointment: October 13, 2015. Possession of MLIS degree; 2 years external work experience as Librarian.

*Review of Documents/Findings*

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, and education. For the appointees who were already employed with SFPL, their work experience and hours worked were verified against Payroll records. **All required documents were obtained and present in the OEPF including the Appointment Processing Form which was completed accurately and thoroughly for each appointee. All appointees possess the qualifications for the Class 3632 Librarian level.**

SFPL staff was efficient and cooperative in producing the documents for the audit. During the on-sight meeting at SFPL it was evident that the department's staff has a clear understanding of the requirements related to the selection and appointment of qualified candidates and of the applicable Rules, policies and procedures pertinent to the subject matter addressed in this audit.

## ***SAN FRANCISCO PUBLIC UTILITIES COMMISSION***

### ***About the San Francisco Public Utilities Commission***

The San Francisco Public Utilities Commission (PUC) provides retail drinking water and wastewater services to the City, wholesale water to three Bay Area counties, and green hydroelectric and solar power to our municipal departments.

### ***Overview***

The Director of Human Resources of the PUC was contacted for participation in the Merit System Audit Program. The audit review was conducted with the department's Senior Personnel Analyst.

### ***Class 1043 IS Database Engineer***

### ***Job Announcement***

On January 29, 2015 an examination announcement was posted for Class 1043 IS Database Engineer for the PUC. It listed the appointment type as a Position-Based Test Permanent Civil Service position.

### ***Position Description***

The essential functions of the IS Database Engineer include: providing database administration support and direction for Enterprise-wide Production systems and new projects; supporting application development in database design, analysis, customization, best-practices, testing, implementation, maintenance and documentation of all environments; installs, configures, upgrades, and maintains Oracle 12c on Linux, MySQL 5.x on Linux, MSSQL 2008 and above; and other related functions.

### ***Minimum Qualifications***

The minimum qualifications are:

1. Possession of a baccalaureate degree from an accredited college or university with major college coursework in computer science, management information systems, information technology, business administration, or a closely related field; and
2. Three (3) years of Oracle Database Technical experience; and
3. Three (3) years of Oracle RDBMS SQL experience; and
4. Two (2) years of RedHat Linux Operating System experience.

All experience must have been gained within the last seven (7) years.

Substitution:

Additional qualifying experience as described above may be substituted for the required education on a year-for-year basis. The above minimum qualifications reflect special conditions associated with the position.

### ***Selection Procedures***

Candidates were required to complete a supplemental questionnaire as part of the online employment application process. A total of eight (8) applications were submitted: two (2) applicants did not meet the minimum qualifications. Six (6) candidates who met the minimum qualifications took an oral examination. Four candidates achieved passing scores and were ranked and placed on the eligible list.

### ***Certification of Eligibles***

The certification rule for the eligible list resulting from this examination was Rule of Three Scores. There were four eligibles on the list ranking #1 to #4. Reachable ranks were determined to be ranks #1-3.

### ***Post Referral Selection Process***

The decision was to select/hire the reachable eligible that ranked first on the eligible list.

### ***Qualifications of Appointee to Class 1043 IS Database Engineer***

The selected candidate was appointed on April 11, 2015 to Class 1043. The appointee was deemed qualified due to the work experience acquired externally while performing functions related to Oracle database, Oracle RDBMS SQL and Redhat Linux operations; and possession of Bachelor of Science degree in Business Administration/Computer Information Systems. The appointee was in Class 1042 Journey Level IS Engineer Temporary Exempt status at PUC from May 27, 2014 to April 10, 2015.

### ***Review of Documents/Findings***

**The job announcement was thorough in providing all applicable information.**

The Official Employee Personnel File (OEPF) was audited for presence and completeness of the required documents verifying work experience, and education. **All required documents were obtained and present in the OEPF including the Appointment Processing Form which was completed accurately and thoroughly. The appointee possesses the qualifications for the Class 1043 position.**

PUC staff was efficient and cooperative in producing the documents for the audit. During the on-sight meeting at PUC, it was evident that the department has a clear understanding of the requirements related to the selection and appointment of qualified candidates and of the applicable Rules, policies and procedures pertinent to the subject matter addressed in this audit.

# **ATTACHMENT E**

## GOOD GOVERNMENT GUIDE

### An Overview of the Laws Governing Conduct of Government Officials

Dennis J. Herrera, City Attorney of San Francisco

Last Updated: September 3, 2014

#### **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.