

# Civil Service Commission

## Regular Session Meeting

Wednesday January 22, 2020

1055 Monterey Street, Suite D-271 San Luis Obispo, CA



MEMBERS OF THE COMMISSION  
President Robert Bergman  
Vice President Jeannie Nix  
Erwin Ohannesian  
Jed Nicholson  
Erica Flores Baltodano

**Present:** President Bergman, Commissioner Ohannesian, Vice President Nix  
Commissioner Nicholson and Commissioner Baltodano

**Staff:** Commission Secretary Tami Douglas-Schatz,  
Commission Clerk Rosa Reyes

**Counsel:** Nina Negranti, Assistant County Counsel

### Outside

**Counsel:** Steve Simas, Attorney

## 1. Call to Order / Flag Salute / Roll Call

President Bergman called the meeting to order and led the flag salute. Before roll call President Bergman reported Commissioner Nicholson would be in shortly. Roll was called. All other Commissioners were present.

President Bergman took items out of order and moved to item 3 on the agenda (Public Comment Period).

## 3. Public Comment Period

President Bergman asked if there were any members of the public wishing to address the Commission at this time. Seeing none, he moved to item 4 on the agenda.

## 4. Minutes

a. December 18, 2019

Commission Secretary Tami Douglas-Schatz reported an error in the minutes to be corrected. On page 4a.004, third paragraph, first sentence should be amended to read, "Ms. Douglas-Schatz wanted to note that the Commission has previously asked for the Rule update process to commence". Commissioner Baltodano also had an edit on page 4a.001, first paragraph under minutes. It should say the "Commissioners" and not the "Commissions" .

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Commissioner Ohannesian made a motion to approve the minutes and Commissioner Baltodano seconded the motion. Motion passed 5-0-0.

## **5. Request to Approve Revised Job Specifications(s):**

### b. Health Education Specialist I-II

Mark Zeltmann, Principal Human Resources Analyst and Dr. Penny Borenstein, Director of Public Health are requesting to revise two existing classifications. The Health Education Specialist and Lead Health Education Specialist. These positions are in the Health promotion department in Public Health. There are currently 11 Health Education Specialists in Public Health and 1 in the UC Co-Op department and there are no Lead Health Education Specialists. The primary purpose of these professional classes is to develop and implement health awareness campaigns, health promotion and teach the community about behaviors that encourage wellness or direct them to other resources. One of the issues with the current job structure is that there is no entry level class. The Health Education Specialist is described as a journey-level class; however, the minimum qualifications and salary range are essentially those of an entry level class. This results in the possibility of entry level employees being assigned journey level duties and journey level professionals who are earning entry level wages. Almost all of the County's professional classes have a series, such as a I, II or I, II, III, IIII. This class is unique in that it does not have a series, which limits the potential for growth. This has resulted in a turn-over issue. The proposal is to take the lead level class which there is no need for and replace it with an entry level class and maintain the journey-level class. This is consistent with the structure for the County and consistent with other health education programs from other counties.

Mr. Zeltmann pointed out some grammatical errors that should be corrected. President Bergman asked if there was anyone from the public wanting to address this item. Seeing none he brought the item back to the Commission. Punctuation errors and grammatical verbiage was pointed out to be corrected for consistency purposes. Commissioner Baltodano wanted clarification if the current incumbents would be reclassified to a Level II. Mr. Zeltmann indicated this was a step by step process. The first step is getting approval for the structure and then going back to evaluate who is qualified and the needs of the department. There were questions from the Commissioners regarding the reporting structure and level of supervision these positions would have. Mr. Zeltmann and Dr. Borenstein spoke to these inquires, providing examples and clarification. Kate Power, Human Resources Analyst was brought forward to address President Bergman's question about whether the incumbents would go into these positions or if there would be a competitive recruitment. Ms. Power reported the current incumbents would not compete in the examination process and the needs of the department as well as the number of incumbents who can meet the minimum qualifications would be the determination. Moving forward, the recruitment process would either be held at the I or II level depending on the vacancies left to fill.

The Commissioners had concerns and questions regarding the minimum qualification language; specifically, the language in the Education/Experience section reading, "This may include:" Ms. Douglas-Schatz, Mr. Zeltmann and Dr. Borenstein spoke to these concerns. There was assurance to the Commission that the standards were not being lowered but were allowing for a greater number of applicants to meet the minimum qualifications. Meeting the minimum qualifications is only one step in the screening process. This language is also consistent with best practices.

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President Bergman inquired if Theresa Schultz with SLOCEA wanted to comment or add to the discussion. Ms. Schultz, Senior Labor Representative for SLOCEA, reported they agreed with Human Resources. They provided feedback and came to agreement with some of the changes. They are hoping to have this approved today because this classification has had issues with recruitment and retention for a long time. This is one of the most under market positions in the Big Unit.

Commissioner Baltodano made a motion to approve with the noted changes and Vice President Nix seconded the motion. Motion carried 5-0-0.

## **6. Presentation of Annual Report Fiscal Year 18-19**

- a. Request to Approve Annual Report Fiscal Year 18-19
- b. Request to Approve Revisions to Annual Report Fiscal Year 17-18

Wendy Lin, Human Resources Analyst presented the Annual report for fiscal year 18-19. Ms. Lin discussed the upward trend in the last 5 years of the number of grievances and appeals that have been filed by employees and reasons that may have contributed to this trend. She pointed out an error to be corrected in the number of revised job specifications that were approved to 12 approvals from 11 approvals. She highlighted pertinent information in the remainder of the report. Vice President Nix wanted clarification on the number totals in the Recruitment Activity section. Ms. Lin explained how the totals were summed up.

President Bergman asked if there was any public comment on this issue. There was none. Vice President Nix made a motion to approve the Annual report with the correction and Commissioner Ohannesian seconded the motion. Motion carried 5-0-0.

President Bergman stated the Commission was going to consider Item 9 (Reports) on the agenda but before doing so asked the clerk on further agendas to put this in before Closed Session.

Commissioner Baltodano brought forward that only item 6a. had been approved. Ms. Lin came forward and discussed the specific items in 6b that needed to be revised. There were no questions from the Commissioners or the public regarding this item. Commissioner Nicholson made a motion to approve the Annual Report 17-18 as amended and Vice President Nix seconded the motion. Motion carried 5-0-0.

## **9. Reports:**

President Bergman moved to item 9 (Reports) before going into Closed Session. President Bergman, Commission Counsel Nina Negrante and outside counsel Steve Simas did not have any reports. Commission Secretary Tami Douglas-Schatz introduced Mark McKibben, Human Resources Analyst to discuss calendaring for Special Hearings. Mr. McKibben confirmed already scheduled hearing dates including February 26<sup>th</sup> and February 27<sup>th</sup>, March 25<sup>th</sup> and March 26<sup>th</sup>, April 22<sup>nd</sup> and April 23<sup>rd</sup> and May 27<sup>th</sup> and May 28<sup>th</sup>.

After the hearing dates were confirmed, Ms. Douglas-Schatz interjected that the Board of Supervisors has asked Human Resources (HR) to provide updates on Recruitment and Retention.

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The HR department will be incorporating comments about Recruitment and Retention in future presentations on classification. Ms. Douglas-Schatz also stated the department may bring a short presentation to the Commission on recruitment and retention data based on demographics and the economy.

Ms. Douglas-Schatz also sought direction from the Commission about whether to agendize the formation of a Rules update committee. President Bergman would like this agendized on the February agenda.

President Bergman advised that with a full Commission he wanted to go back to item 2 (Election of Officers) on the agenda (Commissioner Nicholson arrived at 9: 26 a.m.).

## **2. Election of Officers**

President Bergman asked if there was a nomination for Vice President. Commissioner Ohannesian nominated Commissioner Nix for Vice President. Commissioner Nicholson seconded the motion. Motion carried 5-0-0.

Next, President Bergman opened the nomination for Commission President. Vice President Nix nominated Mr. Bergman for President and Commissioner Ohannesian seconded the motion. Motion carried 5-0-0.

With that, President Bergman advised the Commission would move to item 7 (Closed Session) after a 5-minute break.

## **7. Closed Session: CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION (Government Code Section 54956.9(a)) – Formally initiated: *Luther v. County of San Luis Obispo Civil Service Commission*, San Luis Obispo Superior Court Case Number 19CV-0713.**

President Bergman brought the meeting back into Open Session. He advised the Commission went through two items in Closed Session. In this matter the Commission had nothing to report.

(Commissioner Baltodano recused for the next item and left the meeting.)

## **8. Closed Session (per Government Code section 54957) Oral arguments regarding discovery and deliberations with legal counsel regarding Appeal #A19-06.**

President Bergman stated in this matter the Commission has given direction to counsel.

## **10. Adjournment:**

President Bergman adjourned the meeting.

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*\* Note: These minutes reflect official action of the Civil Service Commission. A digital record exists and will remain as the official, complete record of all proceedings by the Civil Service Commission.*