



CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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EXECUTIVE OFFICER

Date: September 16, 2013

To: Civil Service Commission

From: Jennifer Johnston
Executive Officer

Subject: **Year-End Report on the Civil Service Commission's Activities
and Achievements in Fiscal Year 2012-2013**

The following is a summary report on the activities of the Civil Service Commission ("Commission" or "Department") in Fiscal Year 2012-2013, the period covering July 1, 2012 through June 30, 2013.

The Commission primarily focused its efforts in Fiscal Year 2012-2013 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 processes and communications.
- Goal #3: Ensure the timely resolution of appeals so that merit system issues are addressed efficiently, effectively and fairly.
- 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.
- Goal #5: Work to ensure that the Civil Service Commission's Rules, policies and procedures are easily understood and known by all stakeholders, compliant with the law, consistent, and reflective of current and best practices.
- Goal #6: Strengthen the Civil Service Commission's ability to meet its Charter mandates and oversee the operation of the merit system.

The Commission was particularly productive in Fiscal Year 2012-2013. Despite staffing shortages and the loss of significant subject matter expertise resulting from retirements in of its two critical positions, the Commission was able to not only accomplish but even surpass many of its performance measures. Please refer to Attachment A for a chart reflecting the Commission's achievements on the approximately 60 performance measures established for Fiscal Year 2012-2013.

THIS DOCUMENT SUPPORTS
CALENDAR ITEM 6

Also attached to this report are the following Fiscal Year 2012-2013 documents: 1) the Pending 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 department with a small staff, 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 a number of challenges resulting from vacancies in two important positions. First, the Executive Officer position was vacant during the first quarter of the fiscal year, as the Commission endeavored to fill the position following the retirement of Anita Sanchez in June 2012. Later in the year, Appeals Coordinator Gloria Sheppard retired, leaving the position vacant for approximately four months pending the Department's recruitment and selection process. Ms. Sanchez' and Ms. Sheppard's retirements were a tremendous loss to the Department, both personally and professionally.

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

Budget

The Department's budget last fiscal year continued to support only 5.68 of its six FTEs. As in previous years, this resulted in an automatic budget deficit and jeopardized the Department's ability to fill its vacant positions.

We are pleased to report that the Commission was able to successfully negotiate with the Mayor's Budget Office and Controller's Office to increase the Commission's budget to fully support all six positions beginning in Fiscal Year 2013-2014. The Board of Supervisors officially approved that increase this past June with the finalization of the City's budget.

The Commission was also able to obtain funding for new staff computers and a printer through the City's PC Refresh Program.

Appeals and Hearings

One of the Commission's most important Charter-mandated functions is to consider appeals on the merit system and other matters within its jurisdiction. Appeal hearings provide a mechanism for the Commission to monitor and oversee the operation of the merit system and ensure compliance with merit system principles and the Civil Service Rules.

Fiscal Year 2012-2013 was a challenging year for the Commission. First, as indicated above, the incumbent Appeals Coordinator retired mid-fiscal year, leaving the critical position vacant for several months. Second, the Commission received a record total of 107 appeals and requests for hearing in Fiscal Year 2012-2013. This was the largest number of appeals that the Commission had received annually in over a decade, and represented a 67% increase in the number of appeals

and requests for hearing from the previous fiscal year. With the 44 active unresolved appeals that carried over from the previous fiscal year, there were a total of 151 appeals pending before the Commission in Fiscal Year 2012-2013.

Despite its staffing shortages and the significant number of appeals it received during the same period of time, the Department prioritized its efforts to expeditiously resolve new and pending appeals. Notably, the Commission resolved 121 appeals, representing the highest resolution percentage rate in over a decade (80% of the appeals, which is significantly above its target of 65%). (See Attachment B for a detailed summary of the Fiscal Year 2012-2013 Pending Appeals Log.) The Commission concluded the fiscal year having resolved all appeals that were filed prior to 2012, with the exception of those that were pending due to litigation or arbitration, or that were placed on hold for failure to reach a three-member vote by the Commission.

The Commission's success in resolving this record number of appeals was due to several factors. First, the Department instituted new staff report submission deadlines (departments must now submit a staff report within 60 days of an appeal, absent adequate justification). Second, the Department adopted policies and procedures for resolving peace officer appeals, and worked with the City's public safety departments to administratively resolve and/or schedule all pending peace officer appeals (in fact, the Commission resolved its entire backlog of pending peace officer appeals, many of which were several years old). Third, the Department worked closely with the Department of Human Resources to schedule for hearing all pending discrimination appeals and outstanding appeals of restrictions on future employment that were not otherwise on hold pending arbitration and/or litigation. Finally, there were a few examinations with large applicant pools that resulted in a significant number of appeals, and Department staff collaborated with the departments to expedite the resolution of those appeals.

Inspection Service Requests

The Inspection Service is another important and effective mechanism under the Charter by which the Commission can ensure compliance with the Civil Service Rules and Commission policies. Any individual or entity may request that the Commission undertake an Inspection Service review into a merit system matter; in Fiscal Year 2012-2013, the Commission received Inspection Service requests from employees, departmental representatives, anonymous individuals or those requesting confidentiality, labor representatives, job applicants/candidates and members of the public.

The Commission received a total of 115 Inspection Service Requests throughout the fiscal year. Despite its staffing challenges, the Commission was able to complete 92% of those Inspection Service requests within 60 days, far exceeding its goal of 75%. Please see Attachment C for the Fiscal Year 2012-2013 Inspection Service Log.

The 115 Inspection Service requests covered a wide gamut of merit system issues, including examinations, reinstatements, layoff procedures, classification actions, post-referral selection processes, eligible lists and the certification of eligibles, exempt appointments, and acting assignments. We note that there was an increase in the number of complaints and/or questions from employees and labor representatives regarding the Civil Service Rules and Commission

policies on temporary exempt appointments and acting assignments. Specifically, there was a great deal of concern over promotions and acting assignments that were given to employees who had fewer years of service and experience than other employees.

We also discovered through our Inspection Service reviews that City departments have not been consistently verifying employment and education credentials prior to appointment. According to our findings, many departments assume that the minimum qualifications are verified at the time of the examination; and many departments also fail to verify hours/years of experience for employees who are currently working in the same department, assuming that those qualifications have already been verified. Commission staff has been working with departments to ensure that they verify the minimum qualifications of all individuals prior to appointment to ensure compliance with merit system requirements.

Merit System Audit Program

The Commission formally established the Merit System Audit Program in 2006 for the purpose of ensuring that City departments are adhering to Federal and California State law, the Civil Service Rules, and Commission policies and procedures. The Commission's audit procedures generally include a review of all available public documents, a review of relevant internal department records and procedures, and interviews with department representatives.

The Commission completed its target of seven audits in Fiscal Year 2012-2013 as follows:

1. Commission staff audited randomly-selected examination announcements, and found that they included sufficient and accurate information regarding candidate appeal rights. This was a significant improvement from the previous year's audit findings.
2. Commission staff audited five-randomly selected departments to determine if their rejection letters to candidates for failure to meet minimum qualifications contained adequate information regarding the basis for rejection and applicable appeal rights. Unfortunately, we found that most did not. The Executive Officer provided training to departments to correct the deficiency, and in fall 2013 will issue a memorandum formally reminding all departments of applicable merit system notification requirements.
3. Commission staff audited the City's discrimination complaint letters and found that one department's determination letters did not consistently include information about appeal rights in accordance with Commission policy. The Department will continue to work with the department in 2013 to ensure compliance with merit system requirements.

Refer to Attachment D for a detailed summary of the Fiscal Year 2012-2013 Merit System Audit Program findings.

Rules, Policies Review and Revision

The Charter obligates the Commission to adopt rules, policies and procedures to carry out the civil service merit system provisions of the Charter. Foremost on the Commission's agenda is to modernize and streamline the Civil Service Rules, to protect the civil service merit system, and

to control costs which result from practices which may not be conducive to the efficient operation of a department. The Commission was particularly productive in updating its Rules and policies in Fiscal Year 2012-2013 with these goals in mind.

Civil Service Commission Rule Amendments

The Commission considered a number of Civil Service Rule amendments in Fiscal Year 2012-2013 in its continuing efforts to ensure that they are easily understood and known by all stakeholders, consistent, compliant with the law, and reflective of best and current practices. The Commission ultimately adopted the following four Rule amendments:

- Civil Service Rule Series 010, Examination Announcements and Applicants, was amended on March 18, 2013 to establish consistent minimum posting requirements for entrance and promotive examinations to comply with California State Personnel Board Standards, codify existing DHR policies, and ensure that departments have an adequate pool of candidates from which to hire. Other revisions were also made to align the Rules with current practice.
- The Commission adopted new Rule Series 411A on April 15, 2013, establishing a pilot Position-Based Testing (“PBT”) Program for specific service-critical positions/classifications at the Municipal Transportation Agency (“MTA”). The new PBT Program streamlines and expedites the hiring of permanent Civil Service employees while maintaining a competitive and fair merit-based examination process. It is anticipated that this will enable the MTA to fill critical positions and resolve its hiring backlogs, improve the MTA’s ability to compete more effectively to hire the best qualified candidates, reduce the need for provisional hiring due to the greater availability of eligible lists, and create a greater incentive for departments to make Permanent Civil Service appointments over Exempt appointments.
- Civil Service Rule Series 003, Equal Employment Opportunity, was amended on May 6, 2013 in order to create more meaningful EEO reporting requirements to ensure that the City is taking measures to address underrepresentation in its workforce.
- Civil Service Rule Series 015 was amended on May 6, 2013 to align the Civil Service Rules with the City’s policy and practices on reasonable accommodations, consistent with the law.

Commission Policies and Procedures

The Commission also updated existing and/or adopted new policies as follows:

- Personal Services Contracts (“PSC”): The Commission’s PSC policies and procedures had not been updated since their adoption over 15 years ago and therefore no longer reflected current practices, operational realities or subsequent technological advancements. The Commission tasked DHR with identifying possible efficiencies and needed updates to existing policies and procedures. Accordingly, DHR convened working groups with the City’s PSC Coordinators and the City’s labor unions to discuss

and recommend improvements to the PSC process. The Commission carefully considered the recommended revisions and solicited input from numerous stakeholders over the course of two public meetings. The Commission ultimately approved a new policy on May 6, 2013 with revisions intended to:

- create efficiencies (both in time and resources);
- realign the Commission's procedures with current practices;
- implement available technological capabilities;
- increase transparency and accountability; and
- improve communications and accessibility to information to ensure that the City does not contract out inappropriately or unnecessarily.

The Commission's new PSC policy will be formally adopted upon implementation of the City's PSC database, which is scheduled to take place early in Fiscal Year 2013-2014.

- Peace Officer Appeals: The Commission adopted policies and internal protocols for hearing appeals by or otherwise implicating peace officers in order to comply with applicable Penal Code and California State Constitutional privacy protections. This enabled the Commission to resolve its pending peace officer appeals (again, many of which were several years old) in full compliance with the law.

Attachments:

- Attachment A: Report on the Civil Service Commission Department's Achievement of its Fiscal Year 2012-2013 Goals and Objectives (see pages 7 - 21)
- Attachment B: Fiscal Year 2012-2013 Pending Appeals Log (see pages 22 - 34)
- Attachment C: Fiscal Year 2012-2013 Inspection Service Request Log (see pages 35 - 41)
- Attachment D: Merit System Audit Program Report (see pages 42 - 54)

Recommendation: Accept this Report.

Respectfully submitted,

CIVIL SERVICE COMMISSION



JENNIFER JOHNSTON
Executive Officer



CITY AND COUNTY OF SAN FRANCISCO CIVIL SERVICE COMMISSION

Report on the Civil Service Commission Department's Achievement of its Fiscal Year 2012-2013 Goals and Objectives

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

Objective	Performance Measures	Status of Performance Measures
Increase the availability of information about the Civil Service Commission.	By January 2013, ensure that all information on the Civil Service Commission's website is accurate and current.	Completed in late December 2012 (this included updating the Civil Service Commission's timeline and Commissioner biographies).
	By spring 2013, create a Facebook page for the Civil Service Commission, including historical information about the merit system, the Civil Service Commission and past Commissioners.	Completed in April 2013. The Civil Service Commission now has both a Facebook page (https://www.facebook.com/SFCivilService) and a Twitter account (https://twitter.com/SFCivilService) consistent with the City's formats. All information posted on the Commission's Facebook is automatically tweeted to Twitter. Commission staff will continue its efforts in Fiscal Year 2013-2014 to expand upon the information contained on the Commission's Facebook page.
	Prepare and/or update informational publications about the Civil Service Commission as needed throughout the fiscal year.	Completed. The Executive Officer prepared overview materials on the Civil Service Commission and its mission and responsibilities for the Mayor's Budget Office (to support the Commission's budget requests) and for some members of the Board of Supervisors (upon their request for more information on the merit system). The Executive Officer also provided informational presentations to departments and issued reminders on merit system issues to ensure compliance with the Civil Service Rules and Commission policies.
	By summer 2013, if resources are available, establish a computer kiosk in the Commission's lobby area for members of the public to access information on the merit system electronically.	Completed. The Department successfully secured new computers for all staff in January 2013 at no cost to the Commission, thereby enabling the dedication of a computer to serve as an informational kiosk in the

		Commission's reception area. [However, the kiosk will not have internet access until late September 2013, when the Department of Technology ("DT") is scheduled to reinstall network access.]
Ensure that information on the Civil Service Commission's website is intuitive and easily accessible.	By February 2013, ensure that the Rules are in a format conducive to printing (e.g., consistent font and paragraph spacing, review for legibility, etc.).	Completed/Ongoing. Commission staff continues to focus its efforts on addressing formatting inconsistencies in the Rules. DT has transferred the Commission's website to a new system platform, which is expected to facilitate these efforts.
	By February 2013, ensure that all content on each webpage is word-searchable to the extent possible.	Completed in early December 2012. DT has also agreed to move the Commission's website to a new platform in late fall 2013, which we believe will enable a word search of all content on the Commission's website (instead of having to do a word search in each individual webpage).
	By spring 2013, begin reviewing and, as necessary, reorganizing the Commission's website so that its contents are easier to find (e.g., publications, policies and Advisers).	Completed in late April 2013. Commission staff worked with DT to reorganize and modernize the Civil Service Commission's website (www.sfgov.org/Civil_Service) so that informational materials and resources are easier to locate.
Increase the availability of information on the Civil Service Commission's website.	Beginning in February 2013, post on the Commission's website all public materials related to an agenda item no later than the Wednesday preceding the meeting at which the item is to be heard (i.e., agenda and staff reports).	Completed/Ongoing (since the Commission meeting of February 4, 2013). Meeting agendas and all non-confidential meeting materials are now posted on the Commission's website under "Meeting Materials" (http://www.sfgov3.org/index.aspx?page=263) by end of day the Wednesday preceding each meeting.
	Beginning in February 2013, create a section on the website that catalogues all prospective departmental reports regarding the status of the merit system (e.g., DHR and/or MTA reports on exempt appointments, provisional appointments and Position-Based Tests).	Completed/Ongoing (since the Civil Service Commission meeting of February 4, 2013). All scheduled departmental reports submitted to the Civil Service Commission in accordance with its Annual Calendar of Reports of are now posted on the Commission website under "Scheduled Department Reports" under the "Reports" link.
	Increase the availability of information and documents under the Civil Service Commission's purview on the Commission's website (e.g., post	Completed/Ongoing. Commission staff continues to focus its efforts on expanding the amount of information and reference documents on the Commission's website.

Complete and update the Commission's information and technology systems.	established policies, publications and relevant historical documents) throughout the fiscal year. Continue to assess the Commission's technological needs throughout the fiscal year, and obtain needed equipment (printers, laptops, PCs) and software when possible.	Completed/Ongoing. The Department was able to obtain new PCs for all staff as well as a brand new printer (at no cost to the Commission) through the City's PC Refresh Program. [The Department recently submitted an application in September 2013 to receive funding for new monitors as well.] Additionally, the Civil Service Commission moved to a virtualized server on January 28, 2013, thereby minimizing the risk and threat of server crashes.
	Expand the use of the Commission's web-based document management system ("DocumentMall") as follows: <ul style="list-style-type: none"> Expand the types of documents uploaded into the system (e.g., meeting materials, policies and reports) throughout the fiscal year. Convert paper reports and other Civil Service Commission documents into digital files on DocumentMall, with the goal of uploading at least 200 pages of documents into the system on a weekly basis beginning in February 2013. 	<ul style="list-style-type: none"> Completed/Ongoing. Commission staff continues to upload historical Rules and other historical documents and policies into DocumentMall. Completed/Ongoing. Commission staff met its goal of scanning a minimum of 200 pages of documents into Document Mall per week (beginning in February 2013).

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

Objective	Performance Measures	Status of Performance Measures
Improve communications with appellants so that they understand the Civil Service Commission's Rules, policies	By spring 2013, revise template letters to appellants to provide more information regarding the appeals process and meeting procedures, and refer them to the Civil Service Commission's website for additional information and resources.	Completed in late January 2013. Acknowledgement letters and meeting notification letters now contain more information on appeals and meeting procedures, as well as information on how to obtain the staff report electronically.

and meeting procedures.	By spring 2013, revise the Commission's appeal form (CSC Form 12) to include more information, and a recommendation that the appellant submit all relevant supporting documentation with their appeal to better inform the Civil Service Commission in making its decision on the issue.	Completed in April 2013. The form also now includes the option to provide an email address so that staff reports may be provided electronically.
Improve communications with departments so that they understand the Civil Service Commission's policies, meeting procedures and expectations with respect to staff reports.	By spring 2013, revise template letters to departments to provide more information regarding the appeals process and meeting procedures, and refer them to the Civil Service Commission's website for additional information and resources. By spring 2013, create template staff reports for departmental use, and update the Commission's instructions on staff report content. Create a new section on the Commission's website for stakeholder access to the new resources. This will ensure consistency in, and quality of staff report submissions.	Completed in late January 2013. Letters to departments now include more information about staff reports, meeting procedures and available resources. They also include a specific meeting date and deadline by which staff reports must be submitted to ensure that appeals are resolved in a timely manner. Partially Completed/Ongoing. The Executive Officer provided trainings on staff report content and template staff reports to departments as requested throughout the year. The Executive Officer will update the Commission's instructions on staff reports no later than December 2013.
Increase the use of electronic communications with departments and appellants (if requested) in an effort to reduce paper consumption and staff resources, create efficiencies and expedite communications with Commission stakeholders.	By November 2012, increase the use of electronic notifications to department representatives when appropriate (e.g., communications regarding personal services contracts, communications to individuals who are copied recipients, etc.). By spring 2013, update the Commission's appeal form (CSC Form 12) to allow appellants the option to request that staff reports be sent to them electronically (this will reduce delays due to appellant requests for postponement, and will also allow appellants a greater opportunity to provide a more meaningful rebuttal response).	Completed in November 2012. All notifications to departments are now sent electronically (unless an original hardcopy is otherwise required). Completed in April 2013. Acknowledgement letters and meeting notification letters have also been revised to include more information and an offer to transmit the staff report electronically.
Issue all reports regarding Civil Service Commission deliverables and achievements on a timely basis.	In February 2013, report to the Civil Service Commission on the status of the Commission's achievement of its goals and objectives for the first half of Fiscal Year 2012-2013. No later than June 30, 2013, schedule the Civil Service Commission Strategic Planning Session in	Completed at the Civil Service Commission meeting on January 28, 2013. Completed at the Civil Service Commission meeting on June 3, 2013.

<p>Ensure that Commission staff understand and are focused on supporting the Civil Service Commission's mission, goals and objectives.</p>	<p>preparation for the establishment of the Commission's new goals and objectives for Fiscal Year 2013-2014.</p>	<p>In June 30, 2013, begin drafting the Annual Report and Year-End Report for Fiscal Year 2012-2013 (with the goal to submit drafts for the Commission's review and approval by the end of July 31, 2013, so that the Fiscal Year 2013-2014 goals and objectives may be established at the beginning of the new fiscal year).</p>	<p>Postponed with the approval of the Commission until September 2013 so that all five Commissioners may be present to review and approve the report.</p>
	<p>No later than January 2013, complete all Commission staff performance evaluations for the preceding review period concluding on December 31, 2012.</p>	<p>No later than January 2013, establish all Commission staff performance plans for next performance review period, and ensure that the plans include deliverables specifically tied to the Civil Service Commission's goals and objectives for Fiscal Year 2012-2013.</p>	<p>Completed in January 2013.</p>
		<p>No later than January 2013, establish all Commission staff performance plans for next performance review period, and ensure that the plans include deliverables specifically tied to the Civil Service Commission's goals and objectives for Fiscal Year 2012-2013.</p>	<p>Completed in January 2013.</p>

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

Objective	Performance Measures	Status of Performance Measures
<p>Resolve appeals in a timely manner to the extent possible.</p>	<p>Process 100% of appeals and requests for hearing within seven (7) days of receipt in Fiscal Year 2012-2013 (i.e., review for jurisdiction and timeliness, record the appeal into the Commission's Pending Appeal Log (PAL) and communication log, send appellants acknowledgement of receipt letters, and notify departments of the appeal and targeted hearing dates).</p>	<p>Completed. Commission staff processed all appeals and requests for hearing within seven (7) days of receipt.</p>

	Resolve or forward to the Civil Service Commission for hearing, at least 65% of the pending appeals in Fiscal Year 2012-2013.	<p>Completed. The Commission received a total of one hundred and seven (107) new appeals and requests for hearings during the fiscal year (July 1 to June 30, 2013), in addition to the forty-four (44) pending appeals that were carried over from the previous fiscal year. The Commission was able to resolve one hundred twenty-one (121) (or 80%) of those one hundred fifty-one (151) total appeals by June 30, 2013. This not only far exceeded the Commission's goal during this fiscal year, but exceeded the Commission's resolution rate in over a decade.</p>
Monitor appeals and develop strategies to improve the efficiency by which appeals are resolved.	By May 31, 2013, evaluate the effectiveness of established appeals policies/procedures based on performance measure achievements in Fiscal Years 2011-2012 and 2012-2013.	<p>Completed in May 2013. As noted above, the Commission's appeal resolution rate far exceeded that of previous years, which is particularly impressive given the fact that the Commission also received a record number of appeals during the same time period. This was in part due to the efforts of Commission staff to resolve the Commission's backlog of appeals (including peace officer and discrimination appeals) and to ensure that there were no delays in resolving new appeals.</p>
	By June 30, 2013, identify strategies to expedite the resolution of appeals (e.g., consider establishing specific deadlines for staff report submissions, etc.) for implementation in Fiscal Year 2013-2014 as appropriate.	<p>Completed in March 2013. Appeal notifications to departments now include deadlines for staff report submissions (sixty days from date of receipt). The Executive Officer/Assistant Executive Officer also met with the Department of Human Resources' (DHR) Appeals Coordinator on a monthly basis to discuss issues and strategies for expediting pending appeals, and sent departments periodic reminders about appeals that are older than six months</p>
	Issue the Civil Service Commission's Meeting Schedule and Deadlines for Calendar Year 2013 in November 2012 to ensure that departments are aware of appeal submission deadlines.	<p>Completed on November 5, 2012. In addition, the Executive Officer sent meeting notices to all applicable department representatives to serve as a tickler system on future reporting deadlines to ensure that all report submissions are timely.</p>
	Regularly update and monitor the Pending Appeals Log on a biweekly basis and	Completed.

	communicate with departments as appropriate to ensure that staff reports on appeals are submitted within a reasonable period of time.	
	Convene monthly meetings with the Department of Human Resources on the status of departments' staff reports.	Completed.
	Obtain advice and guidelines from the City Attorney's Office as necessary on legal issues concerning appeals in as far advance as possible to avoid delays and backlogs in Fiscal Year 2012-2013 (e.g., closed session matters, privacy protections, Brown Act requirements, etc.).	Completed. The Executive Officer prepared a comprehensive memorandum on internal protocols for meeting procedures on appeals involving peace officers in advance to ensure that the Commission's closed session processes comply with Penal Code protections (e.g., statements that the President should make before, during and after closed session; protocols for calling peace officer appellants into the closed session; etc.).
	<p>Appeals involving confidential Peace Officer Records (consisting of approximately 15 appeals as of November 2012, many of which are several years old):</p> <ul style="list-style-type: none"> o Beginning in November 2012, expedite and prioritize the backlog of such appeals. o Resolve (schedule and hear) at least half of those appeals by the end of Fiscal Year 2012-2013. 	<ul style="list-style-type: none"> • Completed. Waiver letters were sent to all peace officer appellants (and implicated peace officers, as appropriate and necessary) with pending appeals. • Completed in May 2013. Commission staff resolved the entire backlog of peace officer appeals that were pending as of December 2012.

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

Objective	Performance Measures	Status of Performance Measures
Work collaboratively with departmental representatives, the Department of Human Resources and City Attorney's staff to establish new or amend current Rules, policies and procedures to address changing needs as appropriate.	<p>Seek input from operating departments on the effectiveness of the merit system and areas needing improvement throughout the fiscal year.</p> <p>Convene monthly meetings of the Committee on Policy and Rules Revision (COPAR) to discuss and vet new Rules, policies or procedures, or needed/requested revisions thereto.</p>	<p>Completed/Ongoing. The Executive Officer spoke at the DHR Human Resources Monthly Group Meeting on January 23, 2013 to solicit input from the City's human resources professionals on the merit system, including Rule proposals and issues requiring clarification for the possible creation of new Advisers or policies. The Executive Officer also sought input from departments in other venues, including various meetings and trainings.</p> <p>Completed/Ongoing. The Executive Officer convened meetings with COPAR members on a monthly basis in order to discuss and review needed Rule revisions and any other merit system matters of concern. (Three meetings had to be cancelled but the Executive Officer still sought member input via email).</p>
Ensure that the Civil Service Rules, policies and procedures are consistent with current departmental practices and system requirements/limitations under the new eMerge PeopleSoft system.	<p>By March 2013, meet with eMerge and Department of Human Resources staff to identify inconsistencies in existing Rules, policies and procedures resulting from the implementation of the new eMerge system.</p> <p>By May 2013, develop a work plan to propose for the Commission's consideration revisions to Commission Rules, policy and procedures as needed to conform to the new PeopleSoft system.</p>	<p>Completed/Ongoing. Commission staff met with eMerge staff in February 2013 and agreed to establish a timeline by which the parties would regularly meet, identify Rules requiring revision/updates, and collaboratively draft such Rule revisions/updates. We expect to complete their review and draft Rule revisions by spring of 2014 for the Commission's consideration.</p> <p>Completed in April 2013.</p>
	<p>Seek departmental input through COPAR throughout the fiscal year on inconsistencies between the Civil Service Rules and current departmental practices, and take action as appropriate (e.g., consider proposing a Rule change, issue an Adviser to clarify Rule requirements, etc.).</p>	<p>Completed/Ongoing. The Executive Officer convened monthly meetings with COPAR members in order to discuss and review needed Rule revisions and any other merit system matters of concern.</p>

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

Objective	Performance Measures	Status of Performance Measures
<p>Review the Civil Service Rule series and recommend revisions/deletions/additions to the Rules for the Commission's consideration as necessary and appropriate.</p>	<p>Review three (3) Civil Service Rule series in the second half of Fiscal Year 2012-2013, and recommend revisions/deletions/additions as appropriate.</p> <ul style="list-style-type: none"> Revisions are to be prioritized as follows: <ol style="list-style-type: none"> Rule provisions that conflict with, or that are otherwise inconsistent with the law. Rules that are confusing, inconsistent with other Rules or policies, or inconsistently applied by departments. Rule provisions that would support operational needs. Rule provisions that are no longer applicable. Revisions that would consolidate or streamline the Rules. Typos/clean-up. 	<p>Completed/Ongoing. The Executive Officer submitted five Rule revisions for the Commission's consideration during the fiscal year:</p> <ul style="list-style-type: none"> Rule Series 010: To establish consistent minimum posting requirements for entrance and promotive examinations to comply with California State Personnel Board Standards, codify existing DHR policies, and ensure that departments have an adequate pool of candidates from which to hire. Other revisions were also made to align the Rules with current practice. The Rule amendment was adopted on March 18, 2013. Rule Series 020: To allow access to sick leave under the Rules at three months instead of six months for employees represented by unions who have waived the Paid Sick Leave Ordinance. The Commission acted to accept DHR's request to rescind the revision on April 1, 2013 (the amendment was not adopted). New Rule Series 411A: To adopt a new pilot Civil Service Rule 411A establishing a one-year Position-Based Testing Program for specific service-critical positions/classifications at the Municipal Transportation Agency. The Rule amendment was adopted on April 15, 2013.

		<ul style="list-style-type: none"> • Rule Series 003: To align the Civil Service Rules with the Commission's Annual Reporting Calendar and to create more meaningful EEO reporting requirements to ensure that the City is taking measures to address underrepresentation in its workforce. The Rule amendment was adopted on May 6, 2013. • Rule Series 015: To align the Rules with the City's policy and practices on reasonable accommodations, consistent with the law. The Rule amendment was adopted on May 6, 2013. <p>The Executive Officer sought input from the City's human resources professionals on Rule revisions with Citywide impact during COPAR meetings and at DHR's Monthly HR Group meetings.</p>
Review existing Civil Service Commission policies and procedures; and recommend revisions to existing policies and procedures, or the creation of new ones, as appropriate.	<p>Seek input and direction from COPAR, other departmental representatives and employee organization representatives regarding possible Rule changes.</p> <p>Update the Civil Service Commission's policies and procedures on Personal Services Contracts by January 2013.</p> <p>By March 2013, review and update as appropriate the Civil Service Commission's policies on Exempt appointments.</p>	<p>Completed – the revised memorandum was finally adopted on May 6, 2013. The new policies and procedures will take effect when the City's PSC database is launched, which is expected to occur in early Fiscal Year 2013-2014.</p> <p>Completed/In Progress. The Executive Officer prepared a draft revised policy but is awaiting comments and input from Commission stakeholders. The Executive Officer expects to submit a draft version for the Commission's consideration in fall 2013.</p> <p>The Executive Officer also redistributed the Commission's existing policy on Exempt appointments in April 2013 and audited exempt appointments jointly with DHR to ensure compliance with the Charter.</p> <p>Completed. The Executive Officer met and conferred with interested labor unions on all five proposed Rule revisions noted above.</p>
Conduct meet and confer negotiations and adopt new and amended Rules, policies and/or procedures.	As needed during the fiscal year, conduct meet and confer on any new or amended Rules or policies as required under the law.	

<p>Conduct best practice reviews of merit system matters in other jurisdictions.</p>	<p>Research best practices in the Bay Area and/or comparable jurisdictions (e.g., Los Angeles) as requested by the Civil Service Commission during the fiscal year.</p>	<p>The Civil Service Commission has not submitted any formal requests to research specific items of note.</p>
<p>Provide outreach, training and support to the Civil Service Commission's stakeholders regarding the Civil Service Rules, policies and procedures.</p>	<p>Upon request/as needed during the fiscal year, develop and conduct seminars and trainings on the merit system; the Civil Service Rules, policies and procedures; and other matters under the jurisdiction of the Civil Service Commission.</p>	<p>Completed/Ongoing. The Executive Officer provided a number of presentations on merit system issues for various target stakeholder audiences (including union representatives; seasoned and new HR representatives, clerks and managers; and Deputy City Attorneys on the City Attorney's Labor Team) (over 200 individuals received the training over the course of the fiscal year).</p>
	<p>Give presentations during the monthly Human Resources Managers' meeting on merit system issues (at least one a quarter beginning January 2013).</p>	<p>Completed/In progress. The Executive Officer requested to be included as a speaker on the HR Managers' meeting agenda on a quarterly basis, and provided the first presentation during the monthly meeting of January 23, 2013.</p>
	<p>Provide a presentation on the merit system to new human resources analysts on an annual basis.</p>	<p>Completed in April 2013. Due to the significant demand, the Executive Officer will schedule the presentations on a semi-annual basis, with the next training in fall 2014.</p>
	<p>Request that the Department of Human Resources include in the New Employee Orientation, a brief overview on the merit system for new employees.</p>	<p>Completed. The New Employee Orientation (NEO) video includes brief information about the Civil Service Commission (you may access it on the DHR website at http://www.sfdhr.org/index.aspx?page=421). The Executive Officer has also offered to provide brief informational blurbs on the Civil Service Commission and merit system to the three of the City's larger unions (SEIU, Local 1021; IFPTE, Local 21; and MEA) for their member newsletters.</p>
	<p>Provide any new Deputy City Attorney on the Labor Team with an overview on the merit system within three months of his or her start work date.</p>	<p>The Executive Officer forwarded a draft presentation to the Chief Attorney on the City Attorney's Labor Team in mid-January 2013, and offered to provide the presentation to new and existing Deputy City Attorneys on a regular basis.</p>
	<p>Seek input from the Commission's stakeholders on common merit system areas of confusion and</p>	<p>Completed/Ongoing. Again, the Executive Officer regularly convened COPAR meetings and solicited</p>

	<p>issue publications on Frequently Asked Questions and develop new Advisers on reoccurring issues as needed during the fiscal year.</p>	<p>input from human resources representatives during DHR's monthly meetings for possible Adviser and policy topics.</p> <p>The Executive Officer worked with DHR to issue a clarifying statement on banding in examinations in April 2013.</p>
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Goal #6: Strengthen the Civil Service Commission's ability to meet its Charter mandates and oversee the operation of the merit system.

Objective	Performance Measures	Status of Performance Measures
<p>Review the operation of the merit system in City departments.</p>	<p>Department Audits:</p> <ul style="list-style-type: none"> Conduct seven departmental audits in Fiscal Year 2012-2013. Publish the findings within 30 days. If the Commission staff determines 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. 	<p>Completed. The Commission finalized its audit outline for Fiscal Year 2012-2013 on January 23, 2013, and completed its seven (7) audits during the second half of the fiscal year. The audits were primarily focused on ensuring that individuals were adequately and appropriately advised of their appeal rights in examination and discrimination complaints; and that individuals were provided an opportunity to request reconsideration of their application. Commission staff found that, although there was significant improvement from the previous year's audit, departments are not consistently advising individuals of their appeal rights as required under Commission policy.</p> <p>Completed/Ongoing. Commission staff provided training to those departments who were found to have deficient practices. The Commission will issue a formal policy directive in fall 2013 based on its audit findings in order to ensure future compliance with the Civil Service Rules and Commission policies.</p>

	Inspection Service: Resolve/complete within 60 days, 75% of Inspection Service Requests received in Fiscal Year 2012-2013.	Completed. Of the one hundred and fifteen (115) Inspection Service requests it received, the Commission was able to respond to and complete one hundred and two (102) (or 92%) of those Inspection Requests within its sixty (60) day goal—far exceeding its goal of 75%. Completed on December 17, 2012.
Increase the Civil Service Commission's access to information regarding the operation of the merit system.	<p>In January 2013, submit for the Commission's review its Calendar of Reports for calendar year 2013 (this details the reports that City departments are required to submit to the Civil Service Commission each year).</p> <p>In January 2013, provide a list of available canned queries, reports and available information related to merit system matters in the event that the Civil Service Commission wishes to expand upon the information it currently receives from Commission staff and/or City departments (e.g., exempt appointment justifications, personal services contracts, examination plans, etc.).</p> <p>In winter 2013, issue the final schedule of annual reports established for that fiscal year to departments so that departments are aware of their reporting requirements, and issue an electronic reminder one month prior to each report's due date. In accordance with Goal #1, all departmental reports issued on or after February 2013 will be posted on the website for historical reference.</p>	Completed on December 17, 2012.
Ensure that departments are complying with the Civil Service Commission's request for reports and/or additional information.	When applicable, record any conditions, restrictions or reporting requirements that the Civil Service Commission places on a Personal Services Contract (PSC). Beginning in November 2012, establish a tickler system so that the Commission is able to ensure that departments comply with the Commission's conditions, restrictions or reporting requirements for PSC approvals.	Completed in February 2013. The Executive Officer also established a tickler system for department representatives to ensure the timely submission of required reports.
		Completed/Ongoing. The Executive Officer established a tickler system in November 2012, whereby reminders of reporting requirements are placed on department representatives' calendars, and representatives receive a reminder communication four weeks before their staff reports are due to the Commission. The Executive Officer also worked with DT to include in the new PSC database automatic email reminders about future reporting requirements.

	When applicable, record and create a "tickler system" for any additional reports that the Commission requests throughout the fiscal year.	The Commission has not yet requested additional formal reports other than those which are included on the Calendar of Reports or through conditional PSC approvals.
Complete/coordinate all Charter-mandated wage/benefit surveys requiring Commission certification under the Charter.	<p>In fall 2012, develop a work plan and schedule for achieving Charter-mandated surveys.</p> <p>By November 2012, establish a "tickler system" for departmental reports to ensure that Charter-mandated surveys are timely submitted (e.g., Office of Labor Standards and Enforcement prevailing wage survey, and Department of Human Resources survey of nurse salaries and benefits).</p> <p>No later than May 2013, complete the 5-year salary-setting cycle for Elected Officials in accordance with Charter Section A8.409-1- Employees Covered.</p>	<p>Completed November 2012. The Executive Officer has implemented a tickler system, whereby departments are reminded well in advance and again four weeks before the date that their reports are required for submission to the Commission.</p> <p>Completed. The new rates for elected officials were submitted for the Civil Service Commission's review and adoption during its meeting of April 15, 2013 to ensure timely submission to the Controller's Office.</p>
Negotiate with the Mayor's Budget Office, the Office of the Controller and the Office of the Budget Analyst to ensure that the Civil Service Commission is able to maintain its budget at current levels so that it can adequately carry out its Charter obligations to oversee the merit system.*	<p>Prioritize the following during Fiscal Year 2012-2013 budget negotiations:</p> <ul style="list-style-type: none"> • Maintain the Commission's budget at an adequate level to support its operations, including consideration of future unavoidable cost increases (e.g., DT virtualization services, fringe benefit costs). • Decrease the Civil Service Commission's dependency on work orders to fund its operations. 	<p>Completed. The Executive Officer worked with the Mayor's Office to strategize on additional funding sources to address its ongoing systemic budget deficit. Beginning Fiscal Year 2013-2014, the Commission will no longer begin the fiscal year with a built-in budget deficit.</p> <p>Additionally, The Executive Officer discussed with the Controller's Office and Mayor's Office the Department's dependency on its two work orders to ensure that the Department has adequate budget resources in future fiscal years. The Mayor's Office reviewed the funding allocations and confirmed that the Commission's work orders with the two departments are based on a per-capita calculation that is commensurate with the amount charged to all other departments under the City's COWCAP ("County-Wide Cost Allocation Plan") for the Department's services. They are charged as work orders, however, due to their different funding</p>

		sources under the City's budgetary system. In other words, the work orders are rational and appropriate as they are, and do not result in any particular vulnerability of the Department's budget.
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Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0165-11-6	6	Jeff Adachi - PD Appealing the HRD's decision in the discrimination complaint by Ana Guevara - EEO file #1526.	06/02/11	06/08/11	Callahan Kotake Simon	05/10/13	5	
0208-12-4	4	Cesarío G. Agudelo Appealing his background rejection for Q-2 Police Officer	06/12/12	06/13/12	Callahan Kotake Kraus V'gomez Dudley Zurcher	07/11/12	3	
0082-13-4	4	Ariana Aguiar Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	03/12/13	5	
0077-13-4	4	Zuleima E. Aguilar Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0160-13-6	6	Keith R. Baraka Appealing the HRD's decision to administratively close his complaint of discrimination (EEO File No. 1700)	05/09/13	05/10/13	Callahan Kotake			
0066-13-4	4	Attica D. Bowden Appealing the rejection of application for the H-32 Captain Examination	02/26/13	02/27/13	Callahan Kotake	03/18/13	1	
0080-13-4	4	Manufou Aumatagi Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0423-12-4	4	Tiffany Brewster Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0078-13-4	4	Maria S. Cabiad Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0418-12-4	4	Michael R. Cantwell Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0079-13-4	4	Cristina R. Carazo Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0424-12-4	4	Nicole Carden Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0076-13-4	4	Mary R. Carr Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0074-13-4	4	Cynthia Carrillo Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0046-11-6	6	(Redacted - Peace Officer) Appealing the HRD's decision to administratively close [the peace officer's] EEO complaint, File No. 1600	02/10/11	02/18/11	Callahan Kotake Simon (dept rep)	03/18/13	1	
0115-13-2	2	Lawrence T. Chan Appealing the Q-60 Lieutenant and Q-80 Captain job classifications	03/29/13	04/02/13	Callahan Kotake Kraus Ponder	04/18/13	2	
0425-12-4	4	Serena Chiu Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0391-12-4	4	Stephanie Coe Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/06/12	11/07/12	Reiskin Ellison Leung	12/03/12	1	
0086-12-4	4	Vince Courtney, L261 Appealing the determination of the DHR to preclude all 3410 Gardener Apprentices from taking the exam.	04/05/12	04/09/12	Callahan Kotake Kraus			
0471-12-4	4	PJ Dayacamos Appealing her background rejection for Clerk Typist (Job Code 1424) with the SFPD.	12/03/12	12/05/12	Callahan Kotake V'gomez	03/04/13	1	
0057-13-4	4	Daniel E. de Cossio Appealing the rejection of his application for the H-32 Fire Captain Exam	02/25/13	02/25/13	Callahan Kotake	03/18/13	1	
0069-13-4	4	John Darmanin Appealing the rejection of application for the H-32 Captain Examination	03/01/13	03/04/13	Callahan Kotake	03/18/13	1	
0374-12-4	4	Nicole Delagarza Appealing her rejection to take the exam for Parking Control Officer (Job Code 8214)	10/23/12	10/24/12	Reiskin Ellison Leung	11/01/12	4	
0364-12-4	4	Edward Devereaux Appealing the rejection of his application for the 7281 Street Environmental Services Opr. Sup.	10/10/12	10/11/12	Callahan Kotake Kraus Wong Ignao	11/14/12	2	
0415-12-4	4	Shamaneh R. Donahue Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0397-12-4	4	Mark Dorton Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0016-13-6	6	Mary T. Dowling Appealing the Human Resources Director's decision to dismiss her discrimination complaint EEO File No. 1650.	01/22/13	01/24/13	Callahan Kotake Simon M. Brown	04/01/13	1	
0447-12-4	4	Nakia Dudley Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/14/12	11/16/12	Reiskin Ellison Leung	11/20/12	2	
0027-13-4	4	Marlinda Earl Appealing the rejection of her application for the 9102 Transit Car Cleaner examination	01/29/13	01/31/13	Reiskin Ellison Leung	02/13/13	4	
0029-13-4	4	Aissa El Allali Appealing the rejection of his application for the 9102 Transit Car Cleaner examination	01/31/13	02/01/13	Reiskin Ellison Leung	04/15/13	1	
0422-12-4	4	True W. Ellis Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0077-12-6	6	Larry A. Engstrom Appealing the HRD's decision to close his discrimination complaint, EEO File #1614.	03/28/12	03/30/12	Callahan Kotake Simon Thomas	03/04/13	1	
0103-13-4	4	Donald S. Fields Appealing the rejection of application for the H-32 Captain Examination	03/18/13	03/20/13	Callahan Kotake	04/12/13	2	
0428-12-4	4	Connie Fitzgerald Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/17/12	1	
0044-13-4	4	Jose M. Flores Appealing the rejection of his application for Track Maintenance Worker (Job Code 7540)	02/14/13	02/15/13	Reiskin Ellison Leung	03/12/13	4	
0054-13-4	4	Theresa A. Fogarty Appealing the rejection of her application for H-32 Fire Captain Exam	02/22/13	02/25/13	Callahan Kotake	03/18/13	1	
0438-12-4	4	Somalia Folashade Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/13/12	11/14/12	Reiskin Ellison Leung	12/03/12	1	
0383-12-4	4	Mark W. Franklin Appealing the rejection of his application for the 8214 Parking Control Officer	11/02/12	11/05/12	Reiskin Ellison Leung	12/03/12	1	
0075-13-4	4	Wendy Garcia Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	

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Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0154-13-4	4	Karina Ghor Appealing her background rejection for IS Engineer Principal (Job Code 1044) with the SFPD.	05/06/13	05/08/13	Callahan Kotake			
0195-11-6	6	Karla Gottschalk Appealing the HRD's decision regarding her age, religion, sexual orientation, and gender discrimination complaint.	07/14/11	07/15/11	Callahan Kotake Simon			On hold per CSC action on 12/17/12 at the Appellant's request due to pending litigation.
0442-12-4	4	Corey F. Graham Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/13/12	11/14/12	Reiskin Ellison Leung	11/27/12	4	
0039-06-6	6	(Redacted - Peace Officer) Appealing the HRD's decision to deny [the peace officer's] retaliation/sexual orientation discrimination complaint	01/20/06	01/24/06	Ginsburg Jacobo Yee	04/15/13	1	
0163-12-6	6	Michelle Guiral Appealing the decision of the HRD to close her EEO File No. 1640	05/31/12	06/04/12	Callahan Kotake Simon Katz			On Hold: Tie vote of 2-2 at CSC mtg of 1/7/13 - continued until a full CSC is seated.
0070-13-4	4	Heather Gutierrez Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0051-13-4	4	Kathleen T. Harold Appealing the rejection of her application for the H-32 Fire Captain Exam	02/22/13	02/25/13	Callahan Kotake	03/18/13	1	
0401-12-4	4	Constance D. Harris Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0362-12-4	4	Harry E. Hetzer Appealing the rejection of his application for the 7281 Street Environmental Services Opr. Sup.	10/10/12	10/11/12	Callahan Kotake Kraus Wong Ignao	11/19/12	2	
0186-13-6	6	(Redacted - Peace Officer) Appealing the Human Resources Director's decision to close [the peace officer's] discrimination complaint EEO File No. 1707.	06/19/13	06/20/13	Callahan Kotake L. Simon (dept rep)			
0473-12-2	2	IBEW LOCAL 6 Appealing the Final Classification Action No. 35 of November 5, 2012 amending the job specs for 9240 Airport Electrician, 9241 Airport Electrician Sup and 9242 Head Airport Electrician.	12/05/12	12/06/12	Callahan Kotake Saltzman	04/02/13	4	
0041-13-4	4	James Hazzard Appealing the rejection of his application for the 7540 Maintenance Track Worker	02/12/13	02/14/13	Reiskin Ellison Leung	03/12/13	4	

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0390-12-4	4	Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/06/12	11/07/12	Reiskin Ellison Leung	11/14/12	4	
0154-12-6	6	Appealing MTA EEO's decision to deny his retaliation complaint EEO File No. 10525	05/23/12	05/25/12	Reiskin Ellison Harmon	08/06/12	1	
0097-13-2	2	Appealing the Notice of Final Action No. 4 SFMTA (FY 2012/2013, effective 2/21/13) pertaining to changes to the Job Specifications for the 8167 Parking Hearing Examiner	03/13/13	03/14/13	Reiskin Ellison Leung	05/20/13	1	
0032-13-4	4	Appealing the rejection of his application for the 9102 Transit Car Cleaner examination	02/01/13	02/04/13	Reiskin Ellison Leung	03/12/13	4	
0065-13-4	4	Appealing the rejection of application for the H-32 Captain Examination	02/26/13	02/27/13	Callahan Kotake	03/18/13	1	
0030-13-4	4	Appealing the rejection of his application for the 5288 Transit Planner II examination	01/31/13	02/01/13	Reiskin Ellison Leung	02/08/13	4	
0343-09-6	6	Appealing the HRD's decision to dismiss EEO File #1371 due to insufficient evidence	10/23/09	10/26/09	Callahan Huey Kotake			On Hold: 2 to 1 vote at CSC mtg of 12/19/11 - continued until a full CSC is seated.
0185-13-4	4	Appealing his background rejection for Community Police Services Aide (Job Code 9209) with the SFPD.	06/17/13	06/19/13	Callahan Kotake B. Houston			
0454-08-6	6	Appealing the HRD's decision regarding his EEO File #1323 complaint	09/30/08	10/02/08	Callahan Johnston Yee	11/01/12	4	
0039-13-4	4	Appealing the rejection of his application for the 7540 Maintenance Track Worker	02/11/13	02/13/13	Reiskin Ellison Leung	03/12/13	4	
0439-12-4	4	Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/13/12	11/14/12	Reiskin Ellison Leung	11/27/12	4	
0355-10-6	6	Appealing the HRD's decision to dismiss EEO File #1493 due to insufficient evidence to sustain a complaint of discrimination and retaliation	11/05/10	11/09/10	Callahan Kotake Simon (dept rep)			On Hold (reason redacted)
0334-10-6	6	Appealing the HRD's decision to dismiss EEO File #1429 due to insufficient evidence	09/16/10	09/17/10	Callahan Kotake Simon (dept rep)			On Hold (reason redacted)

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Attachment B

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0403-12-4	4	Kevin Lee Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0235-09-6	6	(Redacted - Peace Officer) Appealing the HRD's decision to dismiss EEO complaint File #1355	07/13/09	07/14/09	Callahan Kotake Simon (dept rep)	11/19/12	5	
0071-13-4	4	Hong Liang Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0414-12-4	4	Victor H. Lopez Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0441-12-4	4	Krystal M. Love Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/13/12	11/14/12	Reiskin Ellison Leung	12/03/12	1	
0444-12-4	4	Kit Yan Ma Appealing the rejection of his application for the 1241 Personnel Analyst with the MTA	11/14/12	11/15/12	Reiskin Ellison Leung	12/17/12	1	
0013-12-6	6	Charles MacNulty Appealing the HRD's decision to administratively close his complaint of discrimination	01/20/12	01/24/12	Callahan Kotake Simon Arntz	09/17/12	1	
0411-12-4	4	Gary J. Major Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0426-12-4	4	Cesar G. Maniego, Jr. Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/17/12	1	
0363-12-4	4	Larry P. Marcaletti Appealing the rejection of his application for the 7281 Street Environmental Services Opr. Sup.	10/10/12	10/11/12	Callahan Kotake Kraus Wong Ignao	11/19/12	2	
0052-13-4	4	Sofia M. Mathews Appealing the rejection of her application for the H-32 Fire Captain Exam	02/22/13	02/25/13	Callahan Kotake	03/18/13	1	
0395-12-4	4	Omar L. Maxwell Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0421-12-4	4	James Maza Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	

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Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0155-13-6	6	(Redacted - Peace Officer)	05/06/13	05/08/13	Callahan Kotake			
0396-12-4	4	Alfred McDonough	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0023-13-4	4	Douglas McKirahan	01/28/13	01/29/13	Callahan Kotake M. Brown	04/12/13	4	
0429-12-4	4	Gilbert Meuniot	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0389-12-4	4	Louis R. Monges, Sr.	11/06/12	11/07/12	Reiskin Ellison Leung	12/03/12	1	
0081-13-4	4	Maria O. Montorio	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0163-13-4	4	Timothy Nelson	05/13/13	05/14/13	Callahan Kotake	05/23/13		
0279-12-4	4	(Redacted - Peace Officer)	07/19/12	07/23/12	Callahan Kotake Kraus V'gomez	09/17/12	1	
0399-12-4	4	Lorenzo Parham, Jr.	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0419-12-4	4	Tony Phui	11/08/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0355-12-4	4	Sin Yee Poon	10/04/12	10/09/12	Callahan Kotake Kraus Thomas Jacobi	02/04/13	1	
0413-12-4	4	Ulysses D. Powell	11/08/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0064-13-4	4	Tyrone Pruitt	02/26/13	02/27/13	Callahan Kotake	03/18/13	1	
0427-12-4	4	Ignacio Reyes	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0398-12-4	4	Victor Reynolds Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0445-12-4	4	Madelaine Rodriguez Appealing the rejection of his application for the 1241 Personnel Analyst with the MTA	11/14/12	11/15/12	Reiskin Ellison Leung	12/17/12	1	
0073-13-4	4	Indiana Saenz Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	04/09/13	2	
0440-12-4	4	Natalie J. Sanchez Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/13/12	11/14/12	Reiskin Ellison Leung	12/03/12	1	
0394-12-4	4	Marie G. Schumacher Appealing the rejection of his application for the 1241 Personnel Analyst with the MTA	11/07/12	11/08/12	Reiskin Ellison Leung	12/17/12	1	
0162-13-7	7	Heru Oba Shamba Requesting a hearing on their future employability as a 9163 Transit Operator	05/13/13	05/14/13	Reiskin Ellison Iborra			
0392-12-4	4	Diane Shepard Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/06/12	11/07/12	Reiskin Ellison Leung	12/03/12	1	
0400-12-4	4	Alla Swenson Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	
0280-12-4	4	Nicholas J. Territo Appealing the minimum qualifications for the Q-50 Sergeant job announcement.	07/20/12	07/23/12	Callahan Kotake Kraus V'gomez	09/17/12	1	
0437-12-4	4	Darling Thomas, Jr. Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/13/12	11/14/12	Reiskin Ellison Leung	12/17/12	1	
0083-13-4	4	Mary M. Tse Appealing the rejection of application for the H-32 Captain Examination	02/28/13	03/06/13	Callahan Kotake Kraus	03/18/13	1	
0404-12-4	4	Carlos Urias Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/08/12	Reiskin Ellison Leung	12/17/12	4	
0430-12-4	4	John Verrinder Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	

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Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0312-12-4	4	(Redacted - Peace Officer) Appealing the rejection of [the peace officer's] application for the promotional exam for Q-50 Police Sergeant with the SFPD.	08/21/12	08/22/12	Callahan Kotake Kraus V'gomez	09/17/12	1	
0431-12-4	4	Tamika Williams Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/09/12	11/13/12	Reiskin Ellison Leung	12/03/12	1	
0038-13-4	4	Michael Wolf Appealing the score miscalculation of the oral exercise for the Q-50 Sergeant examination	02/12/13	02/12/13	Callahan Kotake Kraus	05/06/13	2	
0053-13-4	4	Michie L. Wong Appealing the rejection of her application for the H-32 Fire Captain Exam	02/22/13	02/25/13	Callahan Kotake	03/18/13	1	
0410-12-4	4	Myint J. Wong Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/13/12	Reiskin Ellison Leung	12/17/12	1	
0417-12-4	4	Thomas Wong Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/08/12	11/13/12	Reiskin Ellison Leung	11/19/12	4	
0072-13-4	4	Johnston Yau Appealing the administration of the 2903 Eligibility Worker examination	03/01/13	03/06/13	Callahan Kotake Kraus Biasbas	03/11/13	5	
0049-12-6	6	Ted S. Zarzecki Appealing the MTA's findings on his discrimination complaint, EEO File #10482.	03/02/12	03/06/12	Reiskin Ellison Harmon	08/06/12	1	
0402-12-4	4	Christina Wong Zulueta Appealing the rejection of his application for the 8214 Parking Control Officer with the MTA	11/07/12	11/08/12	Reiskin Ellison Leung	12/03/12	1	

SEPARATIONS - REQUESTS FOR HEARING

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0003-11-7	7	Fa'Alai Leao Request for hearing on future employment restrictions as a 1426 Sr. Clerk Typist with SFPD	01/06/11	01/10/11	Callahan Kotake De Vera V'Gomez			On hold - pending resolution of grievance/arbitration
0269-11-7	7	Anthony Aguilar Request for hearing on future employment restrictions as a 4308 Sr. Collections Officer with the Treasurer/ Tax Collector.	09/28/11	09/29/11	Callahan Kotake De Vera Cisneros			On hold - pending resolution of grievance/arbitration
0071-09-7	7	(Redacted - Peace Officer) Request for hearing on future employment restrictions as a (redacted).	03/05/09	03/09/09	Callahan Johnston Rockett (dept rep)	04/15/13	1	

Register No.	Type		Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0322-11-7	7	Onoria Antonucci	Request for hearing on future employment restrictions as a 3434 Arborist Technician with the Rec & Parks Department	11/30/11	12/02/11	Callahan Kotake De Vera Kin Gee			On hold - pending resolution of grievance/arbitration
0310-10-7	7	Manolita G. Arroyo	Request for hearing on future employment restrictions on future employment with CCSF	08/25/10	08/26/10	Callahan Kotake De Vera Starr	08/06/12	1	
0165-13-7	7	Kurt Bader	Requesting a hearing on his future employability as a 9163 Transit Operator with MTA.	05/15/13	05/16/13	Reiskin Ellison Iborra			
0320-12-7	7	Glynn Barnes	Request for hearing on future employment restrictions as a 7514 General Laborer with the PUC	08/31/12	09/04/12	Callahan De Vera Kotake Marini			On hold - pending resolution of grievance/arbitration
0079-11-7	7	Bernard Block	Request for hearing on future employment restrictions as a 9163 Transit Operator, MTA	03/11/11	03/16/11	Ford Ellison DeVera			On hold per CSC action at mtg of 11/21/11 - pending advice from the City Attorney's Office
0268-12-7	7	Edward Campos	Requesting a hearing on his designation as "services unsatisfactory" in his resignation as a 2996 Representative with the Human Rights Commission	07/05/12	07/09/12	Callahan De Vera Kotake Sparks			
0352-10-7	7	Lilian Capuli	Request for hearing on future employment restrictions as 1824 Principal Admin. Analyst	10/29/10	11/02/10	Callahan Kotake DeVera	10/15/12	5	
0304-10-7	7	Cynthia Carter	Request for hearing on future employment restrictions as Transit Operator (Job Code 9163) MTA	08/18/10	08/19/10	Ford Kwong DeVera			On Hold - CSCer Normandy was recused from voting, leaving only 2 CSCers to vote - continued until there is a full CSC seated.
0218-10-7	7	(Redacted - Peace Officer)	Request for hearing on future employment as Q-4 Police Officer	05/13/10	05/14/10	Callahan Kotake Rockett	04/01/13	1	
0167-12-7	7	Michael S. Costakis	Request for hearing on future employment restrictions as a 7410 Automotive Service Worker with the GSA	06/07/12	06/11/12	Callahan Kotake DeVera Nakajima	02/04/13	1	
0311-12-7	7	Renee Craig	Request for hearing on designation of service unsatisfactory and future employment restrictions.	08/21/12	08/22/12	Callahan Kotake De Vera Calvillo	12/03/12	1	

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0050-13-7	7	Amma Donkor	02/19/13	02/21/13	Callahan Kotake			
0162-12-7	7	George Dugan	05/29/12	06/04/12	Callahan Kotake De Vera Marini			On hold - pending resolution of grievance/arbitration
0126-06-7	7	Augustine Fallay	03/05/06	03/08/06	Ginsburg Jacobi Lee			No longer on hold - grievance/arbitration resolved. To be scheduled for hearing upon submission of staff report.
0059-12-7	7	Raquel Ferrer	03/13/12	03/14/12	Callahan Kotake De Vera Ramirez			Postponed to CSC mtg of 9/16/13 per CSC action at mtg of 7/15/13 at department's request
0368-09-7	7	(Redacted - Peace Officer)	12/04/09	12/07/09	Callahan Kotake Rockett (dept rep)	01/14/13	5	
0297-05-7	7	(Redacted - Peace Officer)	05/13/05	05/17/05	Ginsburg Campos (dept rep)	02/27/13	5	
0015-13-7	7	(Redacted - Peace Officer)	01/18/13	01/22/13	Callahan Kotake Palileo (dept rep)	04/15/13	1	
0232-11-7	7	Florencia Inserto	08/22/11	08/24/11	Callahan Kotake Jacobi	01/07/13	5	
0089-09-7	7	(Redacted - Peace Officer)	03/24/09	03/26/09	Callahan Johnston Rockett (dept rep)	01/04/13	5	
0046-12-7	7	Lock Kwan	02/28/12	03/01/12	Callahan Kotake De Vera Marini			
0491-12-7	7	Sen Cheong (Sam) Lai	12/24/12	12/26/12	Reiskin Ellison Leung Palileo	03/04/13	1	

Register No.	Type		Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0334-12-7	7	Alexis M. Madden	Request for hearing on future employment restrictions as a 9209 Police Service Aide with the SFIA	09/13/12	09/14/12	Callahan Centeno De Vera Kotake V'gomez	11/29/12	2	
0060-12-7	7	George Mande	Request for hearing on future employment restrictions as a 2320 Registered Nurse with Laguna Honda Hospital.	03/13/12	03/14/12	Callahan Kotake De Vera Ramirez			Postponed to CSC mtg of 9/16/13 per CSC action at mtg of 7/15/13.
0350-11-7	7	Jim Meisenbach	Request for hearing on future employment restrictions as a 9332 Pile Worker Supervisor I with the Port of San Francisco	12/23/11	12/27/11	Callahan Kotake De Vera Holmes			On hold - pending resolution of grievance/arbitration
0250-09-7	7	(Redacted - Minor)	Request for hearing on future employment restrictions as 3264 Camp Assistant	07/21/09	07/23/09	Callahan Kotake Rockett Gee	12/26/12	4	
0168-11-7	7	Vidalina Pubill	Request for hearing on future employment restrictions.	06/13/11	06/15/11	Ford Ellison DeVera	12/03/12	4	
0010-13-7	7	(Redacted - Peace Officer)	Request for hearing on future employment restrictions as a [redacted].	01/18/13	01/22/13	Callahan Kotake (dept rep)			On hold (reason redacted)
0211-11-7	7	Andrew Sisneros	Request for hearing on future employment restrictions as a 9163 Transit Operator with the MTA	07/26/11	07/27/11	Johnson Ellison DeVera			On hold pending resolution of PERB charge and lawsuit.
0207-11-7	7	Bruce I. Stevens, Jr.	Request for hearing on future employment restrictions as a 7346 Painter with DPW.	07/18/11	07/22/11	Callahan Kotake Wong De Vera	03/22/13	5	
0094-11-7	7	James Taylor	Request for hearing on future employment restrictions as a 7205 Chief Stationary Engineer with FAMSF	04/01/11	04/04/11	Callahan Kotake De Vera Castillo	04/17/13	5	
0360-07-7	7	(Redacted - Peace Officer)	Request for hearing on future employment restrictions as a [redacted].	04/27/07	04/30/07	Horan Johnston	03/04/13	1	

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0523-07-7	7	(Redacted - Peace Officer) Request for hearing on future employment restrictions as a [redacted].	07/20/07	07/23/07	Horan Johnston (dept rep)	03/04/13	1	
0209-12-7	7	(Redacted - Peace Officer) Request for hearing on future employment restrictions as a [redacted].	06/11/12	06/19/12	Callahan Kotake Kraus (dept reps)	01/10/13	5	

POSITION-BASED TESTING APPEALS

Register No.	Type	Subject	Date Received	Date Trans	Referred To	Resolved On	Resolution Category	Comments
0338-12-4	4	David L. Donahue, Jr. et.al Appealing the examination process for Class 4334 Investigator.	09/14/12	09/18/12	Callahan Kotake Tapia	11/05/12	1	

Appeal Statistics for Fiscal Year 2012-2013

FY2012-13 Total Number of Appeals:	151
# of Appeals Carried Over from FY2011-12:	44
# of Appeal Appeals Received in FY2012-13:	107

Totals by Category	
Classification (2)	3
Compensation (3)	0
Examination (4)	92
EEO/Discrimination (6)	18
Future Employment Restrictions (7)	38
Personal Services Contracts (8)	0
Position-Based Testing Examination	1

Resolved Appeals	
Hearing at CSC (1)	72
Untimely (2)	19
Not Appealable (3)	1
Resolved Administratively (4)	17
Other (5)	12
Total # of Resolved Appeals	121
% of Total Appeals Resolved	80%

Total for FY 12-13: 115									
Totals by Category									
				Category					
Letter or Email				50		Appointments (1)			
Phone - Walk in				65		Examinations (2)			
Resolved in 60 days				106		92%			
						Conflict of Interest (3)			
						ERO Administrator (4)			
						Salary Setting (5)			
						Rule Application (6)			
						Certification/Selection (7)			
						Classification (8)			
						Miscellaneous (9)			
						Layoffs (10)			
						10			
						18			
						1			
						1			
						0			
						33			
						15			
						3			
						28			
						6			
Code	Received Date	Letter or Email	Phone Walk in	Issue	Job Class	Dept.	Resolution/Finding	Date Resolved	60 days
6	7/6/2012		1	Emp. released from TEX promotive job; can she return to previous pcs job? She did not complete pb period		ASR	if she took a leave of absence, her job is protected; records indicated she completed pb period; she can be reinstated SE	7/6/2012	y
1	7/9/2012		1	Hired PCS 8118 without posting announcement; claimed employee was a holdover from SFUSD but there is no 8118 at SFUSD	8118	BOS	Position was reevaluated after 8118 retired; decision was made to change position to 1842; 8118 retiree was replaced with an 1842 Holdover (previously SFUSD) SE	7/17/2012	y
1	7/10/2012	1		Anonymous complaint regarding the hire of Ms. Edgerly at DPW - SE	1704	DPW	Inspection review conducted by LM - findings are that DPW appointed Ms. Edgerly to Temporary Exempt As-Needed Class 1704 position and she did not meet the required minimum qualifications. Dept. will take corrective action. - LM	9/10/2012	Y
6	7/12/2012		1	Questions regarding furlough days		SFUSD	Explained that reductions in pay or furlough days are negotiated with each labor union - LM	7/12/2012	Y
6	7/13/2012		1	Questions regarding job announcements and examination Rules for SFPD		SFPD	Explained how she could access the Rules on the CSC website -LM	7/13/2012	Y
4	7/13/2012		1	Questions regarding decertification/recognition election results and certification rules			Discussed the various certification rules and suggested that he contact John Kraus when issues arise regarding job announcements for bargaining unit 2 - LM	7/13/2012	Y
6	7/17/2012		1	Employee requested leave of absence to take another position, leave denied. What can she do?			Explained she can appeal the decision to the HRD; Rule 120 Article X - EA	7/17/2012	Y
2	7/16/2012		1	Matthew Hodges (son) received notification dated 6-27-12 on 7/16/12; missed deadline to respond	7514	MTA	MTA provided verification that email was sent to the correct email address on 6-27-12; it is applicant's responsibility to ensure addresses are correct and that their system is accepting emails from CCSF SE	7/17/2012	Y
2	7/17/2012		1	Was told by SEIU to find out when CSC would administer the closed examination for Class 8226 Museum Guard.	8226	FAM	I explained that CSC does not administer exams and suggested he speak to the FAM HR Director. I followed up with FAM HR and they informed me that there are not any posted vacancies and do not anticipate any soon and there are no scheduled exams for this class. - I phoned the individual and left a message with this information. - LM	7/17/2012	Y
2	7/18/2012	1		E-mail sent to CSC regarding job announcement for Class 7381. Has been in temp exempt status and believed that he would be grandfathered into a PCS status. He questioned why he would need to apply and take the exam for the PCS vacancy.	7381	MTA	I called him and explained that there is no preference or status rights granted to temp exempts. If indeed the eligible list has expired he does then need to apply and take a civil service exam to be considered for a new eligible list. - LM	7/19/2012	Y
9	7/27/2012		1	He was inquiring as to why Rec & Park can hire a Park Patrol Manager when he believes they already have a manager which would be a waste of City funds.		R&P	I explained that the Commission dept. does not have authority over dept. budgets and the number of positions that they are approved for. - LM	7/27/2012	Y
7	8/3/2012		1	Favoritism in the hiring of 1825 Administrative Analyst; Real Estate Manager was close with the applicant hiring and influenced the decision of the hiring manager at PUC	1825	PUC	1824 Exam incl, SQ, Written exam, Supervisory Test; dept had 2 sets of interviews; appointee is reachable and meets MQ; no findings of favoritism SE	10/24/2012	N
2	8/7/2012	1		Direct Supervisor was too lenient to employees to be proctor for exam	7514	DPW	Proctor did not rate exam and was not direct supervisor SE	10/5/2012	y
6	8/13/2012		1	Currently in Class 2314 at DPH and is concerned that due to low patient census he could be layed-off and asked about reclass process and application process for other DPH positions.		DPH	I explained that reclass of positions were determined by the HR Director when there has been a reorganization of functions/duties and is not done at an individual's request. I also clarified that he would be expected to apply for other positions just as any other applicant would in order to be placed on an eligible list for a PCS position. that he does not have permanent status in- LM	8/13/2012	Y

Code	Received Date	Letter or Email	Phone Walk in	Issue	Job Class	Dept.	Resolution/Finding	Date Resolved	60 days
7	8/14/2012		1	Has been employed at PUC for 14 years and was recently reclassified from 4142 to 1825 - provisional status. Took exams for Class 1925, 1824, 1823 and 1822 - Admin Analyst series. Placed on eligibility list for Class 1822 & 1825. Was selected/appointed in Class 1822 and felt that she should have been appointed for Class 1825 although she was ranked as #5.	1822	PUC	We discussed in detail the examination and selection processes that she participated in and she acknowledged that the department complied with Commission Rules, but she just felt that given her length of employment she no longer was being valued. I suggested that we could conduct an formal inspection review and she stated she would contact me if she decided to. - LM	8/14/2012	Y
6	8/20/2012		1	What is the Rule of Three? What if there are 20 vacancies? What ranks are reachable?			If 1 vacancy, ranks 1-3 are reachable. If 20 vacancies, ranks 1-22 are reachable. (The number of vacancies plus the certification rule minus 1) SE	8/20/2012	y
6	8/20/2012	1		Former Class 9132 Fare Inspector who resigned 7/11/2011. States he submitted application for reappointment in June 2012 and has not received a response from MTA. - LM	9132	MTA	I spoke to Kitty Wong, Personnel Analyst at MTA and she informed me that his request is being reviewed and that they will respond to him in writing. She also has notified EEO of his allegations so that they can review and investigate. I requested that the Commission receive a copy of correspondence sent to him. The Commission has sent him written notification that MTA has been contacted and will respond to him directly. - LM	8/24/2012	Y
3	8/21/2012	1		Review regarding selection procedures for Class 7257 Communication Line Supervisor 1 at DT. Also alleges that he was not selected because his brother is a supervisor in the department.	7257	DT	Review conducted/findings are that the dept. complied with Charter and Commission Rules. A qualified reachable eligible who is ranked #2 was appointed. The dept. did review its organizational structure. - LM	10/19/2012	Y
7	8/23/2012	1		Favoritism in the hiring of Senior Personnel Analyst; Position was created to ensure this person would get the job	1244 & 5602	PUC	DHR conducted 1244 examinations; PUC conducted written exercise and oral interviews; rating sheets, questions, exam were uniform and job-related; appointee ranked 1 and performed well in dept. screening SE	11/1/2012	N
6	8/24/2012		1	Referral was issued for 11 positions; 11 offers but only 6 passed background and accepted jobs; then received ADA request to hold 3 positions; can they hold these positions? Do they need to release appointees because no. of reachables will change?	9132	MTA	There was no ADA request when the original 11 job offers were made; therefore the 6 original appointees are retained; now that 5 have not accepted or passed bkgnd, MTA may hold 1 positions for ADA SE	10/23/2012	N
8	9/5/2012		1	Inquiry regarding a new position for DPW - Class 7120. He wanted to know if the Civil Service reviewed and approved the class specifications for new positions.	7120	DPW	I explained that the HRD has the duty and authority to determine/establish job classification and allocation. - LM	9/5/2012	Y
9	9/10/2012		1	Inquiry regarding apprenticeship programs for PUC and when they become Permanent positions.		PUC	Explained that temporary positions do not automatically become permanent positions and advised that he discuss specifics with PUC HR dept. - LM	9/10/2012	Y
1	9/14/2012	1		Complainant states that HSA promoted Lusia Tuimavave to Class 1408 despite failing the exam for Class 1408 Principal Clerk.	1408	HS	Review completed - Ms. Tuimavave was assigned out-of-class duties and was not promoted to Class 1408. The PCS appointment for Class 1408 was in compliance with Rules R. Infante was appointed to PCS Class 1408. - LM	10/30/2012	Y
1	9/17/2012	1		Inspection Review request regarding appointment of Evelyn Russell - Curator I for the Arts Commission. She questions whether the appointee has the job qualifications for the position.	3541	Arts	Review conducted. The Arts Commission complied with the appointment process for exempt appointments which the position was. E. Russell retired in 2010. - LM	9/28/2012	Y
1	9/21/2012		1	Inquiry regarding temporary exempt appointment approval and process.			I explained that approval for temporary exempt requisitions go through HRD and then the Mayor's budget office for justification and approval. Also clarified that selection and appointment is at the discretion/approval of the appointing officer and or department head as these positions are not PCS and not subject to the civil service selection process. - LM	9/21/2012	Y
7	9/24/2012	1		Favoritism in the hiring of the Assistant Director at HRS does not have HR experience as required in announcement;			PUC posted announcement, conducted panel interviews and second interview, and appointee met MQ and several of the desirable qualifications SE	11/19/2012	y
1	9/28/2012		1	An employee contacted him stating that he was being layed off from his temporary exempt position so Kevin called for clarification on temporary exempt positions.		PUC	I explained the nature of temporary exempt positions and that they are not PCS positions and that there is no status and/or bumping rights. Individuals are informed at the time of hire that their position is temporary exempt and the definition of that by being given an exempt appointment form that they sign. - LM	9/28/2012	Y

Code	Received Date	Letter or Email	Phone Walk in	Issue	Job Class	Dept.	Resolution/Finding	Date Resolved	60 days
9	10/2/2012		1	He is an applicant for Class 0931 Radio and PBX Services Manager for DT and was informed that the position vacancy has been cancelled. He believes the dept. is doing this to avoid hiring him.	931	DT	Review conducted - DT's Chief Technology Officer decided to cancel/suspend the recruitment because only two candidates were interviewed which does not provide a competitive exam and selection process. - LM	11/9/2012	Y
1	10/3/2012		1	Jesse Hoffman does not meet MQ to be the Acting Head Airport Electrician; he does not have high voltage experience	9242	SFIA	JH is a 7238 Electrician Supervisor I but in an acting assignment as a Class 9242 Head Airport Electrician. Rules do not require employee to meet the MQs of the acting assignment classification. He is not directly supervising electricians who work on high voltage equipment. SE	11/19/2012	y
2	10/9/2012	1		Appeal filed - but will be handled as an Inspection review. His application was rejected due to not meeting minimum qualifications, yet his co-worker who has the same work experience was not.	7281	DPW	Inspection review conducted - He claimed that another applicant, Norflis McCullough did not meet the requirements yet was placed on the eligible list. N. Mansker has only one year supervisor experience which is why his application was rejected. N. McCullough met the two years supervisory experience required because he was an acting Supervisor for the Supervisor II who was on a leave of absence. DPW conducted the assessment and exams accordingly. - LM	12/7/2012	Y
9	10/12/2012	1		Raised concerns about a PSC that was approved for the MTA.		MTA	Responded to concerns. -JJ	10/31/2012	Y
2	10/15/2012		1	Complainant has requested to be anonymous. He has raised issues of bias concerning the interview panel members and has questioned the applicability of the interview questions.	5207	MTA	Inspection review conducted regarding the oral interview/exam process used for selection appointment. There was no indication of bias found and questions were relevant to the level of the position. MTA followed Commission Rules and HR policies. - LM	12/19/2012	N
2	10/15/2012		1	Discussion covered many issues regarding the Q50 Sergeant examination process for SFPD and what are appealable issues and/or inspection service review items. Other members of SFPD have approached him regarding this subject matter so he felt it would be helpful to better inform himself regarding Commission Rules governing the examination process.	Q-50	SFPD	I discussed the issues and referenced the Commission Rules that are applicable to his inquiries. - LM	10/15/2012	Y
7	10/16/2012	1		Favoritism in the hiring of Isela Gonzalez for 2591	2591		DPH conducted a competitive selection process for PV 2591 position; Ms. Gonzalez met MQ & DQ; no employee was laid off so there were no bumping rights SE	1/7/2013	N
9	10/18/2012		1	She submitted job applications to MTA while currently on leave of absence and has spoken to Chris Iborra - Labor Relations Manager. Confusion regarding her understanding about reasonable accommodations.		MTA	I directed her to contact him directly and I also called Chris Iborra so that he could anticipate her call - LM	10/18/2012	Y
9	10/18/2012	1		Complaint that an employee released from probation on a promotive appointment (Shellye Arnold) was not immediately reverted to her underlying PSC appointment.	3422	REC	Responded by letter via email on 10/29/12. -JJ	10/29/2012	Y
9	10/18/2012		1	Raised concerns about Rumi Ueno's release from the MTA and had concerns about MTA's response that it lacked jurisdiction to process her discrimination complaint because she is no longer employee.			MTA agreed to investigate her complaint. - JJ	10/23/2012	Y
2	10/18/2012	1		Took exam on October 3, 2012 for Class 7382 - Automotive Mechanic Assistant Supervisor position at MTA. MTA's invitation letter stated that no re-scheduling of the exam would be provided. However, Michael Steady and other applicants were able to take the exam on October 12th. He believes this is cheating as they were able to discuss the exam with applicants who took it on October 3rd.	7382	MTA	Inspection review conducted. One candidate was allowed to take the exam on October 12, 2012 because he had pre-arranged travel plan for outside of California which met DHR's guidelines for make-up exams. Dept. acted appropriately and both individuals ranked #12 on eligible list. - LM	11/26/2012	Y
2	10/22/2012	1		Was rejected as a Q-2 Police Officer candidate and has requested an inspection review regarding the determination.	Q-2	SFPD	Inspection Review completed - findings confirmed that SFPD complied with the Charter, CSC Rules, and HR policies and procedures regarding the department's criteria for qualification/disqualification. - LM	12/20/2012	Y
7	10/23/2012	1		Inspection request regarding selection process for Class 1704 Communications Dispatcher. Was previously employed with City in Class 1704.	1704	DPW	Review conducted and findings are that DPW selected the three most qualified candidates for the temporary exempt- as-needed positions at DPW. - LM	11/19/2012	Y
9	10/23/2012	1		Requested information on how to obtain a PSC appointment, examinations, etc. Request for information on specific positions.			Responded with requested information. - JJ	10/30/2012	Y
9	11/5/2012	1		Submitted complaint regarding a ticket received by the MTA.		MTA	Forwarded complaint to MTA after exchanging communications regarding the process and what occurred. -JJ	11/15/2012	Y
8	11/6/2012	1		Attorney for SFMSA requesting a review for Chief Deputy Sheriff Class 8314 citing that it is listed as exempt and has been non-exempt in the past.	8314	SD	Spoke to him on 11/8/12 and clarified that there is not a current exam announcement so unable to do a review - explained the various reasons a position could be posted as exempt. - LM	11/8/2012	Y
10	11/13/2012	1		Requested information regarding eligible lists, and PSC examinations and hiring processes.			Responded via email on 11/15/12 with requested information. -JJ	11/15/2012	Y

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7	11/13/2012		1	Interviewed for Class 7376 Sheet metal Worker at MTA and is ranked #7 on the eligible list. He questions why he wasn't hired. Inspection review requested.	7376	MTA	Inspection review conducted - Dept compliant with Commission Rules. - LM	1/11/2013	Y
1	11/13/2012	1		Review requested regarding Rec & Parks decision to rescind employment offer for Class 2708 Custodian.	2708	REC	Inspection review conducted. The dept completed the background and reference checks for all its final candidates and chose to rescind Mr. Guarin's conditional offer of employment based on the employment references they obtained. - LM	1/9/2013	Y
10	11/16/2012		1	Complaint regarding the Social Worker examination and the fact that one of the questions was knowledge-based and therefore made it susceptible to cheating.	2920	DPH	DPH will revise the exam and reissue the announcement. Responded to the complainant. -JJ	11/26/2012	Y
9	11/26/2012		1	Requested to be anonymous. Claims that another applicant - Steve Noya does not meet the min qualifications and that he was not given the same amount of time for the oral interview conducted at the airport for Class 6318 Construction Inspector. interview	6318	SFIA	Inspection review conducted regarding the interview process. The dept conducted the interviews in the same manner for all seventeen applicants/eligibles that were interviewed. No one was given more interview time. LM	1/3/2013	Y
2	11/27/2012	1		Regarding the closing of the 9506 Sr. Permit & Citation Clerk job announcement with MTA	9506	MTA	Explained process - JJ	11/29/2012	Y
9	11/29/2012	1		He would like back pay compensation (like work like pay) for time that he spent as the Police Department Commission Secretary because the position is now held by an officer in a higher classification.	Q-62	SFPD	Responded that it is an issue under the MOU and provided him with the POA's contact information; it is not a matter under the Commission's jurisdiction.	12/2/2012	Y
9	12/7/2012	1		Copy of the materials related to related to an appeal filed by Peter Arnautoff, and minutes from the meeting at which the matter was heard.			Responded via email with the requested information on 12/7/12. -JJ	12/7/2012	Y
9	12/10/2012	1		Requesting assistance and guidance on the PSC process and submission requirements. Discussions regarding specific PSC that was approved by the CSC but has since changed in scope and managing department.		DPW	Provided advice. -JJ	12/12/2012	Y
6	12/17/2012		1	At the December 17, 2012 Commission meeting, DHR presented a staff report/listing of future employment restrictions. President Favetti noted that the two listed for the SFIA were rescinded. She requested an inspection service review.		SFIA	Inspection review conducted and report presented to Commissioners at 04/01/2013 meeting. - LM	2/11/2013	Y
7	12/18/2012	1		Request for review regarding methods and procedures used to establish eligible lists.	6318	PUC	Review conducted. There was no violation of Rules, however, there was a significant number of eligibles within the cert rule which brought attention to the methods used for ranking and that there are no clear guidelines on adjusting scores within ranges. Exec Officer will work with DHR to establish guidelines to ensure consistent and valid processes. - LM	2/13/2013	Y
1	12/18/2012	1		Disputes the Commission's Inspection Service findings and raises the following new allegations in support of his position that Mr. Hoffman cannot properly be considered to be in a temporary out-of-class assignment, and that his assignment therefore violates the Civil Service Rules: 1) Mr. Hoffman was never given an out-of-class assignment; 2) SFIA could have made, but did not make, an appointment of a qualified individual through regularly established Civil Service Rules; and 3) due to his lack of training and experience, Mr. Hoffman is qualified neither for an out-of-class assignment nor a supervisory differential.	9242	SFIA	Inspection review completed - findings confirmed that the SFIA complied with the Charter, Administrative Code and Civil Service Rules. SE/JJ	1/7/2013	Y
7	12/19/2012	1		Review request regarding how the eligible list was established for Class 6317 & 6318 for PUC. There are only five rankings, yet there are approximately 104 eligibles among these rankings. They believe this almost constitutes a Rule of List and that it should be questioned as to how the ranges for their rankings were established..	6318	PUC	Inspection review conducted. Eligibles were scored and ranked on the eligible list based on the converted scores received based on the assessment of their training and experience of the supplemental questionnaire each completed. Scores were grouped into five rankings. The dept did not violate any Rules, however, the review raised issues regarding the use of training and experience questionnaires as a means for ranking. - LM	2/13/2013	Y
6	12/26/2012		1	What are appealable matters? What is the process?			Rule 105; Submit protest of examination to HRD; HRD decision is appealable to CSC SE	12/27/2012	y
9	12/26/2012	1		Requested the 1987 Pay Equity/Comparable Worth Study done by the Civil Service following the passage of Proposition H in 1986 and related information.		- JJ	Applicable information was provided	12/26/2012	Y
10	12/26/2012		1	Requested information about the 2320 examination/post-referral selection process.	2320	DPH	Explained the process. - JJ	12/26/2012	Y
6	1/2/2013	1		Mgr retaliated by using disciplinary action for reporting harassment and discrimination		MTA	Disciplinary action is not an appealable matter; if a claim of discrimination is submitted to EEO, the decision can be appealed to CSC. SE	1/2/2013	Y
6	1/11/2013		1	Nurse released from probationary period; favoritism in the dept; staff is all the same race		DPH	Employee may be released at any time during their probationary period; Contact EEO regarding claims of favoritism/discrimination SE	1/11/2013	Y
2	1/17/2013	1		Appointees do not meet MQ; Depts did not comply with CSC Rules	7242 7278 7346	SFIA DHR	competitive selection process; rating records were job related and uniform; no bias found SE	3/20/2013	y
9	1/22/2013		1	Called to complain that the Executive Officer still has not responded to his public comment during the Commission meeting of March 5, 2012, as he believes the Commission assured him she would.	9163	MTA	Tried to phone him back at the number he left but it was incorrect. -JJ	1/22/2013	Y

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9	1/22/2013	1		Request for assistance on the PSC process for a number of upcoming emergency DBI contracts.		DBI	JJ emailed DBI, OCA, CAO and DHR, proposing that DBI schedule a meeting since it will require review of a number of legal issues; and explained CSC requirements and procedures for PSC contracts.	1/24/2013	Y
9	1/23/2013		1	Requested information about the merit system and split of the Civil Service Commission and DHR.			Emailed all requested information. -JJ	1/25/2013	Y
6	1/28/2013		1	On a leave of absence due to work injury and received Notice of Medical Separation		REC	Medical Separations are not heard by CSC; Dept. must comply with FMLA; speak with hr staff at REC re: number of days an employee is eligible for Leaves of Absence; contact Intercare re: Workers Compensation Claims SE	1/28/2013	Y
9	1/28/2013	1		Requested information on employment with the City.			Responded with requested information. -JJ	1/29/2013	Y
10	1/29/2013	1		Asks the Commission to conduct an investigation into the conduct of DHR and SFFD personnel in the development, administration and scoring of promotional examinations for the SFFD (H-40 Battalion Chief).		SFFD	Submitted to the Commission for its review on 1/30/13 with the Commissioners' binders. The H-40 Battalion Chief and related complaints are scheduled to be heard at the CSC meeting of 3/4/13. -JJ	1/29/2013	Y
2	1/30/2013		1	Reachable Eligibles were not notified when the dept. was hiring; Dept did not comply with CSC Rules; Favoritism	1632	PUC	appointees were on a register; no certification rule; only 2 people on the register; both were notified SE	4/4/2013	N
6	2/1/2013	1		Requested information regarding outstanding appeals.			Responded with requested information. -JJ	2/5/2013	Y
9	2/8/2013	1		Requested review of Rec & Park's decision to assign Marcus Santiago to be Lead Head Park Patrol officer.		Rec	Rec & Park contacted and it was confirmed that Mr. Santiago is receiving authorized lead pay. The dept has the authority to determine its departmental supervisory structure and these issues are not within the jurisdiction of the Commission. This information was communicated to the complainant. -LM	2/22/2013	Y
9	2/19/2013	1		Civil Service criteria, evaluations, and reasonable accommodation etc.	1649	DPH	Provided information regarding applicable rules and procedures. -LM	2/19/2013	Y
6	2/21/2013	1		Submitted protest and met with MTA on classification posting; MTA sent letter dated 2-4-13 informing L21 of changes but no effective date of classification action; informed they had 30 days after postmarked date to appeal; What is the appeal timeframe for a final classification action by MTA?	8167	MTA	MTA letter dated 2-4-13 did not have effective date of classification action; MTA did not post final classification action until 2-21-13; L21 can appeal 30 days after final classification action date SE	2/25/2013	y
6	2/26/2013	1		Employee had reasonable accommodation request and is being transferred to another department; do they have a probationary period?		SFPD	If employee has not completed pb period in that class and department, they will have a new probationary period. Rule 117.3.3 SE	3/1/2013	y
6	3/5/2013		1	Employee transferred to a new dept. but same class; released from probationary period; previous dept. would not return her to her previous position and is being returned to previous position in lower classification.	1654		Employee resigned from previous position before transferring to new dept.; dept. was correct in returning employee to previous pcs position, which was in a lower classification. SE	3/5/2013	y
9	3/5/2013	1		Requested information regarding the City's Catastrophic Sick Leave Program.		SFIA	Responded with requested information. -JJ	3/6/2013	y
8	3/5/2013		1	If 2 employees are reclassified because job tasks have changed and the compensation change is less than 71/2%, does the dept. need to go to CSC for approval?			If the employees are granted status in the new class and the salary change is less than 71/2 %, dept. does not need to get CSC approval to reclassify. SE	3/6/2013	y
2	3/13/2013	1		Rejected because of past conviction history from many years ago;	2312	SHF	DPH did not send disqualification ltr to applicant yet; not yet appealable; SHF has not disqualified applicant SE	3/19/2013	y
6	3/14/2013		1	Released from pb period; could not reinstate to previous position; told she had to take another exam to be on the eligible list	1654		Release for pb period; Resigned previous position; Employee can return to previous PCS position in lower class SE	3/14/2013	y
7	3/15/2013		1	Ranked 1 and Rule of Three Scores; 3 reachable eligibles but was never contacted for interviews	7345	MTA	Dept was conducting the selection process, but received ADA request; position was no longer vacant SE	4/17/2013	y
6	3/20/2013		1	An employee was terminated during probationary period, wanted to know if he could appeal? Then said employee was discriminated against.			No appeal rights if released during pb period. Can only appeal future employment restrictions. File discrimination complaint w/DHR-EEO and EEOC. Can appeal DHR findings of EEO complaint to CSC. EA	3/20/2013	y
6	3/22/2013	1		Requested clarification regarding the application of Rule 216 (Medical Rejections/Disqualifications)		SFPD	Responded with requested information. J	3/25/2013	y
6	3/8/2013	1		Inquiry regarding the 20/20 Work Training Program in the Civil Service Rules.		SFIA	Responded with requested information via email on 4/2/13. JJ	4/2/2013	y
7	4/4/2013		1	Favoritism in the hiring of 1632 Senior Account Clerk positions	1632	PUC	Appointees met the MQs, were reachable eligibles, and completed a competitive selection process; dept verified employment and education SE	6/14/2013	N
9	4/12/2013		1	Filed EEO Complaint; dept. completed investigation but did not provide findings; dept. offered settlement agreement to transfer her to a different manager but remain in same class; but she must withdraw her EEO claim	1823	MTA	Employee accepted settlement and withdrew EEO Claim SE	4/29/2013	y
9	4/16/2013	1		Head Airport Electrician Supervisor does not meet MQ; Favoritism in the promotions at the Electric Shop		SFIA	Employees were in Acting Assignments or Lead Positions; they were never promoted to new positions SE	6/14/2013	y

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2	4/17/2013		1	Submitted required certification, but she was disqualified because dept. informed her that they never received it;	8121	MTA	MTA gave 5 extra days for her to submit certificate but has no record of any submission by her; emailed her that she was disqualified after the extension period. SE	4/18/2013	y
7	4/22/2013		1	REC hired new gardeners who did not pass PB period to supervise gardeners; no announcement posted; previously TEX announcement was posted;		REC	Provision 171 in MOU states if 3417 was assigned to be District Captain, they would receive addition 5% pay; no appointments were made; these were only Acting Assignments. SE	4/23/2013	y
6	4/22/2013		1	28 employees chosen to be District Captain; some only had 6 months experience; no announcement posted; employees with higher seniority were not chosen;			Provision 171 in MOU states if 3417 was assigned to be District Captain, they would receive addition 5% pay; no appointments were made; these were only Acting Assignments. SE	4/23/2013	y
6	4/25/2013		1	Requested more information regarding Rule 115 and the employment of persons with disabilities.		REC	Responded with information and links to informational materials. JJ	4/25/2013	y
10	4/29/2013		1	Employees were laid off; put on holdover list, class deleted, positions reclassified; but employees were not hired back	3280	DSS	Employees were bumped because REC laid off 3280s; REC deleted 3280 class; DSS reclassified position after job analysis; employees are ranked in the middle of the holdover roster. SE	5/17/2013	y
6	5/2/2013		1	Can the dept. change the certification rule to the Rule of 10 Scores for Environmental Health Inspectors?	6120 6122 6124	DPH	Rule 113.7.1 Rule of 3 Scores Exclusively for TWU Local 250A SE	5/3/2013	y
7	5/9/2013	1		MTA hired 4 9139s as PV 9160; did not meet MQ; MTA changed class specification without meet and confer	9160	MTA	Four 9139s were placed in Acting Assignments as 9160s; there were no promotions into new classifications SE	6/21/2013	y
6	5/13/2013		1	Dept. mistakenly informed employee that PB period was 6 months instead of 1 year; dept changed date on notification but did not inform employee; released employee after 6 months; filed grievance but is it also appealable to CSC?		MTA	PCS employees are required to complete probationary period and can be released at any time during the period; duration of PB period is in MOU; can file grievance; appealable only if FER or due to disciplinary action SE	5/13/2013	y
6	5/14/2013		1	REC hired new gardeners who have not completed pb period to be captains; favoritism	3417	REC	Per MOU, captains are acting assignments, not appointments to new classifications; Rules do not have dept. selection procedures for acting assignments SE	5/14/2013	y
6	5/14/2013		1	REC hired new gardeners to be captains; gardeners with seniority were not considered; favoritism because a few women or of other ethnicities were selected	3417	REC	There are no specific Rules on selection of employees for Acting Assignments; MOU agreement btwn. REC and Org. that employees would be selected as Captains as an Acting Assignment; can file EEO claim at DHR SE	5/14/2013	y
2	5/15/2013	1		Disqualified for not having BA/BS Degree; but she provided documentation of having MBA	1820	SFPL	Disqualification from PBT exam is not appealable; however MBA qualified her to participate in the PBT exam; DHR removed disqualification and deemed her qualified SE	5/20/2013	y
6	5/20/2013		1	Certification Rule was changed on the announcement without notifying union; Rule of 3 in 2011 and now Rule of 10 in 2013	3422	SFIA	Airport notified Local 261; Local 261 agreed to the certification rule of the Rule of Ten Scores on 4-4-13 SE	6/7/2013	y
9	5/21/2013	1		Request to return to RDA Priority Eligible List; Released from 1st TCS position because PUC needed employee with special qualifications; released from TTX TCS position after 1 month with no explanation or documented performance issues			RDA employee was released from TCS position at PUC; DHR said position should have had special conditions; employee placed in TCS position at TTX; TTX released emp. With no disciplinary action; Rules do not give authority to return emp. To the RDA Priority Eligible List SE	6/12/2013	y
7	5/22/2013	1		HRD denied appeal to revive and extend expired Q-50 Eligible List	Q-50	HRD	HRD does not have authority to revive and expired eligible list; no Rule was violated in the denial; matter is not appealable SE	6/14/2013	y
6	5/23/2013	1		If the employee completed the pb period as a part time employee, do they need to complete another pb period as a full time employee in the same class?	9163	MTA	417.3.6 P/T to F/T in the same class and dept is subject to new pb period unless the employee completed the pb period previously as a full time in the same class and dept. SE	5/24/2013	y
9	5/23/2013		1	Submitted application on JobAps but DHR shows no record of him "submitting" an application.		DHR	DHR checked JobAps; applicant shows no record of completing and submitting application SE	5/24/2013	y
2	6/3/2013	1		Hired as a provisional but dept was informed that there was an eligible list; so the dept hired her as TEX; can she apply for an exam conducted by another dept, but be hired by SFUSD? How will her benefits and retirement be affected? Why can't the dept conduct exam if they need people?		SFUSD	DHR is not conducted exams for OT; she can participate in the exam if it is conducted by the dept.; SFUSD can use the same eligible list and hire her if she is reachable on the eligible list; if she becomes a provisional at SFUSD can participate in an exam, the dept. can hire her without interview other candidate, if she is reachable. SE	6/3/2013	y
2	6/5/2013		1	Dept. was about to set him up for training but one class was cancelled; before he could attend the next training class, the eligible list expired	9163	MTA	He was still in the post referral process and was never given an offer of employment; training class is part of the post referral process; candidates are selected for training by rank order; he was ranked 169; eligible list expired end of May SE	6/5/2013	y

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9	6/5/2013		1	Dept. is not following procedures in the scheduling of staff; although he has higher seniority, the mgr. suddenly changed only his schedule		MTA	Scheduling and shift bidding is not under CSC jurisdiction; MTA and MOU has procedures on shift bidding and scheduling SE	6/5/2013	y
10	6/6/2013		1	She had higher seniority than others in the same class and dept, but the dept. laid her off; her position had a special condition and they kept a provisional employee	9977	SFUSD	Her position was deleted due to lack of funding; she bumped the provisional employee who was also in a position with a special condition of being bilingual in Cantonese; the PV employee was still within the dept. but in a different division SE	6/10/2013	y
9	6/6/2013		1	Scheduled for Skelly Hearing; employed for 6 years in the same class and dept.; after mgmt change, performance reviews and improvement plans became poor in the 4th year; falsely accused of performance issues; co-workers in the same class as she is in are supervising her		PUC	Performance reviews and improvement plans, terminations, supervisory assignments are not under the jurisdiction of CSC; future employment restrictions or decisions by HRD on EEO claims are appealable to CSC SE	6/6/2013	y
6	6/6/2013		1	What is the Rule of Three Scores? Do they need to be notified and interviewed?			The top three ranks are reachable eligibles who must be notified of the vacancy in the dept.; if there is more than one vacancy, then the # of reachables = the # of vacancies plus 2; not required to interview all reachables SE	6/6/2013	y
1	6/14/2013		1	employee does not meet MQ for TEX 9922 Public Service Aide position	9922	PUC	Position is temporary exempt and not subject to civil service criteria - SE	6/14/2013	Y
6	6/18/2013		1	What is the Rule of Three Scores? How are the scores calculated?			Eligibles in the 3 highest ranks are reachable; there may be several who are tied and in the same rank; if more than 1 vacancy, reachable eligibles are the # of vacancies plus 2 more ranks; each exam is calculated differently depending on the type of exam for that class/position/dept.; no Rule on how scores are calculated SE	6/18/2013	y
6	6/19/2013		1	Soon to be retired employees are trying to use up their sick leave in combination with their vacation before they retire; are there Rules or policies that prevent employees from using up their sick leave when they are not sick?		PUC	Rule 120, Article II describes when an employee can take sick leave and also when the appointing officer can conduct investigations or require certification from an employee; Employee Handbook also describes when an employee may use sick leave. Dept wide notification should be sent out to all employee; mgmt conversations should be conducted with specific employees who may be violating Rules and policies SE	6/20/2013	y
2	6/21/2013		1	Submitted application for Class 8121 at MTA and was disqualified due to not providing CPR certification. She says she delivered to MTA HR dept.	8121	MTA	Will conduct an inspection review - LM		
9	6/21/2013		1	How can an employee who was previously in apprenticeship class (7333) have higher seniority than a Stationary Engineer (7334) who was hired before the apprentice?		MTA	Employees from the apprenticeship program (different job class) would not have higher seniority in the new job class (7334); seniority roster in PeopleSoft had the old dept. seniority date from being the 7333 instead of the more recent date of appointment to 7334; eMerge will correct the problem; dept. seniority date is the date the employee was appointed to the position in that dept. SE	6/24/2013	y
7	6/21/2013		1	She is ranked #8 on the eligible list for Class 2303 - Patient Care Assistant for DPH and questions why individuals who have lower ranks have been selected and appointed.	2302	DPH	I explained the certification rule and selection process. More than likely DPH had a sufficient number of approved positions to fill which then increases the number of eligibles that can be certified. Eligibles often have difficulty understanding this and believe appointments should be made by rank order. - LM	6/21/2013	Y
6	6/29/2013		1	Favoritism and nepotism in the hiring of TEX 9702, PCS 9706, TEX 14___ & PCS 9706; mgr is only hiring a specific sex and ethnicity		H.S.A.	SE		

CIVIL SERVICE COMMISSION



NOTIFICATION OF APPEAL RIGHTS

MERIT SYSTEM AUDIT PROGRAM

FISCAL YEAR
2012-2013

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/issue 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.

AUDIT OBJECTIVES FISCAL YEAR 2012-13

The objective of the Civil Service Commission audit review for Fiscal Year 2012-13 is to review and assess whether departments are compliant with Civil Service Commission Rules governing notification and procedures for filing applicable Rule appeals. The specific areas of the audit include the content of information stated on job/examination announcements regarding applicable appeal rights; informing applicants of appeal procedures in notification letters of disqualification/rejection sent to applicants; and, notification of appeal procedures in the acknowledgement and or notification of the closure of complaint charges alleging discrimination.

In the report released to the public by the Fiscal Year 2010-11 San Francisco Civil Grand Jury regarding the "Hiring Practices of the City and County of San Francisco", the Civil Grand Jury recommended that on all job announcements and/or job applications there should be a link or statement of information outlining in easily understandable language under what conditions a job applicant can appeal to the Department of Human Resources and/or the Civil Service Commission. One of the areas of the audit conducted last year for Fiscal Year 2011-12, focused on a random selection of job announcements that were specifically reviewed regarding the content of information provided to applicants regarding procedures for filing appeals and the applicable Rules defining

matters that are appealable. This portion of the 2011-12 audit identified that five (5) of the job announcements reviewed did not reference any information regarding Civil Service Commission appeal rights. Therefore, job announcements were audited again for the Fiscal Year 2012-13 audit program regarding the content of information provided to job applicants regarding the appeal process in order to assess if there is compliance in referencing applicable Rule provisions.

In summary, the Fiscal Year 2012-13 audit program consists of seven (7) audit/reviews. Commission staff reviewed documents pertinent to the subject matter of the audit which involved the following departments: Municipal Transportation Agency (MTA), Department of Human Resources (DHR - EEO Division), Department of Building Inspection (DBI), Public Utilities Commission (PUC), San Francisco Police Department (SFPD), Recreation and Parks Department, San Francisco International Airport (SFO), Fine Arts Museums of San Francisco, General Services Agency (GSA), Department of Emergency Management, San Francisco Employees' Retirement System and San Francisco General Hospital and Trauma Center (SFGHTC) - Department of Public Health.

The findings of the audit reviews were determined by reviewing the following documents for the inclusion of Commission Rules or references regarding applicable appeal rights.

1. Job/examination announcements;
2. Disqualification notification letters from the examination sent to applicants informing applicants of the basis for the rejection or disqualification;
3. Closure Notification Letters to Complainant sent by the MTA EEO Division to inform the complainant of the determination or closure of the charge.

SUMMARY ANALYSIS OF AUDIT FINDINGS

JOB/EXAMINATION ANNOUNCEMENTS

Ten (10) job/examination announcements were reviewed for the content of information provided to job applicants regarding appeal rights. **Audit findings for this fiscal year indicate departments are now consistently referencing correct information regarding Commission Rules regarding appeal rights on the job/examination announcements.**

NOTIFICATION OF APPLICANT DISQUALIFICATION/REJECTION

The subject of this portion of the audit was to review notification letters that were sent to applicants informing the applicants of the disqualification or rejection of their application. Five (5) departments were audited for their initial screening/selection process regarding notifications to applicants regarding the applicant's disqualification/rejection. The information provided in the notification letters sent by the Department of Building Inspection and MTA exhibited the most informative and concise letter detailing information regarding the reason for disqualification/rejection applicable to the individual applicant.

The Department of Building Inspection, DHR – EEO Program and MTA clearly stated in the notification letters that the application status may be reconsidered if additional documents/information was provided within five (5) working days from the date of the notification. Notification letters sent by PUC and SFPD did not make any mention of reconsideration of the application; their letters were brief overall in their response. **Whether the position posted was for a Class Based Test or a Position Based Test, it was identified that there lacks a consistency among departments to provide an applicant with the opportunity to request reconsideration of the application by submitting additional documents within five (5) working days and to provide reference to applicant appeal rights or where to obtain information on appeal rights.**

EQUAL EMPLOYMENT OPPORTUNITY

Discrimination Complaint Appeal Procedures

Commission staff requested from the MTA EEO Program a list of complaints filed during Fiscal Year 2012-13. Commission staff randomly selected ten (10) complainants and reviewed the notification letters sent to them regarding rights to filing an appeal. Some notifications did not reference appeal information at all, whereas some did, but did not state that the appeal must be filed within thirty days to the Civil Service Commission and/or provide the address for the Civil Service Commission. **The findings indicate that there lacks consistency in providing all the required information on appeal rights in accordance with Civil Service Commission Rules and procedures.**

AUDIT REVIEWS

JOB/EXAMINATION ANNOUNCEMENTS

Job/Examination Announcements

This focus of the audit was to review the job and/or examination announcement. 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.

Appeals of Examination Announcements

Civil Service 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.

Summary of Findings and Analysis

The majority of the Permanent Civil Service position vacancies that were posted during 2012-2013 were for PBT examinations. Therefore, the announcements listed below that were selected for review are all PBT announcements.

Job/Examination Announcements

Classification	Department
Chemist I/II	San Francisco International Airport
Personnel Analyst	Human Resources Department
Chief Museum Preparator	Fine Arts Museum of San Francisco
Animal Control Supervisor	Animal Care & Control - GSA
Safety Analyst	Administrative Services - GSA
Mgr. II- Maintenance Planning Manager	San Francisco International Airport
Medical Social Work Supervisor	SF General Hospital – DPH
Aquatics Facility Supervisor	Recreation and Parks Department
Public Safety Communications Coordinator	Department of Emergency Management
Mgr. V – Retirement Services Administrator	San Francisco Employees' Retirement System

The job/examination announcements were reviewed for the content of information provided to job applicants regarding appeals. One announcement did not reference appeal information, however, it did state that PBT's are administered in accordance with Civil Service Rule 111A and listed the website link to DHR's "Getting a Job". Once linked to the website, an applicant can locate the reference to PBT on page seven of the document which summarizes the PBT appeal procedures for applicants. Nine (9) of the ten (10) announcements that were reviewed, provided in addition to this website link the following informational statement under the section of "Terms of Announcement".

"The terms of this announcement may be appealed under Civil Service Rule 111A.35.1. The standard for the review of such appeals is abuse of discretion or no rational basis for establishing the position description, the minimum qualifications and/or the certification rule. Appeals must include a written statement of the item(s) being contested and the specific reason(s) why the cited item(s) constitute(s) abuse of discretion by the Human Resources Director. Appeals must be submitted directly to the Executive Officer of the Civil Service Commission within five (5) business days of the announcement issuance date."

Last year's audit findings showed a lack of consistency or correct appeal information relevant to a Class Based Test and/or PBT, and as part of the Commission's educational process, Commission staff shared the findings of the audit with each department audited and with DHR's Director of Recruitment and Assessment Services in order to develop awareness of the issue among the recruitment analysts posting the job announcements. **Audit findings for this fiscal year indicate departments are now consistently referencing correct information regarding Commission Rules on appeal rights regarding job/examination announcements.**

NOTIFICATION OF APPLICANT DISQUALIFICATION/REJECTION

Applicant Processing

Civil Service Commission Rules regarding Examination Announcements and Applicants, and DHR policies and procedures on “Getting a Job”, inform applicants that applicants are guided solely by the provisions of the job opportunity announcement, including requirements, time periods, and other particulars, except when superseded by federal, state or local laws, rules or regulations. Unless otherwise noted, applicants must possess the minimum qualifications required by law and the job announcement by the filing date and qualifications must be maintained throughout employment.

When the job announcement is closed, all applications are reviewed for minimum qualification requirements to determine qualification for further testing. Applicants who do not qualify are notified by mail or email.

Notification to Applicants Regarding Disqualification/Rejection of Application

Notification letters are sent to applicants informing the applicant of the disqualification or rejection of their application. Generally, the notification will reference the basis for the disqualification/rejection and provide information regarding the process for reconsideration of the application.

Summary of Findings and Analysis

Five (5) job vacancies that had posted job/examination announcements were randomly selected for review in order to assess whether applicants who were deemed disqualified and/or rejected, were adequately notified of the basis for the disqualification/rejection and the process for reconsideration of the application.

DHR’s or the department’s recruitment analyst coordinating the assessment process, was requested to provide to Commission staff a list of all applicants that were deemed disqualified/rejected for the following positions listed. Commission staff then randomly selected from the list at least five (5) applicants, and requested copies of the disqualification/rejection letter sent to each of these applicants. These notification letters were reviewed to determine if they provided to applicants concise statements explaining the basis for disqualification/rejection. These are the positions that were reviewed for applicant disqualification/rejection.

Senior Building Inspector (PBT) Department of Building Inspection

- Five (5) applicants were deemed not qualified/rejected.
- Notification letters clearly informed each applicant of the reason for the individual applicant’s disqualification/rejection and included specific information as to what documents needed to be provided for reconsideration pertinent to each applicant.
- Notification letters provided a specific date (equal to 5 working days) to submit documentation for reconsideration.
- **No reference to applicant appeal rights.**

Equal Employment Opportunity Programs Senior Specialist (PBT)
DHR – Equal Employment Opportunity Program

- Thirty-five (35) applicants were deemed not qualified/rejected.
- Five (5) of the disqualified/rejected applicants were reviewed.
- Notification letters of disqualification/rejection sent to applicants were generic in that each letter duplicated the same general statement and restated the minimum qualifications.
- Notification letters stated that documentation for reconsideration was to be submitted within five (5) business days from the date of the notice.
- **No reference to applicant appeal rights.**

Personnel Analyst (CBT)
Municipal Transportation Agency

- Seventy-six (76) applicants were deemed not qualified/rejected.
- Five (5) of the disqualified/rejected applicants were reviewed.
- Notification letters clearly informed each applicant of the reason for the individual applicant's disqualification/rejection.
- Notification letters provided a specific date (equal to 5 working days) to submit documentation for reconsideration.
- Final determination letters of disqualification/rejection regarding reconsideration of documents were concise and specific to each applicant.
- **Reference to the CSC website for applicant appeal rights was provided.**

IS Administrator II – Help Desk Analyst/Technician (PBT)
Public Utilities Commission

- One hundred fifty-one (151) applicants were deemed not qualified/rejected.
- Five (5) of the disqualified/rejected applicants were reviewed.
- One of the five (5) applicants selected for review that was deemed not qualified received a letter that stated "only those candidates deemed most qualified will continue in the selection process".
- Notification letters sent to other applicants were brief in stating that the applicant did not meet the minimum qualifications.
- Notification letters did not provide any information regarding the process for submitting documentation for reconsideration.
- **Reference to the CSC website for applicant appeal rights was provided.**

Fingerprint Technician III (PBT)
San Francisco Police Department

- One hundred fifty six (156) applicants were deemed not qualified/rejected.
- The department provided for review one generic sample of the notification letter which the department utilized for all applicants that were disqualified/rejected. The letters duplicated the same general statements of "the work experience and education listed on the application is not qualifying experience and education" and restated the minimum qualifications in the content of the letter.
- Notification letters did not provide any information regarding the process for submitting documentation for reconsideration.
- **Reference to the CSC website for applicant appeal rights was provided.**

Notification letters sent to applicants informing the applicant of the basis for the disqualification or rejection of their application are most informative when the notification cites specific reasons for the basis of disqualification. When the notification also includes what documents should be submitted for the application status to be reconsidered, the applicant has a clearer idea of what is incomplete and/or required in order to be reconsidered for selection.

All of these five (5) departments that were audited for their initial screening/examination process regarding notifications to applicants regarding the applicant's disqualification/rejection informed the applicant that their application was disqualified and/ or rejected. **The information provided in the notification letters sent by the Department of Building Inspection and MTA exhibited the most informative and concise letter detailing information regarding the reason for disqualification/rejection applicable to the individual applicant.**

The Department of Building Inspection, DHR – EEO Program and MTA clearly stated in the notification letters that the application status may be reconsidered if additional documents/information was provided within five (5) working days from the date of the notification. Notification letters sent by PUC and SFPD did not make any mention of reconsideration of the application; their letters were brief overall in their response.

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 is final, appellants are to be notified in writing of their right under Civil Service Commission Rule 05 Series or Rule 111A Position-Based Testing, 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”.

In summary, regardless of whether the position posted was for a Class Based Test or a Position Based Test, it was identified that there lacks a consistency among departments to provide an applicant with the opportunity to request reconsideration of the application and to provide reference to applicant appeal rights or where to obtain information on appeal rights.

EQUAL EMPLOYMENT OPPORTUNITY

Authority

In accordance with the San Francisco Charter, the San Francisco Administrative Code, and Civil Service Commission Rules, it is the policy of the City and County of San Francisco that all persons shall have equal opportunity in employment. No employee or applicant shall be discriminated against in employment or opportunity for employment. Discrimination means violation of civil rights on account of race, color, religion, creed, sex, national origin, ethnicity, age, disability or medical condition, political affiliation, sexual orientation, ancestry, marital or domestic partner status, gender identity, parental status, other non-merit factors, or any category provided for by ordinance.

The 1996 Charter Article X: Personnel Administration Section 10.101 Civil Service Commission General Powers and Duties states: *“The Commission shall by rule establish procedures to review and resolve allegations of discrimination as defined in Article XVII of this Charter or otherwise prohibited nepotism or favoritism appealed to it pursuant to this section. The determination reached under Commission procedures shall be final and shall forthwith be enforced by every employee and officer”.*

Charter Section 10.103 Human Resources Director states: *“The Human Resources Director shall review and resolve allegations of discrimination as defined in Article XVII of this Charter against employees or applicants, or otherwise prohibited nepotism or favoritism. Notwithstanding any other provisions of this Charter except the fiscal provisions hereof, the decision of the Human Resources Director shall forthwith be enforced by every employee and officer, unless the decision is appealed to the Commission in accordance with Section 10.101.*

Civil Service Commission Rule Series 03 directs the Human Resources Director and or Director of Transportation to promulgate procedures for the review and resolution of employment discrimination complaints. Rule Series 03.1.2 states *“No person shall be appointed, reduced, removed, or in any way favored or discriminated against in employment or opportunity for employment because of race, color, sex, sexual orientation, gender identity, political affiliation, age, religion, creed, national origin, disability, ancestry, marital status, parental status, domestic partner status, medical condition, ethnicity or the conditions Acquired Immune Deficiency Syndrome , HIV, and AIDS-related conditions or other non-merit factors or any other category provided by ordinance”.*

Discrimination Complaint Process

Civil Service Commission Rule Series 03 Section 3.3 Discrimination Complaints states “*Any employee or applicant may file a complaint alleging that he or she has been discriminated against as a result of any employment decision made by any agency, department, or commission of the City and County of San Francisco on the basis of any protected category identified in Section 3.1.2 of this Rule. Any employee or applicant may file a complaint alleging that he or she has been retaliated against in violation of this Rule and any such complaint shall be filed and processed in the same manner as other discrimination complaints under this Rule*”.

The City and County’s Human Resources Director or Director of Transportation of the MTA has the authority to delegate the review and investigation of a discrimination complaint to the Equal Employment Opportunity Programs of the City and County of San Francisco and for the MTA. Letters of complaint must be filed with the DHR - EEO Program of the City and County of San Francisco or with the MTA EEO Division within one hundred eighty (180) calendar days of the date the discriminatory action or the alleged harassment took place, or the date the employee/applicant should have first become aware of the violation. A complaint is considered filed on the date it is received by the Department of Human Resources - EEO or MTA EEO.

EEO complaints are handled by an EEO investigator to review for timeliness and jurisdiction and to conduct an investigation. An investigation may include reviewing and obtaining copies of relevant documents; interviewing co-workers and supervisors; and other actions considered necessary in order to obtain relevant information.

Discrimination Complaint Appeal Procedures

Discrimination complaint decisions are considered appealable matters and are subject to the Civil Service Commission procedures for filing appeals. 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”.

The Human Resources Director or the Director of Transportation reviews the complaint and investigative report, and makes a finding on the charges. The Director’s determination is sent to the complainant and the respondent department and is final, unless it is appealed (within thirty (30) calendar days following the postmarked date of the letter) to the Civil Service Commission and is reversed or modified.

When an EEO investigator recommends that the complaint should be administratively closed on the basis of failure to establish a charge, the investigator

prepares correspondence to inform the complainant of the determination and submits it to the Human Resources Director or Director of Transportation to be reviewed for approval and signed. The correspondence is a written notice to the complainant explaining the reasons for the action, advising the complainant of possible recourse through the Department of Fair Employment and Housing or Equal Employment Opportunity Commission, the employee's organization, or other agency, and is required to inform the complainant of his or her right to appeal the Director's decision to the Civil Service Commission within thirty (30) calendar days following the postmarked date of the letter.

Notification Letter of Decision/Closure of Complaint

Notification letters are sent to complainants informing them that the complaint filed has either been investigated and a decision has been rendered or that the complaint is administratively closed due to insufficient evidence. The notification is required to provide the complainant information regarding appeal rights applicable to the Civil Service Commission and it is to include that the appeal must be filed within thirty (30) days of the letters postmarked date to the City and County of San Francisco Civil Service Commission located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.

Summary of Findings and Analysis

Commission staff requested from the MTA EEO Program a list of complainants that filed discrimination complaints during Fiscal Year 2012-13. There were a total of seventy-two (72) complaints filed at the time of the Commission request. Commission staff randomly selected ten (10) complainants and reviewed the notification letter of decision/closure of complaint sent to the complainant by the MTA EEO division to assess whether there is compliance to Commission Rules and procedures regarding rights to file an appeal to the Civil Service Commission.

The following is an assessment of the ten (10) notification letters reviewed to determine if there was information on appeal rights to the Civil Service Commission stated within the letter.

- Three (3) notification letters provided all the applicable appeal information. (The Commission's address was included; however, it was incomplete as it lacked the city and zip code)
- One (1) notification letter lacked the appeal filing timeframe of thirty (30) days. (The Commission's address was included; however, it was incomplete as it lacked the city and zip code)
- Four (4) notification letters lacked the appeal filing timeframe of thirty (30) days and the address for the Civil Service Commission.
- Two (2) notification letters did not provide any information regarding appeal rights to the Civil Service Commission.

The findings indicate that there lacks consistency in providing all the required information on appeal rights in accordance with Civil Service Commission Rules and procedures.