



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

*Sent via Electronic Mail*

November 10, 2022

## NOTICE OF CIVIL SERVICE COMMISSION MEETING

**SUBJECT: SECONDARY CRITERIA FOR H-6 INVESTIGATOR, FIRE INVESTIGATION; H-30 CAPTAIN, FIRE SUPPRESSION; AND H-40 BATTALION CHIEF, (FIRE DEPARTMENT).**

The above matter will be considered by the Civil Service Commission at a virtual meeting (Cisco WebEx) to be held on **November 21, 2022, at 2:00 p.m.** You will receive a separate email invite from a Civil Service Commission staff member to join and participate in the meeting.

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. The meeting agenda and all meeting materials will be posted on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService) under "Meetings" no later than end of day on Wednesday, November 16, 2022.

Attendance by you or an authorized representative is welcome. Should you or your representative not attend, the Commission will rule on the information previously submitted and testimony provided at its meeting.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

Cc: Chief Jeanine R. Nicholson, Fire Department  
Deputy Chief Thomas O'Conner, Fire Department  
Deputy Chief Robert Postel, Fire Department  
Daniel Garcia, SF Firefighters Local 798  
Keith Onishi, Asian Firefighters Association  
Antione Davis, Black Firefighter's Association  
Kevin Chocker, EMS Officers' Association  
Mariano Elias, Los Bomberos de San Francisco  
Matthew Schwartz, San Francisco Fire Chiefs Association  
Julie Mau, United Fire Service Women  
Keith Baraka, SF Rescue  
Theresa Ludwig, SF Fire Department  
Carol Isen, Department of Human Resources  
Dave Johnson, Department of Human Resources  
Anna Biasbas, Department of Human Resources  
Jeanne Buick, Department of Human Resources  
Jen Lo, Department of Human Resources  
Jesusa Bushong, Fire Department  
Commission File  
Commissioners' Binder  
Chron

## **NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES**

### **A. Commission Office**

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (628) 652-1100. The fax number is (628) 652-1109. The email address is [civilservice@sfgov.org](mailto:civilservice@sfgov.org) and the web address is [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/). Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

### **B. Policy Requiring Written Reports**

It is the policy of the Civil Service Commission that except for appeals filed under Civil Service Commission Rule 111A Position-Based Testing, all items appearing on its agenda be supported by a written report prepared by Commission or departmental staff. All documents referred to in any Agenda Document are posted adjacent to the Agenda, or if more than one (1) page in length, a available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting a agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

### **C. Policy on Written Submissions by Appellants**

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4<sup>th</sup>) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original copy on 8 1/2-inch X 11 inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

### **D. Policy on Materials being Considered by the Commission**

Copies of all staff reports and materials being considered by the Civil Service Commission are a available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService), and in its office located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If any materials related to an item on this agenda have been distributed to the Civil Service Commission after distribution of the agenda packet, those materials will be a available for public inspection at the Civil Service Commission's during normal office hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

### **E. Policy and Procedure for Hearings to be Scheduled after 5:00 p.m. and Requests for Postponement**

**A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (628) 652-1100 and confirmed in writing or by fax at (628) 652-1109.**

A request for a postponement (continuance) to delay an item to another meeting may be directed to the Commission Executive Officer by telephone or in writing. Before acting, the Executive Officer may refer certain requests to another City official for recommendation. Telephone requests must be confirmed in writing prior to the meeting. Immediately following the "Announcement of Changes" portion of the agenda at the beginning of the meeting, the Commission will consider a request for a postponement that has been previously denied. Appeals filed under Civil Service Commission Rule 111A Position-Based Testing shall be considered on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources.

### **F. Policy and Procedure on Hearing Items Out of Order**

Requests to hear items out of order are to be directed to the Commission President at the beginning of the agenda. The President will rule on each request. Such requests may be granted with mutual agreement among the affected parties.

### **G. Procedure for Commission Hearings**

All Commission hearings on disputed matters shall conform to the following procedures: The Commission reserves the right to question each party during its presentation and, in its discretion, to modify any time allocations and requirements.

If a matter is severed from the *Consent Agenda* or the *Ratification Agenda*, presentation by the opponent will be for a maximum time limit of five (5) minutes and response by the departmental representative for a maximum time limit of five (5) minutes. Requests by the public to sever items from the [*Consent Agenda* or] *Ratification Agenda* must be provided with justification for the record.

For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

For items on the *Separations Agenda*, presentation by the department followed by the employee or employee's representative shall be for a maximum time limit of ten (10) minutes for each party unless extended by the Commission.

Each presentation shall conform to the following:

1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

The Commission may allocate five (5) minutes for each side to rebut evidence presented by the other side.

#### **H. Policy on Audio Recording of Commission Meetings**

As provided in the San Francisco Sunshine Ordinance, all Commission meetings are audio recorded in digital form. These audio recordings of open sessions are available starting on the day after the Commission meeting on the Civil Service Commission website at [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/).

#### **I. Speaking before the Civil Service Commission**

Speaker cards are not required. The Commission will take public comment on all items appearing on the agenda at the time the item is heard. The Commission will take public comment on matters not on the Agenda, but within the jurisdiction of the Commission during the "Requests to Speak" portion of the regular meeting. Maximum time will be three (3) minutes. A subsequent comment after the three (3) minute period is limited to one (1) minute. The timer shall be in operation during public comment. Upon any specific request by a Commissioner, time may be extended.

#### **J. Public Comment and Due Process**

During general public comment, members of the public sometimes wish to address the Civil Service Commission regarding matters that may come before the Commission in its capacity as an adjudicative body. The Commission does not restrict this use of general public comment. To protect the due process rights of parties to its adjudicative proceedings, however, the Commission will not consider, in connection with any adjudicative proceeding, statements made during general public comment. If members of the public have information that they believe to be relevant to a matter that will come before the Commission in its adjudicative capacity, they may wish to address the Commission during the public comment portion of that adjudicative proceeding. The Commission will not consider public comment in connection with an adjudicative proceeding without providing the parties an opportunity to respond.

#### **K. Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings**

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

#### **Information on Disability Access**

The Civil Service Commission normally meets in Room 400 (Fourth Floor) City Hall, 1 Dr. Carlton B. Goodlett Place. However, meetings not held in this room are conducted in the Civic Center area. City Hall is wheelchair accessible. The closest accessible BART station is the Civic Center, located 2 ½ blocks from City Hall. Accessible MUNI lines serving City Hall are 47 Van Ness Avenue, 9 San Bruno and 71 Haight/Noriega, as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call (415) 923-6142. Accessible curbside parking has been designated at points in the vicinity of City Hall adjacent to Grove Street and Van Ness Avenue.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our ADA coordinator at (628) 652-1100 or email [civilservice@sfgov.org](mailto:civilservice@sfgov.org) to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

#### **Know your Rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, or to obtain a free copy of the Sunshine Ordinance, contact Victor Young, Administrator of the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689 at (415) 554-7724, by fax: (415) 554-7854, by e-mail: [sotf@sfgov.org](mailto:sotf@sfgov.org), or on the City's website at [www.sfgov.org/bdsupvrs/sunshine](http://www.sfgov.org/bdsupvrs/sunshine).

#### **San Francisco Lobbyist Ordinance**


Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3112 and web site <http://www.sfgov.org/ethics/>.



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22)

Refer to Civil Service Commission Procedure for Staff - Submission of  
Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Numbers: \_\_\_\_\_ - \_\_\_\_\_
2. For Civil Service Commission Meeting of: **November 21, 2022**
3. Check One:
  - Ratification Agenda
  - Consent Agenda
  - Regular Agenda
  - Human Resources Director's Report
4. Subject: **Secondary Criteria for H006 Investigator, Fire Investigation; H030 Captain, Fire Suppression; and H040 Battalion Chief, (Fire Department)**
5. Recommendation: **Adopt proposed Secondary Criteria**
6. Report prepared by: **Jen Lo** Telephone number: **415-551-8946**
7. Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A).**
8. Reviewed and approved for Civil Service Commission Agenda:  
Human Resources Director:   
Date: 11/7/2022
9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:  
**Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102**
10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

Attachment

CSC-22 (11/97)

**CSC RECEIPT STAMP**



## San Francisco Fire Department Notification List

San Francisco Firefighters Local 798  
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**MEMORANDUM**

**DATE:** November 2, 2022

**TO:** The Honorable Civil Service Commission

**THROUGH:** Carol Isen, Human Resources Director

**FROM:** Jen Lo, Public Safety Team Supervisor

**SUBJECT:** **Secondary Criteria for H006 Investigator, Fire Investigation; H030 Captain, Fire Suppression; and H040 Battalion Chief, (Fire Department)**

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**Background**

Under Civil Service Commission (CSC) Rule 313.2.1, any secondary criteria that will be considered by the appointing officer during a promotional selection process for a uniformed rank of the San Francisco Fire Department must be approved by the CSC prior to issuing the job announcement for the respective rank.

The selection process begins following approval of the criteria and includes posting the eligible list for inspection and subsequent adoption. Individuals from the eligible list are then certified to the appointing officer and considered for appointment in accordance with the provisions of CSC Rule 313. The appointing officer utilizes the approved secondary criteria during the final selection process.

**Authority/Standards**

Rule 313.2.1 states that: "... For further clarification, prior to the issuance of any job announcement, secondary criteria shall be presented to the Civil Service Commission for its approval in advance and will be discussed in open session with all parties interested."

Rule 313.3.4 states that: "... (5) Selection of an eligible within the grouping shall be made under the authority and direction of the appointing officer. (6) The appointing officer shall develop secondary criteria to guide the selection process. (7) Secondary criteria may include but need not be limited to experience(s), training, and employment history. (8) Secondary criteria shall be job related. (9) Secondary criteria shall not be based on relationship, race, religion, gender, national origin, ethnicity, age, disability, gender identity, political affiliation, sexual orientation, ancestry, marital status, color, medical condition, or other non-merit factors or otherwise prohibited nepotism or favoritism."

**Discussion**

Consistent with the CSC Rules, and in consultation with the San Francisco Fire Department, the Human Resources Director has developed secondary criteria specified below to include in the announcements for upcoming selection processes for H006 Investigator, Fire Investigation; H030 Captain, Fire Suppression; and H040 Battalion Chief, (Fire Department).

*When making appointments, the Appointing Officer will consider the following secondary criteria: length and variety of Fire Department experience, training and education, completion of State Fire Marshal courses or equivalent, and disciplinary record.*

**Recommendation**

Adopt the report and approve the secondary criteria.