



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

*Sent Via Electronic Mail*

October 27, 2022

## **NOTICE OF CIVIL SERVICE COMMISSION MEETING**

**SUBJECT: PROPOSED RULE AMENDMENTS TO CIVIL SERVICE COMMISSION RULE VOLUME I 110.11 PROMOTIONAL APPLICANTS APPLICABLE TO MISCELLANEOUS CLASSES AND CIVIL SERVICE COMMISSION RULE VOLUME IV 410.11 PROMOTIONAL APPLICANTS – APPLICABLE TO THE SERVICE-CRITICAL CLASSES OF THE MUNICIPAL TRANSPORTATION AGENCY.**

The above matter will be considered by the Civil Service Commission at a hybrid meeting (in-person and virtual) in Room 400, City Hall, 1 Dr. Goodlett Place, San Francisco, California 94102 and through Cisco WebEx to be held on **November 7, 2022, at 2:00 p.m.**

This item will appear on the Regular Agenda. Please refer to the attached Notice for procedural and other information about Commission hearings.

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. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

Cc: All Unions  
All Departmental Personnel Officers  
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

Date: November 7, 2022

To: Civil Service Commission

From: Sandra Eng  
Executive Officer

Subject: **Proposed Rule Amendments to Civil Service Commission Rule Volume I 110.11 Promotional Applicants Applicable to Miscellaneous Classes and Civil Service Commission Rule Volume IV 410.11 Promotional Applicants – Applicable to the Service-Critical Classes of the Municipal Transportation Agency**

### Background

Rule 110.11 currently states that “*applicants for promotive only or combined promotive and entrance shall meet the requirements of the examination announcement. If otherwise qualified, only civil service employees with permanent, probationary temporary civil service or holdover status and who have had six (6) months of verifiable satisfactory experience in any class status (including provisional) qualify promotionally.*”

The Department of Human Resources procedures provide additional examination points for competent and effective job performance and length of service (tenure) after the applicant successfully passes a competitive examination. City employees who meet the requirements of the examination announcement under which they apply may qualify, after passing the examination, for up to 60 additional points if they have status as a permanent, probationary temporary civil service or holdover with six months of verifiable satisfactory experience any class in any status (including provisional).

The process the exams analysts utilize to assess whether employees are entitled to the additional points includes the following: 1) determining if City employees pass the examination, 2) reviewing each internal applicant’s appointment history to determine if they have six (6) months of service to establish (30 points); and 3) verifying with each internal applicant’s department to determine if the employee had six (6) months of satisfactory service to establish eligibility for the other (30 points).

Although the examination may be completed, DHR procedures for additional points (also known as promotive points) do not allow the examination scorecard to be posted until the human resources analyst completes the review of any internal applicants who may qualify for promotive points. This process often causes a delay in posting the examination score card and adopting the

eligible list. This further delays the department's receipt of the certified eligible lists for hiring.

## **Discussion**

Rule 111A Position-Based Testing Sec. 111A.13 Promotive Applicant states,

“Applicants for promotive-only or combined promotive and entrance examinations shall meet the requirements of the examination announcement under which they apply. If otherwise qualified, City employees with six (6) consecutive months (1040 hours) of verifiable experience in any job classification in any appointment type qualify as promotive applicants.”

Promotional applicants are currently defined differently in Class-Based Testing Examinations [*six (6) months of verifiable satisfactory experience in any class status*] versus Position-Based Testing Examinations [six (6) consecutive months (1040 hours) of verifiable experience in any job classification in any appointment]. In efforts to expedite hiring and expand opportunities for equity and growth within the City, the Executive Officer is proposing to amend Rules 110 and 410 Examinations to be consistent with the Position-Based Testing Rules 111A and 411A by defining all promotional applicants as current employees with six (6) consecutive months (1040 hours) of verifiable experience in any job classification in any appointment.

This proposed amendment will not only expand the opportunity for temporary exempt employees to qualify for promotive points but will remove delays in the final scoring of the examination. This proposed amendment will fundamentally expedite the hiring process because human resources analysts will no longer have to contact departments to determine if any City employee who passed the examination, has been performing satisfactory for six (6) continuous months (1040 hours). Additionally, the City has several job entry programs for training and to provide opportunities for valuable work experience [e.g., internships, summer employment programs (Project Pull, YouthWorks, Opportunities 4 All), JobsNow] using Public Service Aide and Student Design Trainee classifications, and other entry-level classifications. With this amendment employees who have the opportunity to be employed as Temporary Exempt Category 16 (limited duration of 1040 hours), as-needed employees; will now be eligible for promotive points after passing the promotive-only or combined entrance-promotive examinations.

Please see the attachments for the proposed amendments to Rules 110.11 and 410.11.

**Recommendation:** Accept the Executive Officer's report, incorporate any changes made by the Commission, direct the Executive Officer to post the proposed amended Rules 110.11 and 410.11 for meet and discuss with the affected labor unions and interested stakeholders.

## Attachments

- Volume I Rule 110 Examinations Sec. 110.11 Promotional Applicants – Applicable to Miscellaneous Classes
- Volume IV Rule 410 Examinations Sec. 410.11 Promotional Applicants – Applicable to the Service-Critical Classes of the Municipal Transportation Agency

**Sec. 110.9**      **Qualifications of Applicants**

**110.9.2**      Except with permission of the Human Resources Director, no employee may participate in an entrance examination carrying a lower salary schedule than that of the employee's current class nor for a class in which the employee has current permanent appointment.

**Sec. 110.10**      **Review of Applicant Pool Demographics**

When there is underrepresentation of an ethnic or gender group for a specific class or occupational category, the Human Resources Director shall review the ethnic and gender demographics of the pool of qualified applicants.

Where the pool of applicants does not reflect the demographics of the relevant labor market, and upon consideration of factors such as the number of anticipated vacancies and the level of underrepresentation, the Human Resources Director may take such action as appropriate including extending the filing period, reopening the examination for filing, or canceling the examination.

**Sec. 110.11**      **Promotional Applicants**

Applicants for promotive only or combined promotive and entrance examinations shall meet the requirements of the examination announcement under which they apply. If otherwise qualified, City employees with civil service employees with permanent, probationary, temporary civil service, or holdover status and who have had six (6) consecutive months (1040 hours) of verifiable satisfactory experience in any job classification in any appointment type qualify as promotive applicants. ~~status (including provisional) qualify promotionally.~~

**Sec. 110.12**      **Change of Address**

In all cases of change of address, the Department of Human Resources must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or an employee's current department only will not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

**Sec. 110.13**      **Custody of Examination Applications**

Examination applications and supporting documents become the property of the Department of Human Resources when received. Return of such documents shall require the approval of the Human Resources Director.

**Sec. 410.9 Qualifications of Applicants (cont.)****410.9.1 (cont.)**

Critical class based on non-contemporaneous documentation shall require the certification of the Municipal Transportation Agency Deputy Director, Labor Relations and Human Resources, and the approval of the Director of Transportation.

**410.9.2** Except with permission of the MTA Director of Transportation/Designee, no employee may participate in an entrance examination carrying a lower salary schedule than that of the employee's current class nor for a class in which the employee has current permanent appointment.

**Sec. 410.10 Review of Applicant Pool Demographics**

When there is underrepresentation of an ethnic or gender group for a specific class or occupational category, the MTA Director of Transportation/Designee shall review the ethnic and gender demographics of the pool of qualified applicants. Where the pool of applicants does not reflect the demographics of the relevant labor market, and upon consideration of factors such as the number of anticipated vacancies and the level of underrepresentation, the MTA Director of Transportation/Designee may take such action as appropriate including extending the filing period, reopening the examination for filing, or canceling the examination.

**Sec. 410.11 Promotional Applicants**

Applicants for promotive only or combined promotive and entrance examinations shall meet the requirements of the examination announcement under which they apply. If otherwise qualified, City employees with civil service employees with permanent, probationary, temporary civil service, or holdover status and who have had six (6) consecutive months (1040 hours) of verifiable satisfactory experience in any job classification in any appointment type qualify as promotive applicants. ~~status (including provisional) qualify promotionally.~~

**Sec. 410.12 Change of Address**

In all cases of change of address, MTA must be notified in writing separately for each class involved. Notice of change of address to the Post Office and/or an employee's current department only will not be a reasonable excuse for special consideration in case of failure to respond to any notice within time limits.

**Sec. 410.13 Custody of Examination Applications**