

CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE MAYOR

Date:

April 18, 2016

To:

Civil Service Commission

DOUGLAS S. CHAN PRESIDENT

GINA M. ROCCANOVA

From:

Michael L. Brown

Executive Officer

VICE PRESIDENT Subject:

Mid-Year Status Report on Fiscal Year 2015-16 Service and

Performance Goals Covering the Period Ending December 31,

2015

SCOTT R. HELDFOND

KATE FAVETTI

COMMISSIONER

COMMISSIONER

MICHAEL L. BROWN EXECUTIVE OFFICER

Service Commission ("Commission") during its meeting of June 15, 2015. All of the Department's performance measures for the first half of the fiscal year have either been completed or are in progress, and we are projected to meet or exceed the remainder of our performance measures by the end of the fiscal year.

The following is a summary report of the Civil Service Commission Department's

("Department") activities for the period ending December 31, 2015. Please also refer to the attached chart (Attachment A) detailing the Department's achievements to date on its Fiscal Year 2015-2016 Goals and Objectives as established by the Civil

Department Administration

Staffing

Moving into the calendar year of 2016 we have lost our Appeals Coordinator to a promotional opportunity in December of 2015. We have yet to fill the vacancy, but staff once again has proven their continued commitment to carry out the Commission's mission and Charter-mandated responsibilities in extraordinary fashion.

During this mid-year term, we received an unusual increase in the demands for public access to records in response to a media request and information requests from individuals. In December, we received notification that additional changes were instore based on amendments to the Kin Care Law allowing employees to use have of their annual accrual of sick leave without restrictions every year beginning January 1, 2016. We will be working on amending the sick leave rules to reflect the changes.

Budget

The Department is funded for six actual FTE (full-time equivalent) positions. The additional work order arrangements with the City Attorney's Office and the Department of Human Resources approved for Fiscal Year 2015-16 has been great support especially during the first half of this fiscal year. The plan is to continue our request for support because their assistance is needed when reviewing policies and procedures, applicability in rule proposals, obtaining management and

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personnel feedback, researching historical documents, and compliance with Federal, State, and local laws. In addition, we continue to support Public Utilities Commission and Municipal Transportation Agency for training in exchange for their continue work order arrangement.

Appeals and Requests for Hearings, Rules, Policies and Administration

Appeals and Hearings

The Commission received a total of thirty-six (36) new appeals and requests for hearings during the first half of this fiscal year (July 1 to December 31, 2015), in addition to the ten (10) pending appeals that were carried over from the previous fiscal year.

Last year the Commission was able to not only meet, but far exceed its targeted seventy percent (70%) appeal resolution goal, due in large part to our focus on expediting the resolution of outstanding appeals and implementing specific deadlines for staff report submissions on new appeals. The Department continues in its efforts to expedite appeal resolution and expects to exceed its goal again this year. We are pleased to report that the Commission resolved twentynine (29) of its total thirty-six (36) pending appeals by December 31, 2015. (Attachment B) Nine (9) new appeals were received in November and December 2015. We expect to resolve all appeals filed prior to calendar year 2016 by the end of the fiscal year (with the exception of a few future employment restriction appeals that must be placed on hold pending resolution on the underlying separations through arbitration or litigation), again exceeding our appeal resolution goal.

Rules, Policies and Administration

The Commission is mandated by Charter to establish Rules, policies and procedures to carry out the merit system provisions of the Charter. The Commission hears merit system appeals on examination matters, personal service contracts, limited compensation matters, future employment restrictions, and actions of the Executive Officer or the Human Resources Director on other matters under their jurisdiction.

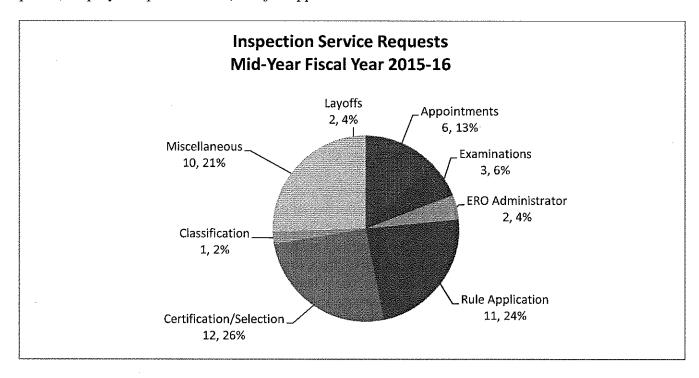
Foremost in the Commission's agenda is to modernize and streamline the Civil Service Rules, and to ensure that its policies are likewise reflective of current and best practices. In reviewing any proposed policy change or Rule revision, the Commission carefully considers in public meetings any stakeholder input and the benefits, consequences and impacts of any such proposed change or revision. As of December 31, 2015, the Commission reviewed and amended the Civil Service Rules 311 Examination to authorize the release of the 2010 H-50 examination test questions and answers in the interest of fairness and impartial treatment of all applicants. The Commission also amended Civil Service Rule Series 011 to expand preference points to the spouse or domestic partner of a 100% disabled veteran with a permanent connected service disability declared by the United States Veterans Administration. In addition, the Executive Officer reached out to meeting with representatives at the Airport, Municipal Transportation Agency, Human Services Agency, Department of Public Health and the San Francisco Public Library to provide an introduction and opportunity to discuss training opportunities. SEIU Local 1021 organized a meet and greet with their representatives. The Municipal Executives' Association and International Federation of Professional Technical and Engineers, Local 21 also requested meetings. Additional visits with Departments and Union organizations are planned throughout the remainder of the fiscal year.

The Executive Officer also seeks input from the Commission's stakeholders (including human resources representatives, City supervisors and managers, and labor unions) on possible Rule revisions, policy changes and Adviser subjects for recommendation to the Commission. The Executive Officer continues to convene monthly meetings of the Commission's Committee on Policy and Rules Revision ("COPAR") with City human resources managers to discuss all aspects of the Merit System and departmental procedures, and to identify merit system issues requiring clarification to ensure consistent and accurate application of merit system policies and the Civil Service Rules. The Executive Officer intends to submit for the Commission's review once again Rule Series 22 Leave of Absence and the updated meeting procedures and protocols for peace officer appeals.

Merit System Review, Inspection Services and Audit

Inspection Service Requests

Inspection Service requests generally cover those matters that are not appealable to the Commission but that otherwise involve concerns about the operation of merit system that require an investigation or review. Requests for Inspection Service may be submitted by any interested stakeholder, including employees, departmental representatives, anonymous, members of the public, employee representatives, and job applicants and/or candidates.



The Civil Service Commission received a total of forty-seven (47) requests for Inspection Service during the review period (July 1 to December 31, 2015). The performance measure goal is to complete 80% of the Inspection Service Requests within 60 days. As of December 31, 2015, the Department has completed 85% of the requests within 60 days. Those Inspection Service requests involved a wide array of merit system issues, including selection procedures, meeting minimum qualifications, employment and education verification, determining reachable

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eligibles, application of the Civil Service Rules, eligibility, layoffs processes, type of examination, favoritism in acting assignments and exempt appointments, and Personal Services Contracts. The chart below reflects the categories of requests. Please also refer to Attachment C for the Fiscal Year 2015-2016 Inspection Log as of December 31, 2015.

Merit System Audit Service

The audit review for Fiscal Year 2015-16 will assess compliance of various aspects of CSC Rules and procedures regarding examination announcements and appointments. The primary focus will be on the validation/verification of an appointee's qualifications for the positions to which they are appointed and that such verifying documentation is maintained in the employee's official personnel file. The audits will also include reviewing the job announcements for all required and applicable information such as reference to appeal rights; and verification of justification criteria for exempt appointments. Commission staff has completed three (3) of the eight (8) scheduled audits in the first half of the fiscal year. After the eight (8) audits are completed, a more detailed report will be presented to the Commission.

Recommendation: Adopt the Report

Attachments

Attachment A – FY 2015-16 Goals and Objectives

Attachment B – FY 2015-16 Pending Appeals Log

Attachment C – FY 2015-16 Inspection Service Requests

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CITY AND COUNTY OF SAN FRANCISCO CIVIL SERVICE COMMISSION

<u>Update on the Civil Service Commission Department's Achievement of its</u> Goals, Objectives and Priorities for Fiscal Year 2015-2016

The following six (6) goals are focused on: 1) fulfilling the Commission's legal and Charter mandates; 2) supporting the Commission's purpose and mission through its six major program areas and functions; 3) advancing the Commission's objective to modernize and strengthen the operations of the City and County of San Francisco's merit system; and, 4) furthering the Commission's policy priorities as established in the Fiscal Year 2015-2016 Strategic Plan. The objectives assist in defining the goals, and the performance measures for each objective are indicators of service levels and the extent to which Commission staff was able to achieve those goals within the measurement period (Fiscal Year 2015-2016).

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

Objective	Performance Measures	Status of Performance Measures
Increase the availability of information about the Commission.	 Continue to ensure that all information on the Commission's website is accurate and current. Continue to expand upon the information available on the Commission's Facebook page and Twitter. Update the information as needed throughout the fiscal year. Prepare and/or update informational publications about the Commission as needed throughout the fiscal year. Ensure compliance with Language Access Ordinance. 	 Ongoing-Staff continues to work with DHR IT to update website and ensure accuracy. Completed/Ongoing Ongoing-an updated Adviser on Leave of Absence is again planned for this year. Completed-contract with "Language Lines Solutions" if needed
Ensure that information on the Commission's website is intuitive and easily accessible.	 Continue to ensure that the Civil Service Rules are in a format conducive to printing (e.g., consistent font and paragraph spacing, review for legibility, etc.). Maintain the posting of official Civil Service Rules in PDF format Ensure compliance with United States Access Board Section 508 Standards and Section 255 Accessibility Guidelines. 	 Ongoing- Staff continues to review the website and update when necessary. Ongoing - Staff provides the Rules in PDF format when requested. Completed/Ongoing - Staff continues to attend ADA Coordinators' training provided by the Mayor's Office of Disability
Increase the availability of information on the Commission's website.	 Continue to increase the availability of information and documents under the Commission's purview on the Commission's website (e.g., post established policies, publications and relevant historical documents, historical staff reports, etc.). Investigate options for language 	 Ongoing-Staff continues to work with DHR IT Ongoing-Although the budget was not approved to provide language accessibility for all documents, staff continues to research to find alternative solutions.



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

Objective	Performance Measures	Status of Performance Measures
Improve communications with appellants so that they	Update and finalize meeting procedures and protocols for peace officer appeals by December 2015. (Delay)	Ongoing review and seeking advice from counsel.
understand the Civil Service Commission Rules, policies and meeting procedures.	Continue to provide appellants with as much information as possible so that they understand meeting and appeal procedures.	Ongoing



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Improve communications with departments so that they understand the Commission's policies, meeting procedures and expectations with respect to staff reports.	 Offer training/guidance to departments on how to prepare and present staff reports before the Commission. Provide Quarterly Training Conduct Survey for Satisfaction/Training Topics Create Accessible Staff Report Template 	 Ongoing Completed/Ongoing-training was scheduled for January-June 2016; training on the merit system, certification, and verifying minimum qualifications have already been completed with MTA, PUC, and SEIU Completed Ongoing
Improve communications with departments so that they understand the need for transparency when describing accurate information for use of Personal Service Contracts.	Explore ways to clarify services being provided when initiating or modifying Personal Service Contracts to include accurate description of smaller contracts providing various services under the one umbrella for transparency to stakeholders.	• Ongoing
Increase the use of electronic communications with departments and appellants (if requested) in an effort to reduce paper consumption and staff resources, create efficiencies with Commission stakeholders.	Throughout the fiscal year, seek ways to further expedite and streamline the Commission's communications with its stakeholders, and reduce the Commission's paper consumption and drain on staff resources.	Ongoing-Staff is researching ways to provide video training
Issue all reports regarding Commission deliverables and achievements on a timely basis.	 No later than the second meeting in August 2015, finalize the draft Fiscal Year 2014-2015 Annual Report and Year-End Report for the Commission's review and approval. No later than the first meeting in February 2016, report to the Commission on the status of the Commission's achievement of its goals and objectives for the first half of Fiscal Year 2015-2016. No later than the first meeting in June 2016, schedule the Commission's 	 Ongoing Will complete the Mid-Year Report at the meeting of April 18, 2016 Strategic Planning scheduled for June 2016



	Strategic Planning Session to establish the Commission's new goals and objectives for Fiscal Year 2016-2017.	
Ensure that Commission staff understand and are focused on supporting the Commission's mission, goals and objectives.	 No later than August 28, 2015, complete all Commission staff performance evaluations for the preceding review period concluding on June 30, 2015. No later than August 28, 2015, establish all Commission staff performance plans for the next performance review period (Fiscal Year 2015-2016), and ensure that the plans include deliverables specifically tied to the Commission's Fiscal Year 2015-2016 Goals and Objectives. 	• 4 out of 6 completed
Ensure that the Commission's internal policies and administrative procedures are kept updated and documented for Commission staff.	 No later than June 30, 2016, revisit and update as needed all Commission internal policies and standard operating procedures to ensure consistency and facilitate cross training. Records Management (electronic) Public Records Requests 	• Ongoing

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

 Process 100% of appeals and requests for hearing within seven (7) days of receipt in Fiscal Year 2015-2016 (i.e., review for jurisdiction and timeliness, record the appeal into the Commission's Pending Appeal Log (PAL) and 	 Completed Ongoing-As of March 31, 2016, the Commission has resolved 70% of the appeals received this fiscal year.
communication log, send appellants acknowledgement of receipt letters, and notify departments of the appeal and targeted hearing dates). • By June 30, 2016, resolve and/or forward to the Commission for hearing, at least 70% of the appeals received in Fiscal Year 2015-2016.	received this fiscal year.
By May 27, 2016, evaluate the effectiveness of the Commission's	Ongoing-Staff has been meeting with COPAR and DHR to review patterns.
	forward to the Commission for hearing, at least 70% of the appeals received in Fiscal Year 2015-2016. By May 27, 2016, evaluate the



by which appeals are resolved.	staff report deadlines, revised communications to departments, etc.) based on performance measure achievements over the past three fiscal years. By June 30, 2016, implement new, or adjust existing policies and procedures as appropriate for Fiscal Year 2016-2017. Issue the Commission's Meeting Schedule and Deadlines for Calendar Year 2016 no later than November 2015 to ensure that departments are aware of staff report submission deadlines. Regularly update and monitor the Pending Appeals Log on a bi-weekly basis, and communicate with departments as appropriate, to ensure that staff reports on appeals are submitted within a reasonable period of time. Convene monthly updates with the Department of Human Resources on the status of departments' staff reports. Obtain advice and guidelines from the City Attorney's Office as needed on legal issues concerning appeals in as far advance as possible to avoid delays and backlogs (e.g., closed session matters, privacy protections, Brown Act requirements, etc.).	 Completed Completed Completed/Ongoing-Staff meets with DHR on a monthly basis to discuss patterns and future plans to improve efficiency and transparency. Ongoing-Staff continues discussion with the City Attorney's Office on public records, appeals, and closed session matters.
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Goal #4: Seek ways to address City departments' need for flexibility in personnel management issues while at the same time maintaining the integrity of the City's merit system.

Objective	Performance Measures	Status of Performance Measures
Work collaboratively with departmental	Throughout the fiscal year, seek input from HR analysts and managers on the	• Completed/Ongoing-Met with MTA, HSA, PUC, DPH,
representatives, the	effectiveness of the merit system and areas	and SFPL; staff continues to
Department of Human Resources and City	needing improvement.Convene regular meetings of the	meet with HR managers and analysts to review policies
Attorney's staff to establish new or	Commission's Committee on Policy and	and processes.
amend current Rules,	Rules Revision (COPAR) throughout the fiscal year to: 1) discuss and review with	Completed/Ongoing-COPAR meets on a monthly
policies and procedures to address	departmental human resources representatives any new Rules, policies or	basis; HR management participation has increased.
changing needs as	procedures, or needed/requested revisions	T. T



appropriate.	thereto; and 2) seek departmental input on inconsistencies between the Civil Service Rules and current departmental practices, to recommend appropriate action to the Commission (e.g., consider proposing a Rule amendment, issue an Adviser to clarify Rule requirements, etc.).	
Ensure that the Civil Service Rules, policies and procedures are consistent with current departmental practices and system requirements/capabilit ies/limitactions under the new eMerge PeopleSoft system.	Continue to meet with eMerge representatives as needed to ensure that there are no inconsistencies in existing Civil Service Rules or Commission policies and procedures resulting from further implementation or programming of the eMerge system upgrades.	eMerge continuously provides us with updates; at this time, it has not been necessary to meet with eMerge.

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

Objective	Performance Measures	Status of Performance Measures
Review the Civil Service Rule series and recommend revisions/deletions/addit ions to the Rules for the Commission's consideration as necessary and appropriate.	 Review one Civil Service Rule series every other month on average and recommend revisions/deletions/additions for the Commission's consideration. Revisions will be prioritized as follows: 1. Rule provisions that conflict with, or that are otherwise inconsistent with the law. 2. Rules that are confusing, inconsistent with other Rules, or policies, or inconsistently applied by departments. 3. Rules provisions that would support operational needs. 4. Rule provisions that are no longer applicable. 5. Revisions that would consolidate or streamline the Rules. 6. Rules needed to address merit system issues discovered during the course of Inspection Service reviews or the Audit Program. 7. Clean-up (e.g., remove Rules that have expired, etc.). 	Ongoing-Reviewing Rule Series 020 Leave of Absence to include the Kin Care Law; reviewing Rule Series 011A Position Based-Testing



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Review existing Commission policies and procedures; and recommend revisions to existing policies and procedures, or the creation of new ones, as appropriate.	 Review at least one existing Commission policy every quarter and recommend revisions as appropriate for the Commission's consideration. The Executive Officer will also recommend for the Commission's consideration the creation of policies as needed and appropriate on merit system issues for which Commission stakeholders require more guidance. The Executive Officer's policy review will be prioritized based on directives from the Commission, requests from Commission stakeholders, and the frequency of Inspection Service complaints received on a particular issue. 	• Ongoing-
Conduct meet and discuss and facilitate meet and confer negotiations to adopt new and amended Rules, policies and/or procedures when required under state law.	As needed during the fiscal year, conduct meet discuss sessions with the City's labor unions or meet and confer sessions when appropriate with City's labor unions on any new or amended Rules of policies when required under state law.	• Ongoing
Conduct best practice reviews of merit system matters in other jurisdictions.	Research best practices in the Bay Area and/or comparable jurisdictions (e.g., Los Angeles) upon request of the Commission during the fiscal year.	Ongoing
Provide outreach, training and support to the Commission's stakeholders regarding the Civil Service rules, policies and procedures.	 Upon request/as needed during the fiscal year, develop and conduct seminars and trainings on the merit system; the Civil Service Rules, policies and procedures and other matters under the jurisdiction of the Commission. Give regular presentations and updates on merit system issues during the Department of Human Resources' Monthly Human Resources Professional Group meetings. Provide a presentation on the merit system to new human resources analysts and managers on an annual basis. 	Ongoing



 Offer to provide other Commission stakeholders with an overview of the merit system upon request (e.g., union representative/employee groups, operational managers, elected officials, Deputy City Attorneys, etc.). Seek input from the Commission's stakeholders on common merit system areas of confusion and issue publications on Frequently Asked Questions and develop new Advisers on reoccurring issues as needed during the fiscal year. Offer to provide labor representative with informational articles on the Commission for their member newsletters upon request. 		
	stakeholders with an overview of the merit system upon request (e.g., union representative/employee groups, operational managers, elected officials, Deputy City Attorneys, etc.). • Seek input from the Commission's stakeholders on common merit system areas of confusion and issue publications on Frequently Asked Questions and develop new Advisers on reoccurring issues as needed during the fiscal year. • Offer to provide labor representative with informational articles on the Commission for their member newsletters upon	

Goal #6: Strengthen the Commission's ability to meet its Charter mandates and oversee the operation of the merit system.

Objective	Performance Measures	Status of Performance Measures
Review the operations of the merit system in City departments.	 Conduct eight departmental audits in Fiscal Year 2015-2016. Resolve/complete within 60 days, 80% of Inspection Service Requests received in Fiscal Year 2015-2016. In the event that Commission staff determines in the course of its audits and/or Inspection Service reviews that some department practices conflict with established Rules or policies, issue formal clarifying statements and/or trainings within 60 days so that all departments are aware of and understand applicable merit system requirements. 	 Completed/Ongoing-Staff completed 3 audits and will complete the remaining 5 audits by June 2016. Ongoing-Staff will provide the Commission with a report of the audit results and the trainings conducted with the department.
Increase the Commission's access to information regarding the operation of the merit system.	• No later than the second meeting in June 2015, submit for the Commission's review its Calendar of Reports for Calendar Year 2016 (this details the reports that City departments are required to submit to the Commission each year). Include for the Commission's review a list of available canned queries, reports and available information related to merit system	• Ongoing-Staff will provide a Calendar of Reports at the meeting of June 2016.



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Ensure that departments are complying with Commission's requests for reports and/or additional information.	matters in the event that the Commission wishes to expand upon the information it currently receives from Commission staff and/or City departments (e.g., exempt appointment justifications, personal services contracts, examination plans, etc.). • By the end of December 2015, issue the final 2015 Calendar of Reports to departments so that departments are aware of their reporting requirements in advance. Additionally, issue an electronic reminder one month prior to each report's due date. • When applicable, record any conditions, restrictions or reporting requirements that the Commission places on a Personal Services Contract (PSC). Utilize a tickler system so that the Commission is able ensure that departments comply with the Commission's conditions, restrictions or reporting requirements for PSC approvals. • When applicable, record and create a "tickler system" for any additional reports that the Commission requests	• Ongoing
Complete/coordinate all Charter-mandated wage/benefit surveys requiring Commission certification under the Charter.	 By November 25, 2015, develop a work plan and schedule for achieving Chartermandated surveys for the fiscal year. Utilize a "tickler system" for departmental reports to ensure that Charter-mandated surveys are timely submitted (e.g., Office of Labor Standards and Enforcement prevailing wage survey, and Department of Human Resources survey of nurse salaries and benefits). No later than the second meeting in May 2016, complete the annual salary adjustments for Elected Officials in accordance with Charter Section A8.409-1- Employees Covered. No later than April 30, 2016, complete the salary survey for the Board of Supervisors in accordance with Charter 	 Ongoing Ongoing Ongoing-Staff will be presenting the report at the meeting of April 18, 2016. Ongoing-Staff will be presenting the report at the meeting of April 18, 2016 Salary Survey for the Board of Supervisors is not due this year; next year the salary survey for the Elected Officials will be due by April 30, 2016.



	section 2.100 Compensation and Salary.	
Ensure that the Commission's budget in Fiscal Year 2015-2016 is sufficient so that it can adequately carry out its Charter obligations to oversee the merit system.	• Negotiate with the Mayor's Office, Controller's Office and Board of Supervisors to maintain the Commission's budget in Fiscal Year 2016-2017 at an adequate level to support its operations, Charter functions and merit system goals and objectives.	Completed/Ongoing-the budget request has been submitted to the Mayor; department is still waiting for approval

			Date		Referred	Tentative		be/		
7	Type	Subject	Received	Date Trans	۵	Date	Report Due Date	-	-	Comments
0235-15-4	4	Appealing th rejection of his application for the 9126 Transit Traffic Checker examination.	07/08/15	07/09/15	Reiskín Ellison Kím Leung	09/21/15	09/10/15	07/15/15 4	Resolved	
0209-15-4	4	Appealing the rejection of his application for Class 5241 Engineer - Electrical specialty.	06/09/15	06/12/15	Callahan Gard Kraus Miles	08/17/15	08/06/15		1 Resolved	
0208-15-4	4	Appealing th rejection of his application for Class 5211 Engineer/Architect/Landscape Architect Senior Electrical specialty.	06/09/15	06/12/15	Callahan Gard Kraus Miles	08/17/15	08/06/15	09/25/15	1 Resolved	
0310-15-6	9	Appealing the Director of Transportation's decision to dismiss her discrimination complaint, EEO File # 1919.	09/18/15	09/22/15	Reiskin Ellison Kim Simon	12/07/15	11/25/15		Per DHR,	Per DHR, both appeals will be scheduled at the same time;
0424-15-6	õ	Appealing the Director of Transportation's decision to dismiss her discrimination complaint EEO File# 1919	12/11/15	12/14/15	Reiskin Ellison Kim Simon	03/07/16	02/25/16		see above	
0236-15-8	ω	Appealing the PSC #49384-14/15 - Peer to Peer and Family to Family Training Services - DPH	07/09/15	07/10/15	Callahan Gard Lewis Hale	07/20/15	07/14/15	07/20/15 1		Resolved; Granted SEIU, Local 1021's appeal in part, with the condition that the contract duration is reduced to two (2) years until 2017. In addition, the Department of Public Health will provide an annual report in 2016 and will continue discussions with SEIU, Local 1021. Notified the Office of the Controller and the Office of Contract Administration.
0301-15-8	ω	Appealing the PSC #4065-10/11 - Intermittent, as- needed professional radiologist technologists Registery - DPH	09/10/15	09/11/15	Callahan Gard Hale	09/21/16	09/15/16	09/21/15 1		Resolved; Conditionally approved Personal Services Contract Number 4085-10/11 with the proviso that: (1) the Department of Public Health will continue ongoing engagements with SEIU, Local 1021 to monitor, analyze, and evaluate the use of registry with the goal and commitment to reduce the use of and allocation of funding for registry positions over the next year. (2) The Department of Public Health will report back to the Civil Service Commission on progress in this regard including sassessing and reducing the registry use, in six months and again in one year; (3) Notify the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)
0315-15-6	ဖ	Appealing the Human Resources Director's decision to dismiss his discrimination complaint EEO File #1931.	09/24/15	09/25/15	Callahan Gard Simon Louie Frattarelli	11/16/15	11/05/15	12/15/15	4 Resolved	
0257-15-6	9	Appealing the Human Resources Director's decision to dismiss his discrimination complaint, EEO File No. 1889.	07/24/15	07/27/15	Callahan Gard Simon Kim	10/05/15	09/24/15	07/28/15 4		Resolved; DHR EEO has determined it will reopen and review complaint. As such, the appeal is moot and should be closed.
0258-14-6	9	Appealing the Human Resources Director's decision to close his discrimination complaint EEO File No. 1677.	11/24/14	11/25/14	Callahan Gard Simon Weigeit	02/02/15	01/22/15		03/16/15 at	03/16/15 Litigation; 02/25/15 Postponed to the meeting of 3/16/15 at the request of the appellant
0300-15-6	9	Appealing the Human Resources Director's decision to close his discrimination complaint EEO File No. 1905.	09/10/15	09/30/15	Callahan Gard Simon Weigelt	12/07/15	11/25/15		10/1/15 Fe littigation.	10/1/16 Form 13 - Appeal to be held in abeyance due to pending littgation.

4/13/2016

Civil Service Commission Fiscal Year 2015-16 Appeals Log

0263-15-8	0262-15-8	0255-15-8	0302-15-8	0294-15-4	0188-15-6	0134-15-6	0345-15-6	Register No.
15-8	15-8	15-8	15-8	15.4	15-6	15-6		I
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Appealing PSC #39548-13/14 - Multimedia Design Services - Municipal Transportation Agency.	Appealing PSC #4110-10/11 - Sales and Use Tax Audit, Analysis and System Services - Office of the Controller.	Appealing PSC #43868-14/15 - Personal Assisted Employment Services (PAES) Counseling and Pre-Vacation Services - Department of Public Health.	Appealing PSC #48231-15/16 - Temporary Security Guard Services for SF General Hospital Rebuild Project - DPH	Appealing the rejection of his application for the 7430 Assistant Electronic Maintenance Technician examination.	Appealing the Human Resources Director's decision to dismiss her discrimination complaint EEO File No. 1823	Appealing the Human Resources Director's decision on his discrimination complaint, EEO File No. 1810.	Appealing the Human Resources Director's decision to administratively close his discrimination complaint EEO File No. 1953.	Subject
08/06/15	08/06/15	07/23/15	09/10/15	09/04/15	05/26/15	05/04/15		Date Received
08/04/15	08/07/15	07/24/15	09/11/15	09/08/15	06/02/15	05/07/15	11/05/15	Date Trans
Callahan Gard Lewis Hamada	Callahan Gard Lewis Kimotsuki	Callahan Gard Lewis Hale	Callahan Gard Hate	Reiskin Ellison Kim Leung	Callahan Gard	Callahan Gard Simon S. Yee	Callahan Gard Simon Weigelt	Referred To
08/17/15	08/17/15	08/03/15	09/21/15	11/02/15	08/03/15	07/20/15	01/21/15	Tentative Date
		07/29/15	09/15/15	10/22/15	07/23/15	07/09/15	02/01/16	Report Due Date
09/21/15	08/17/15	08/17/15	09/21/15	11/16/15	08/03/15			Resolved On
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Resolved; Conditionally approved Personal Services Contract Number 39548-13/14 with the proviso that the Municipal Transportation Agency continues to work with SEIU, Local 1021 to resplore how the work can be completed in-house and to report back in one (1) year. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)	Resolved .	Resolved; Granted SEIU, Local 1021's appeal with the following two (2) modifications: (1) Conditionally approved Personal Services Contract #43868-14/15 for three (3) years, with the proviso that the Department of Public Health and the Human Services Agency continue discussions with SEIU, Local 1021, which includes work that might be performed by Civil Service classifications and in consideration of those factors for contracting out cited in the Personal Services Contract; and (2) The Department of Public Health and Human Services Agency provide an annual progress report to the Commission. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)	Resolved; Conditionally approved PSC# 48231-15/16 for the duration of three (3) months. In addition, the DPH will report back with the hiring plan in December 2015. (Vote of 4 to 0)	Resolved	Resolved	8/27/15 Litigation (Scheduled for March 2016);	11/5/15 Pending litigation.	Comments

Comments	Resolved; Granted SEIU, Local 1021's appeal with the following four (4) modifications: (1) Conditionally approved Personal Services Contract #43877-14/15 for three (3) years, until June 30, 2018; (2) The Department of Public Health will work with the Department of Human Resources to expedite the recruiting and hiring process for the 2586 Health Worker II - American Sign Language Interpreter position and will work with SEIU, Local 1021 regarding recruitment efforts; (3) American Sign Language Interpreter work performed by contractors will be transitioned to the newly hired Civil Service 2586 Health Worker II to the extent possible and the dollar amount under this PSC will be reduced commensurately; and (4) the Department of Public Health will report back to the Commission in one (1) year, on August 15, 2016. Notified the Office of the Controller and the Office of Contract Administration. (Vote of 4 to 0)	Resolved. Conditional approval. DPH requested postponement for Personal Services Contract #41467-14/15 to 10/5/15 to provide program staff more time to gather information. Postponed to 9/21/15 to allow all parties to be present for the appeal.	Resolved; Appeal withdrawn.	Resolved; SEIU & DPH mutually agree that 1) DPH will continue ongoing engagement with Local 1021 to assess the extent to which this work may be performed by Civil Service classifications and to provider input on the upcoming RFP priceess; and 2) DPH will report back to the Commission on progress in this regard in one year.	Resolved;SEIU Local 1021 withdrew appeal.	Resolved	Resolved. Appeal withdrawn. Postponed to 11/16/15.	Resolved: Appellant received the June 4, 2015 Letter and was on notice of the timeframe to appeal.	Resolved; Appeal withdrawn.
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Resolved	08/17/15	10/05/15	10/09/15	12/07/15	12/07/15	07/07/15	11/16/15	07/16/15	09/25/15
Report Due Date				11/10/15	11/10/15	06/25/15	12/10/15	09/10/15	09/10/15
Tentative Date	08/17/15	08/17/15	10/19/15	11/16/15	11/16/15	07/06/15	12/21/15	09/21/15	09/21/15
Referred	Callahan Gard Lewis Hale	Callahan Gard Lewis Hale	Callahan Gard Lewis Ellison Hamada	Hale Callahan Buick Gard Lewis	Hale Callahan Buick Gard Lewis	Callahan Buick Gard K. Walden D. Marion	Callahan Gard Kraus Johnson Bushong	Gard Simon Hayes- White Bushong	Reiskin Eilison Kim Goree
Date Trans	08/07/15	08/07/15	10/09/15	11/06/15	11/06/15	04/21/15	10/20/15	07/10/15	07/15/15
Date Received	08/06/15	08/06/15	10/08/15	11/05/15	11/05/15	04/17/15	10/19/15	07/09/15	07/07/15
Surtient		Appealing PSC #41467-13/14 - Neuromonitoring Services for Patients at San Francisco General Hospital - DPH.	Appealing PSC #3012-13/14 - Street Team Outreach and information Services - SFMTA,		Appealing the PSC #4160-09/10 - Prevention and Early Intervention (PEI) - DPH		Appealing her rejection of her application for the H-50 Assistant Chief examination.	Appealing the HRD's decision on the discrimination complaint EEO File No. 1765.	Appealing the Municipal Transportation Agency's decision on his discrimination complaint.
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Register No	0264-15-8	0265-15/8	0325-15-8	0354-15-8	0354-15-8	0115-15-4	0332-15-4	0237-15-6	0234-15-6

Attachment B - 3

L:Share/P.A.L./Monthly Logs/2015

7/24/15: Arbitration on 8/18/15
09/10/15
05/21/15
03/05/15
SEPARATIONS REQUESTS FOR HEARING
12/10/16
12/10/15
11/02/15 11/16/15 1
09/10/15 12/07/15 1
11/05/15 1
11/05/15 1
10/27/15 (optional) 11/02/15 4
01/21/15
Resolved Resolved No.

Civil Service Commission Fiscal Year 2015-16 Appeals Log

 			Date		Referred	Tentative		Resolved		
ž	Type	Register No. Type Subject	Received	Received Date Trans	To	Date	Report Due Date	ьo	No.	Comments
7-1		0271-14-7 7 Requesting a hearing on his future employment as a 9150 Train Controller with the Municipal Transportation Agency.	12/12/2014	12/16/14	Reiskin Ellison Kim Iborra	03/02/15	02/19/15		-	05/06/15 Grievance per Cl; 02/24/15 Arbitration
0308-15-7 (POBR)	_	Requesting a hearing on his future employability with the City and County of San Francisco.	9/11/2015	09/16/15	Callahan Gard	11/16/15	11/05/15		,	12/2/15 Emailed department to confirm if CSC can schedule for 12/21/15 or 1/4/16.
0351-15-7	7	Requesting a hearing on his future employment as a 1312 Public Information Officer with the Department of Public Works.	11/02/15	11/06/15	Callahan Gard Wong	01/21/16	02/01/16			
0440-15-7	_	7 Requesting a hearing on dismissal with services unsatisfactory in 2716 Custodial Assistant Supervisor	12/24/15	01/05/16	Callahan	91/20/80	02/25/16			

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		12/3/2015		J. Kr	A. Bia			
		12/3/2015		J. Kr	A. Bia			
		12/3/2015			A. Bia			
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		12/3/2015		J. Kr	A. Bia		8 · · · · · · · · · · · · · · · · · · ·	
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		12/3/2015		J. Kr	A. Bia	D. W.		
		12/3/2015		J. Kn	A. Bia	D. W.		
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		12/3/2015			A. Bia	D. W.	J. Bo	
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	10	36	46
Number of Appeals	Carried Over from FY2014-15	Appeals Received in FY2015-16	Total Number of Appeals in FY15-16

Total Appeals by Category	
Classification (2)	0
Compensation (3)	0
Examination (4)	10
EEO/Discrimination (6)	14
Future Employment Restrictions (7)	6
Personal Services Contracts (8)	11
Position-Based Tests	4-

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Resolutions and Property of the Property of th	nearing at CSC (1	Not Appealable (Resolved Administratively (Other (Total Resolved	% Resolved

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Total	Total for 2015-16	47				ľ	Total for 2015-2016 - Mid-Year	47	
Totals	Totals by Category				-141 -141 -141 -141 -141 -141 -141 -141	or or to the control of the control			11 1.00 11 1.00 11 1.00 11 1.00 11 1.00 11 1.00 11 1.00 11 1.00
	Letter or Email	27		Appointments (1)	9		Letter or Email	27	
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				Salary Setting (5)	0				
	-			Rule Application (6)	. 5				
				Certification (7) Classification (8)	<u>4</u> ~-				
				Miscellaneous (9) Layotts (10)	5 2				
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3	Received Date		a iii Xalii Xalii		www.	ě	Resolution/Remedy	Res Cale	2 g
-	7/17/2015		1	Appaintee does not meet MQs	1053 1241	CON	Meets MQs for 1241 SE		z
						. 	Applicant submitted additional explanatory information via email to PUC to attach to		
						10 0/	application - this was re-reviewed by subject matter experts who now deem the		
6	7/20/2015		1	Application was disqualified but applicant believes she is qualified.	7316	PUC :	applicant qualified. Applicant will be invited to take exam LM	7/27/2015	>
				Position transitioned from DEM to TXX: originally policy legislative now		"	Yes, As long as those financial duties are appropriate for the level of responsibility for		
7	7/22/2015	,		performing financial policy, legislative contract, grants, etc. is it appropriate that i am now being asked to perform financial duties and responsibilities?	1824	ž	the classification. MB	12/22/2015	z
				:			Explained CSC oversight and post-referral		
9	7/23/2015	τ-		Violation of the hiring process	7380	MTA	specific information MB	7/24/2015	\
				Question regarding accepting other city jobs while just got hired and on			Employee may apply for other City positions, but it may impact the current position if the employee has not completed		
6	7/24/2015	-		probation.			the probationary period yet. MB	7/24/2015	>
							Seniority date is determined by the		
φ	7/24/2015			Does military service count towards seniority?		-	referred to the department, military service does not count towards seniority date. MB	7/24/2015	>
2	7/23/2015		1	ot to be allowed to take another exam for Class 7108	7108/ 7208		LH Responded	7/27/2015	>
თ	8/4/2015	4		Where do the exams take place for jobs? How do I apply for jobs with the City?			Referred applicant to DHR website, MB	8/4/2015	>
							Reviewed CSC Policy, Reachable eligibles may be hired without interview but must		
မ	8/12/2015	ψ		Hiring reachable eligibles without interviewing them		GSA	nave documentation of ment system procedures in selection. SE	8/12/2015	>
7	8/13/2015	т		.Complainant questions the appointment of S.R.	931	PUC	PUC conducted selection/appointment in compliance with Rules and procedures LM	9/29/2015	>-
2	8/13/2015			Requests review of the exam administration	8420	SFSD	Inspection review completed - exam was administered accordingly. " LM	10/9/2015	>
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9/21/2015	9/11/2015	9/11/2015	9/9/2015	9/8/2015	9/1/2015	9/1/2015	8/31/2015	8/28/2015	8/28/2015	8/27/2015	8/27/2015	8/26/2015	8/26/2015	8/24/2015	8/18/2015
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	_		_					_							
Was on holdover roster which expired and questions why she cannot be reinstated now that the dept conducted an exam.	Inquiry regarding seniority and certification dates	Inquiry regarding seniority and certification dates	Inquiry regarding the status of his interview.	Complaint cites that an employee L.C. was appointed to a position for which she is not qualified for.	Ranked higher than many appointees but they were appointed before him; what is the Rule of 3 Scores?	Post-referral appointment process for Employment & Training Specialist II	Received notification that eligible list was adopted but never received email to find out if she was interested; dept. is still utilizing personnel in acting assignments.	Inquiry regarding minimum qualifications for temporary exempt status positions	Applicant questioned written examination because she scored higher on previous examination; class is represented by TWU Local 200; rules are different from other service critical classes	Inquiry regarding applicability of promotive points	Is it a violation to promote an employee to supervisor without the use of a civil service exam	Appointee does not meet MQs	Dept not hiring from eligible list, eligibles were not informed how to apply, dept. is hiring exempt employees in the same class; reclassification issues	is it possible to transfer from another state governmental agency to the City and County of San Francisco? If not, how do I apply?	Alleges that candidates who are not reachable are being considered for positions and are not required to participate in interviews which others are.
5272			7309	8152	2903	9703	9140		9141			1053	9139 9150		2905
DPW	МТА	MTA		CAT	HSA	HSA	МТА	SFO	MTA			DEM	MTA		HSA
Review completed - dept conducted process in compliance with Rules and Post-Referral policy LM	Discussed rule applications & referenced MOU	Discussed rule applications & referenced MOU	sent an email to the recruitment analyst requesting that the analyst contact the eligible. Also explained the general process for selections LM	Incumbent is not performing duties associated with class 8152. Recommendation is that Mgr of Classification - DHR advise the dept & identify the appropriate classification LM	Number of vacancies plus the Rule of 3 minus 1 = the number of reachable eligibles for that referral; appointing officer is not required to always hire the highest ranked eligible; appointing officer may hire the best qualified reachable eligible on the list. MB	HSA was in full compliance with selection/appointments for Class 9703 LM	Still has not conducted post-referral process yet SE	LM responded	Although Rules are not specific for Local 200, the DOT does not substitute for the knowledge of subject matter experts. SE	LM responded	Employee may be promoted to an exempt position without conducting an examination. MB	DHR conducted investigation; DEM provided documentation showing appointee met MQs	Dept. not required to issue Notice of Inquiry; dept. meeting with Local 200 SE	CCSF does not provide opportunity for transfers from another state governmental agency; transfer only available within CCSF departments; referred applicant to retirement and DHR web page. MB	Allegations are without merit. At the time of the complaint the dept had not scheduled or conducted any interviews and did not make any decisions regarding appointments. All eligibles are reachable
10/28/2015	9/11/2015	9/11/2015	9/9/2015	9/22/2015	9/2/2015	10/21/2015	10/15/2015	8/28/2015	8/31/2015	8/27/2015	8/27/2015	8/2/2015	9/2/2015	8/24/2015	9/3/2015
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	9/22/2015	9/24/2015	11/7/2015		12/14/2015		10/16/2015	12/10/2015		11/16/2015		12/7/2015
Employment verification and License were not in employee personnel files; PUC again requested documents from employees SE	LM responded	LM responded	Employee placed in permanent exempt category 19 position SE	MTA delay SE	Appointee met MQ, was a reachable eligible, and successful in post-referral process SE/EA	MTA Delay; uniform and job-related questions and rating criteria; no evidence of bias in ratings SE	Rule 115 allows department to id entry level positions for the individuals who are severely disabled; describes the process involved in hiring these individuals as exempt and the ability to move to PCS; does not require depts to guarantee these positions to particular individuals. SE	Dept, provided documents verifying education and 3 years of 1241 experience SE/EA	Appointees are reachable eligibles SE	Dept, not required to reappoint and may choose to select from eligible list; if reappointed or hired, retiree must also contact Retirement SE	Individuals were not blacklisted for leaving the CalWorks Program. Mr. Serrano was a 2903 who is on the eligible list for 9703. 2903 and 9703 do different work. 9702 who do similar work were selected and those with recency in the program and closely related experience were considered for this round of hires. Other 2903's and candidates from outside of CalWorks Program were hired. MB	Seniority date is the certification date of the eligible list that she was appointed from; refer to MOU for shift/vacation bidding SE
DHR		MTA	RH.	MTA	DPW	MTA		HSA	PUC MTA SFUS D	DPH	HSA	MTA
5241 5211		9140		9139	7262	9139		1244		2312		9139
Review appointments made from Eligible List to determine if appointees met MQs	Inquiry re reverting back to previous PCS position if probation is not completed in new position	inquiry regarding combining positions	PCS Employee reasonable accommodated to another position but not PCS and informed she must complete probationary period	Applied for PCS position; not informed until training that he was exempt; then told he would become PCS but remained exempt; new hires coming in as PCS	Unfair post-referral process	Biased rater in the post-referral process	if applicant has a disability, are departments required to apply Rule 115?	TEX 1244 did not meet MQs	Are 7318 and 9145 appointees reachable eligibles?	Retiree ranked 2 on current eligible list, but would like to be reappointed	Jose Serrano was not selected and allegedly blacklisted for previously leaving the CalWorks Program as a 9703	Began as PEX 9139, and later appointed PCS 9139; what is her seniority date?
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9/21/2015	9/22/2015	9/24/2015	10/2/2015	10/9/2015	10/9/2015	10/13/2015	10/18/2015	11/5/2015	11/10/2015	11/16/2015	11/16/2015	11/24/2015
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			12/30/2015	12/24/2015	12/23/2015	12/15/2015	12/14/2015	12/9/2015	12/9/2015
				<u> </u>	_		<u> </u>	<u> -</u>	
			_			<u> </u>			<u> -</u>
			inquiry re rule interpretation of certification rule; acting assignment; eligible list expiration.	What is the difference between the 2 classifications? What happens when an employee is performing the duties of another classification?	is the CCSF Surveyor a civil service or at will position?	How is seniority date determine for SFUSD classified employees? What is City Seniority date versus department seniority date?	Complaint claims that appointee in Class 2991 for HRC is not qualified.	Does employee retain rank and seniority when being reassigned within the same agency?	Is provisional 8226 Museum Guard who was interviewed but then notified that she is not reachable.
				1750 1752			2991		8226
			MTA	ASR			HRC		FAM
			Discussion with employee was conducted explaining the Rules and post referral process and MOU related areas.	Employee may be performing out-of-class assignments and may receiving acting assignment pay; candidate must meet MQs, successfully compete in exam, and become reachable to be appointed to that class. MB	May be PCS or EX; PCS requires candidate to meet MQ, compete in exam and become reachable; EX may be PEX/TEX are time limited, project oriented and are at will- no exam required MB	City Seniority date is the certification date of the PCS employee appointed to the classification; department seniority date is the date the PCS employee is appointed to the department. TEX employees have no seniority date. SE	Request for Inspection review sent to HRC Director. DHR Client Services Representative for HRC reviewed appointee's qualifications and it was determined that the appointee does not meet the MQ's and corrective action was taken LM	Reinstatement to former PCS position shall be with former Civil Service Seniority; reassignment or acting assignment does not change Civil Service seniority; department use of seniority for vacation and shift bidding may be different from civil service seniority MB	Spoke to HR Director - FAM attempts to interview all candidates on eligible list although many may not be reachable according to the cert rule. This is done in the event that candidates become reachable and then this step in the process is already completed. Full compliance by deptLM
			12/30/2015	12/24/2015	12/23/2015	12/15/2015	2/5/2016	12/22/2015	12/11/2015
			~	~	≺	У	<u>~</u>	<u> </u>	≺