



**CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

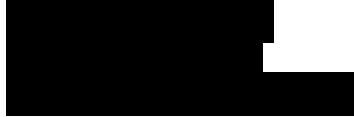
**LONDON N. BREED  
MAYOR**

*Sent via Electronic Mail*

November 23, 2022

**NOTICE OF CIVIL SERVICE COMMISSION MEETING**

Phillip Lowenthal



**SUBJECT: APPEAL BY PHILLIP LOWENTHAL OF THE REJECTION OF THEIR APPLICATION FOR CBT 2803-E10137.**

Dear Phillip Lowenthal:

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 **December 5, 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.

The agenda will be posted for your review 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 30, 2022. Please refer to the attached Notice for procedural and other information about Commission hearings. A copy of the department's staff report on your appeal is attached to this email.

In the event that you wish to submit any additional documents in support of your appeal, email them to the Civil Service Commission's email at [civilservice@sfgov.org](mailto:civilservice@sfgov.org) by **5:00 p.m.** on **Tuesday, November 29, 2022**, please be sure to redact your submission for any confidential or sensitive information that is not relevant to your appeal (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

It is important that you or an authorized representative attend the hearing on your appeal. Should you or a representative not attend, the Commission will rule on the information previously submitted and any testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance. As a reminder, you are to be honest and forthright during all testimony and in all documentation that you provide to the Civil Service Commission.

You may contact me at (628) 652-1100 or at [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) if you have any questions.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

Cc: Carol Isen, Department of Human Resources  
Dave Johnson, Department of Human Resources  
Anna Biasbas, Department of Human Resources  
Dianne Zhou, Department of Public Health  
Scott DeWolfe, Department of Public Health  
Luenna Kim, Department of Public Health  
Liesel Cruz, Department of Public Health  
Commission File  
Commissioners' Binder  
Chron




# 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: **0209-22-4**
2. For Civil Service Commission Meeting of: **December 5, 2022**
3. Check One:
 

Ratification Agenda	<input type="checkbox"/>
Consent Agenda	<input type="checkbox"/>
Regular Agenda	<input checked="" type="checkbox"/>
Human Resources Director's Report	<input type="checkbox"/>
4. Subject: **Appeal by Phillip Lowenthal of the rejection of their application for CBT 2803 E10137**
5. Recommendation: **Deny the appeal and adopt the report of the Department of Public Health.**
6. Report prepared by: **Diane Zhou** Telephone number: **415-554-2913**
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: 11/17/22
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  CSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

<b><u>CSC RECEIPT STAMP</u></b>

Attachment

## NOTIFICATIONS

Phillip Lowenthal

[REDACTED]

Diane Zhou  
Senior HR Analyst  
Department of Public Health  
101 Grove Street  
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Luenna Kim  
Human Resources Director  
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[luenna.kim@sfdph.org](mailto:luenna.kim@sfdph.org)

Dave Johnson  
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1 South Van Ness Avenue, 4<sup>th</sup> Floor  
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[Dave.Johnson@sfgov.org](mailto:Dave.Johnson@sfgov.org)

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1 South Van Ness Avenue, 4<sup>th</sup> Floor  
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[Anna.Biasbas@sfgov.org](mailto:Anna.Biasbas@sfgov.org)



## San Francisco Department of Public Health

Grant Colfax, MD  
Director of Health

City and County of San Francisco  
London N. Breed Mayor

### MEMORANDUM

DATE: November 17, 2022

TO: The Honorable Civil Service Commission

THROUGH: Carol Isen, Human Resources Director

FROM: Diane Zhou, Senior Human Resources Analyst  
Department of Public Health

Scott DeWolfe, Merit Systems Manager  
Department of Public Health

RE: **Appeal by Phillip Lowenthal of the rejection of their application for CBT 2803 E10137; Register No. 0209-22-4**

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### Background

The Department of Public Health published the job ad for CBT 2803 Epidemiologist II (E10137) on Friday, October 21, 2022 [see Attachment A], under the authority of the 48<sup>th</sup> Supplement to the Emergency Declaration from Mayor London Breed [see Attachment B] and Civil Service rule 111.17. The job ad specified the following minimum qualifications:

“A Category 18 exempt appointment in Class 2803 with the City and County of San Francisco with a minimum of one year of service by December 15, 2022. Must be a current exempt employee with the City and County of San Francisco with no break in service.

Appellant Lowenthal applied to this recruitment on Friday, October 21, 2022. Appellant Lowenthal’s application was rejected on Friday, October 28, 2022 [see Attachment C], and Appellant Lowenthal appealed that rejection on November 2, 2022. Appellant Lowenthal’s appeal to the CSC [see Attachment D] cited that he should be qualified based on his experience with the City and County of San Francisco in the Department of Public Health as a “temporary provisional” Disaster Service Worker (DSW) in Class 2803 Epidemiologist as Temporary Provisional (TPV) appointee.

Appellant Lowenthal is claiming that his TPV position in Class 2803 is no different than a Category 18 TEX position and should qualify for the CBT 2803 E10137 recruitment.



## Issue

Should Phillip Lowenthal be allowed to participate in the CBT-2803-E10137 recruitment without meeting the MQs as stated in the job ad?

## Authority/Standards

### Sec. 110.2 Examination Announcements

The examination announcement shall be the official notice of an examination and shall provide the qualifications, dates, and other particulars regarding the selection procedure. Applicants must be guided solely by the terms of the examination announcement.

### Sec. 110.4 Appeals of Examination Announcements

Appeals concerning the provisions of an examination announcement must be received by the Human Resources Director within five (5) business days from the issuance date. The Human Resources Director shall rule on all appeals and shall notify appellants in writing of the decision. This decision is subject to appeal to the Commission as provided elsewhere in these Rules.

### Sec. 110.9 Qualifications of Applicants

110.9.1 Every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination. Experience gained in violation of Commission Rules shall not be recognized. City and County employees shall receive credit only for the duties of the class to which appointed or assigned unless sufficient and credible documentation is provided to verify performance of other duties. Employees may receive credit for duties not usually performed by incumbents in a class if their employee file contains contemporaneous documentation that the duties were assigned and performed. By way of example but not limitation, records that describe and verify the out-of-class assignment that may be accepted as documentation include a valid performance appraisal completed during the normal evaluation period, payroll records filed at the time of the assignment and Notice of Assignment. Credit for duties not usually performed by incumbents in a class based on non-contemporaneous documentation shall require the certification of the Appointing Officer and the approval of the Human Resources Director.

### 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, 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 in any status (including provisional) qualify promotionally.

### Sec. 111.17 Authorization for Exempt to Permanent Status Program

Pursuant to the Forty-Eighth Supplement to the Mayoral Emergency Declaration, the Human Resources Director is authorized to establish programs giving exempt employees the opportunity to transition to permanent status. The exempt employee must have successfully served in an exempt status for a minimum of one (1) year. In establishing the program, the Human Resources Director

shall consider, among other factors, active holdover rosters where qualified eligibles exist, availability of positions, budgetary restrictions, equal employment opportunity and Office of Racial Equity goals.

The specific procedures and qualifications established shall be listed in the examination announcement for the classifications involved. Eligibles processed in this manner will be placed on an eligible list. This rule shall only apply to Exempt Category 18: Special Projects and Professional Services. The certification rule for all eligible lists established under this program shall be Rule of the List. Determination of the appropriate eligible list from which to make appointments if there is an active eligible list in the job classification is at the discretion of the Human Resources Director subject to criteria submitted to and approved by the Civil Service Commission.

Decisions by the Human Resources Director shall be subject to appeal to the Civil Service Commission whose decision shall be final. In view of the urgency and time limitations, an expedited report and hearing process utilizing special meetings of the Commission where a quorum is present may be considered.

The Human Resources Director shall submit monthly reports to the Civil Service Commission on the progress of the temporary program.

Inquiries and complaints on this program submitted to the Civil Service Commission office under its Charter authorizes Inspection Services and shall continue to be investigated and resolved.

Consistent with the provisions of the Forty-Eighth Supplement to the Mayoral Emergency Declaration, this Rule shall expire December 15, 2022, unless terminated earlier by the Mayor or the Board of Supervisors.

### **Findings**

The CBT-2803-E10137 job ad was posted in accordance with CSC rules 110.2. CSC Rule 110.9 states that “every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination.” As previously mentioned, the announcement was posted publicly with the minimum qualification specifying current exempt appointment with the City and County of San Francisco [CCSF] and a minimum of one year as a Category 18 exempt appointee in Class 2803 by December 15, 2022. These minimum qualifications align with both the 48th Supplement and with CSC Rule 111.17.

### **Analysis**

The information that the appellant included on the appeal gave no indication of meeting the MQs by virtue of a category 18 appointment in Class 2803. Research into appellant Lowenthal’s CCSF work history [see Attachment E] showed TPV appointment to Class 2803, but not an active temporary exempt employee, and no Category 18 work history.

### **Conclusion**

The appellant provides no evidence of meeting the MQs specified on the job ad and should not be allowed to participate in this CBT-2803-E10137 exam.

**Department of Public Health Recommendation**

Deny the appeal and adopt the report of the Department of Public Health.

**Attachments:**

Attachment A:	2803 Exempt to PCS Job Announcement
Attachment B:	48th Supplement to Mayoral Proclamation
Attachment C:	Not Qualified notice to Phillip Lowenthal
Attachment D:	Phillip Lowenthal CSC Appeal
Attachment E:	PeopleSoft Employment Records



# SF | Careers

## Epidemiologist II (2803 - 48th Supplement)

101 Grove St, San Francisco, CA 94102, USA

Full-time

Exam Type: Class Based Test

Eligible List Type: Combined Promotive and Entrance

Certification Rule: Rule of the List

Fill Type: Permanent Civil Service

Job Code and Title: 2803-Epidemiologist II

### Company Description

**Filing deadline – application filing will be open continuously at least through October 28, 2022 and will close any time thereafter.**

The City and County of San Francisco employs over 30,000 workers. With more than 60 departments, we can use your skills and abilities. When you work for the City, you choose purpose!

This selection process is being conducted in accordance with the 48th Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020 and temporary Civil Service Commission [CSC] Rule 111.17.

Compensation rate for this position is [\\$111,748.00 - \\$135,876.00 Annually](#)

### DPH statement of Diversity, Equity and Inclusion

The Department of Public Health prioritizes equitable and inclusive access to quality healthcare for its community and values the diversity of its workforce. All employees are required to participate in the Department of Public Health's work to advance equity, inclusion, and diversity through:

- Commitment to providing exceptional care and services to all residents of the City and County of San Francisco service population, with heightened awareness of responsiveness to racially, ethnically, and culturally diverse members of the service population and the DPH workforce.
- Desire and commitment to lead and participate in anti-racism, racial justice, and equity work that improves quality of patient care and employee experiences; along with the commitment and fortitude to drive change in these areas.
- Desire to work with, relate to, serve, and support a diverse service population and workforce.
- Commitment to health equity with a specific lens and focus on race, ethnicity, gender, sex, sexuality, disability, and immigration status.

### Job Description

Under general direction, designs, conducts, and evaluates original epidemiologic research to determine patterns of health



outcomes and their determinants in the community. **Examples of Essential Duties:**

1. Plans, directs and evaluates original epidemiologic and/or evaluation proposals and studies; designs and implements survey instruments and procedures for data collection and analysis; establishes and maintains surveillance systems to identify and monitor health-related trends among various populations; and analyzes and interprets findings.
2. Recommends policies and procedures for the control and prevention of diseases and the promotion of health outcomes; assesses feasibility of population interventions; and analyzes the impact of planned interventions on the health status of target populations.
3. Provides direction to staff involved in data collection, data quality management, statistical analysis and other support activities involved in research and evaluation.
4. Provides technical consultation to departmental staff on epidemiologic and/or evaluation research methodology and design; provides information to other public and private agencies and professional groups regarding issues relating to health-related trends, patterns, characteristics, possible causation, and potential remedial actions; coordinates research efforts with departmental staff and investigators in other agencies.
5. Prepares reports, presentations and scientific papers based on hypothesis and results; participates in conferences, meetings and seminars relating to the causation, distribution, and prevention of diseases and other health outcomes.
6. The Epidemiologist II performs other duties as assigned.

### **Qualifications**

A minimum of one year as a Category 18 exempt appointee in Class 2803 by December 15, 2022. Must be a current exempt employee with the City and County of San Francisco with no break in service.

### **Verification**

Candidates being offered a permanent appointment will be required to submit verification of having met the underlying minimum qualifications [education and experience] at the time of appointment to the exempt position. Information on how to verify education requirements, including verifying foreign education credits or degree equivalency, can be found at <https://sfdhr.org/how-verify-education-requirements>

Failure to submit verification will result in disqualification from this selection process.

### **How to Apply**

Applications for City and County of San Francisco jobs are **only** accepted through an online process. Select the “Apply Now” button and begin the application process.

Applicants may be contacted by email about this recruitment and, therefore, it is their responsibility to ensure that their registered email address is accurate and kept up to date. Also, applicants must ensure that email from CCSF is not blocked on their computer by a spam filter. To prevent blocking, applicants should set up their email to accept CCSF mail from the following addresses @sfgov.org @sfusd.edu @sfdph.org and @smartrecruiters.com).

Applicants will receive a confirmation email that their online application has been received in response to every announcement for which they file. Applicants should retain this confirmation email for their records. **Failure to receive this email means that the online application was not submitted or received.**

### **Selection Process**

Qualified applicants will be ranked on an eligible list according to length of Cat 18 exempt City service and any other qualifying points such as promotive or Veteran’s Preference in accordance with CSC rules. Work history will be verified through City records which will be the final authority.

through City records which will be the final authority.

### **Eligible List/Score Report**

A confidential eligible list of qualifying candidates will be created and used for certification purposes only. A score report will be established, so applicants can view the ranks, final scores and number of eligible candidates. Applicant information, including names of applicants on the eligible list, shall not be made public unless required by law. However, an eligible list shall be made available for public inspection upon request once the eligible list is exhausted or expired and referrals resolved. The eligible list/score report resulting from this selection process is subject to change after adoption (e.g., as a result of appeals), as directed by the Human Resources Director or the Civil Service Commission.

The duration of the eligible list resulting from this examination process will be 12 months.

For those candidates that do not have their qualifying 12 months at the time of eligible list posting, you will be placed under waiver on the eligible list and not available for appointment until you qualify. For example, if you were appointed to your Cat 18 position in November, 2021, you would be under waiver until November 2022.

### **Certification Rule**

The certification rule for this selection process will be Rule of the List.

### **Additional Information**

#### **Terms of Announcement and Appeal Rights:**

Applicants must be guided solely by the provisions of this announcement, including requirements, time periods and other particulars, except when superseded by federal, state or local laws, rules or regulations. Clerical errors may be corrected by the posting the correction on the Department of Human Resources website at <https://careers.smartrecruiters.com/CityAndCountyOfSanFrancisco1/> .

The terms of this announcement may be appealed under CSC Rule 110.4. Appeals concerning the provisions of an examination announcement must be received by the Human Resources Director within five (5) business days from the issuance date. The Human Resources Director shall rule on all appeals and shall notify appellants in writing of the decision. This decision is subject to appeal to the Commission as provided elsewhere in these Rules.

### **Additional Information Regarding Employment with the City and County of San Francisco**

- [Information About the Hiring Process](#)
- [Conviction History](#)
- [Employee Benefits Overview](#)
- [Equal Employment Opportunity](#)
- [Disaster Service Worker](#)
- [ADA Accommodation](#)
- [Right to Work](#)
- [Diversity Statement](#)

**DPH Health Critical Requirements and Information:** Please review the following policies regarding DPH employment requirements that safeguard yourself and others.

- [COVID-19 Policies](#)
- [Personal Protective Equipment \(PPE\)](#)
- [Medical Examination Prior to Hiring](#)
- [Electronic Health Record \(EHR\)](#)
- [Licensure/Certification/Registration](#)
- [Note on ICARE](#)

If you have any questions regarding this recruitment or application process, please contact Diane Zhou at [diane.zhou@sfdph.org](mailto:diane.zhou@sfdph.org) or (415) 554-2913.

Recruitment ID: CBT-2802-E10137

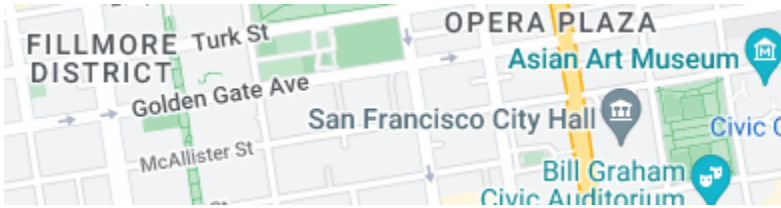
- *Commitment to providing first-class care and service to all members of the DPH service population, with heightened sensitivity and awareness to racial, ethnic, and culturally diverse members of the DPH’s workforce and patient populations.*
- *Desire and commitment to lead and participate in antiracism, racial justice, and equity work that impacts quality of patient care, and improvements in employee experiences; along with the commitment and fortitude to push and drive change in these areas.*
- *Desire to work with, relate to, serve, and support a diverse workforce and patient population.*
- *Commitment to health equity with a specific lens and focus on race, ethnicity, gender, sex, and sexuality.*

All of your information will be kept confidential according to EEO guidelines.

**CONDITION OF EMPLOYMENT:** All City and County of San Francisco employees are required to be fully vaccinated against COVID-19 as a condition of employment. Someone is fully vaccinated when 14 days have passed since they received the final dose of a two-shot vaccine or a dose of a one-shot vaccine. Any new hire must present proof of full vaccination status to be appointed. Any new hire who will be routinely assigned or occasionally enter High-Risk Settings, must provide proof of having received a COVID-19 booster vaccine by March 1, 2022, or once eligible.

The City and County of San Francisco encourages women, minorities and persons with disabilities to apply. Applicants will be considered regardless of their sex, race, age, religion, color, national origin, ancestry, physical disability, mental disability, medical condition (associated with cancer, a history of cancer, or genetic characteristics), HIV/AIDS status, genetic information, marital status, sexual orientation, gender, gender identity, gender expression, military and veteran status, or other protected category under the law.

**Job Location**



[Cookies Settings](#)



**FORTY-EIGHTH SUPPLEMENT TO MAYORAL PROCLAMATION DECLARING  
THE EXISTENCE OF A LOCAL EMERGENCY DATED FEBRUARY 25, 2020**

*Authority to Streamline Examination Process for Temporary Exempt Employees;  
Authority to Extend Temporary Exempt Appointments;  
Cash-Out of Excess Accrued Vacation Balances*

**WHEREAS**, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

**WHEREAS**, On February 25, 2020, the Mayor issued a Proclamation (the “Proclamation”) declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus (“COVID-19”); and

**WHEREAS**, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

**WHEREAS**, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

**WHEREAS**, On March 6, 2020, the Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

**WHEREAS**, During the COVID-19 pandemic, the City closed its civil service examination testing center, and was unable to conduct civil service examinations for more than seven months, causing a significant backlog in the City’s ability to hire new employees in permanent positions; and

**WHEREAS**, The City has more than 3,000 funded, vacant positions as a result of COVID-induced delays in hiring; and





**WHEREAS**, Charter Section 10.104 allows the City to hire employees temporarily in specified positions that are not subject to the Charter’s permanent civil service appointment and removal procedures. These positions and appointments are often called “exempt.” Charter Section 10.104(18) allows departments to hire exempt employees for special projects and professional services for a period of no more than three years. These appointments are often referred to as “Category 18 positions”; and

**WHEREAS**, A number of City departments have hired exempt employees in Category 18 positions to address critical City needs responding to the COVID-19 pandemic, and many of those employees have done extraordinary work to help the City and its residents recover from the pandemic, establishing in many cases that they are well qualified to be hired to permanent civil service positions; and

**WHEREAS**, Due to the pandemic, the City has been unable to schedule and conduct sufficient civil service exams to fill these critical positions in a permanent capacity, and it is in the City’s interest to stabilize the City’s workforce at this time; and

**WHEREAS**, In the Seventh and Thirty-First Supplemental Proclamations, the Mayor waived provisions of local law to allow City employees to accrue up to 80 hours of vacation over the applicable vacation cap because many City employees were unable to use vacation balances due to the demands of their duties related to the emergency. Section 3 of the Thirty-Seventh Supplement authorized employees to continue to carry vacation balances over the cap until June 30, 2022 to provide additional time for employees to reduce their vacation balances;

**NOW, THEREFORE,**

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

**In addition to the measures outlined in the Proclamation and in the Supplements to the Proclamation issued on various dates, it is further ordered that:**

(1) The Human Resources Director, in consultation with the Executive Director of the Civil Service Commission, is authorized to temporarily modify Civil Service Rules to establish streamlined competitive examination processes for employees who have served



for at least one year in an exempt status under Charter Section 10.104(18) (special projects and professional services).

On the date the Human Resources Director submits these temporary modifications to the Civil Service Commission, the Human Resources Director shall simultaneously submit to the Commission proposals for permanent rule modifications regarding the same matters. The Human Resources Director shall provide written notice of the rule modifications to all employee organizations representing City employees who may be impacted by the temporary rule modifications. The temporary rule modifications shall take effect five days after submission by the Human Resources Director to the Civil Service Commission, regardless of whether the Commission has considered or approved the modifications. Each temporary rule modification will be effective until the earliest of: (a) the date the Civil Service Commission approves the proposed permanent rule modifications, either as proposed by the Human Resources Director or as amended by the Commission, (b) the date the Civil Service Commission disapproves the Human Resources Director's proposed permanent rule modifications, or (c) December 15, 2022. Any eligible list adopted through the process above will have a duration of no longer than one year. This Order shall remain in effect until December 15, 2022, unless terminated earlier by the Mayor or the Board of Supervisors.

(2) The Human Resources Director is delegated authority to extend the term of exempt appointments under Charter Section 10.104(18) by up to one additional year for employees whose three-year appointment term will expire on or before December 31, 2022. This Order shall remain in effect until December 31, 2022, unless terminated earlier by the Mayor or the Board of Supervisors.

(3) To clarify how the City shall treat vacation hours held by City employees in excess of the applicable vacation cap on June 30, 2022, Section 3 of the Thirty-Seventh Supplement is revised and replaced as follows:

Employees who accrued additional vacation hours above the maximum accrual limit under Section 3 of the Thirty-First Supplement to the Proclamation of Local Emergency must use vacation time and reduce their balance below the maximum accrual limit by June 30, 2022. Any provisions of the Charter, the Municipal Code, and City rules or regulations that would limit or prevent employees from carrying vacation balances above the maximum accrual limit are waived, including but not limited to Charter Section A8.440 and Administrative Code Section 16.12. For all employees who continue to carry



vacation balances over the applicable vacation cap on June 30, 2022, the City shall pay the employees the value of such hours and reduce the employee's vacation balance to the applicable cap. The Human Resources Director and Controller, or their designees, are authorized to implement this program and issue any necessary rules and guidance. This Order shall remain in effect until June 30, 2022, unless terminated earlier by the Mayor or the Board of Supervisors.


DATED: May 19, 2022


A handwritten signature in blue ink, reading "London N. Breed".

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London N. Breed  
Mayor of San Francisco

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**Phillip Lowenthal**   
Epidemiologist 2 at San Francisco Department of Public Health,  
Center for Data Science

[Edit contact info](#)

[Emails \(2\)](#) [Messages](#) [Reviews](#) [Interviews](#) [Notes](#) [Activity](#) [More](#) 



Send Phillip Lowenthal a message



**Diane Zhou**  
Class 2803 Epidemiologist II (48th Supplement).

Oct 28, 2022

Hello Phillip Lowenthal,

This notice is in response to your application for Class 2803 Epidemiologist II (48th Supplement).

As indicated in the Job Ad, the minimum requirements for this recruitment are "a Category 18 exempt appointment in [2803 Epidemiologist II](#) with the City and County of San Francisco with a minimum of one year of service by December 15, 2022."

Our records indicate that you do not meet this requirement, and consequently, your application is rejected.

You have the right to appeal this decision to the Civil Service Commission but must do so within five business days of this notice. Information on how to file an appeal and the associated forms can be found at <https://sfgov.org/civilservice/procedures-forms>.

We appreciate your interest in working with the City and County of San Francisco, and we encourage you to, if you have not already done so, apply for a traditional Class 2803 Epidemiologist II recruitment wherein a Category 18 exempt appointment is not required.

On another note, if you are interested: There is a traditional recruitment accepting applications for [Class 2802 Epidemiologist I](#) until Monday, October 31, 2022 : <https://careers.sf.gov/role/?id=3743990000740276>

Sincerely,  
Department of Human Resources  
City and County of San Francisco





# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## NOTICE OF RECEIPT OF APPEAL

DATE: November 4, 2022  
 REGISTER NO.: 0209-22-4  
 APPELLANT: PHILLIP LOWENTHAL

Carol Isen  
 Human Resources Director  
 Department of Human Resources  
 1 South Van Ness Avenue, 4<sup>th</sup> Floor  
 San Francisco, CA 94103

Dear Carol Isen:

The Civil Service Commission has received the attached letter from Phillip Lowenthal appealing the rejection of his application for Class 2803 Epidemiologist II Cat. 18. Your review and action are required.

If this matter is not timely or appropriate, please submit CSC Form 13 "Action Request on Pending Appeal/Request," with supporting information and documentation to my attention by email at [civilservice@sfgov.org](mailto:civilservice@sfgov.org). CSC Form 13 is available on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService) under "Forms."

In the event that Phillip Lowenthal's appeal is timely and appropriate, the department is required to submit a staff report in response to the appeal within sixty (60) days so that the matter may be resolved in a timely manner. Accordingly, **the staff report is due no later than 11 a.m. on January 26, 2023**, so that it may be heard by the Civil Service Commission at its meeting on February 6, 2023. If you will be unable to transmit the staff report by the January 26<sup>th</sup> deadline, or if required departmental representatives will not be available to attend the February 6<sup>th</sup> meeting, please notify me by use of CSC Form 13 as soon as possible, with information regarding the reason for the postponement and a proposed alternate submission and/or hearing date.

You may contact me at [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) or (628) 652-1100 if you have any questions. For more information regarding staff report requirements, meeting procedures or future meeting dates, please visit the Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

Cc: Anna Biasbas, Department of Human Resources  
Jeanne Buick, Department of Human Resources  
Kate Howard, Department of Human Resources  
Dave Johnson, Department of Human Resources  
Stephanie Mayorga-Tipton, Department of Human Resources  
Mawuli Tugbenyoh, Department of Human Resources



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

*Sent via Email*

November 4, 2022

Phillip Lowenthal  
[REDACTED]

Subject: **Register No. 0209-22-4: Appealing the Rejection of His Application for Class 2803 Epidemiologist II Cat. 18.**

Dear Phillip Lowenthal:

This is in response to your appeal submitted to the Civil Service Commission on November 2, 2022, appealing the rejection of his application for Class 2803 Epidemiologist II Cat. 18. Your appeal has been forwarded to the Department of Human Resources for investigation and response to the Civil Service Commission.

If your appeal is timely and appropriate, the department will submit its staff report on this matter to the Civil Service Commission in the near future to request that it be scheduled for hearing. The Civil Service Commission generally meets on the 1st and 3rd Mondays of each month. You will receive notice of the meeting and the department's staff report on your appeal two Fridays before the hearing date via email, as you have requested on your appeal form.

In the meantime, you may wish to compile any additional information you would like to submit to the Commission in support of your position. The deadline for receipt in the Commission office of any additional information you may wish to submit is 5:00 p.m. on the Tuesday preceding the meeting date by email to [civilservice@sfgov.org](mailto:civilservice@sfgov.org). Please be sure to redact your submission for any confidential or sensitive information (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

You may contact me by email [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) or by phone at (628) 652-1100 if you have any questions. You may also access the Civil Service Commission's meeting calendar, and information regarding staff reports and meeting procedures, on the Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer





**CIVIL SERVICE COMMISSION**  
**City and County of San Francisco**  
 25 Van Ness Avenue, Suite 720  
 San Francisco, California 94102-6033  
 Executive Officer  
 (628) 652-1100

CSC Register No.  
 \_\_\_\_\_  
 To:  
 \_\_\_\_\_  
 CC:  
 \_\_\_\_\_

**APPEAL TO THE CIVIL SERVICE COMMISSION**

<p><b>INSTRUCTIONS:</b>          Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above <b>within the designated number of days</b> following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. <b>(E-mail is not accepted.)</b> It is recommended that you include all relevant information and documentation in support of your appeal.</p>	<p><b>TYPE OF APPEAL:</b> (Check One)  <input checked="" type="checkbox"/> Examination Matters (by close of business on 5<sup>th</sup> working day)  <input type="checkbox"/> Employee Compensation Matters (by close of business on 7<sup>th</sup> working day) - <b>Limited application</b>  <input type="checkbox"/> Personal Service Contracts (<b>Posting Period</b>)  <input type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (<b>30 Calendar days</b>)  <input type="checkbox"/> Future Employability Recommendations (See Notice to Employee)</p>
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**"During the Shelter Order dated March 17, 2020, we are accepting appeals by email at [civilservice@sfgov.org](mailto:civilservice@sfgov.org)"**

Phillip Lowenthal	101 New Montgomery St, SF CA 94105	628-217-6163
Full Name of Appellant	Work Address	Work Telephone
2803 Epidemiologist II	Center for Data Science, Department of Public Health	
Job Code	Title	Department
[REDACTED]		
Residence Address	City	State
N/A	N/A	
Home Telephone	Zip	
Full Name of Authorized Representative (if any)		Telephone Number of Representative (including Area Code)

**NOTE:** If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

**Email:** \_\_\_\_\_  
 \_\_\_\_\_

**COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE. (Use additional page(s) if necessary)**

<p>Does the basis of this appeal include <b>new</b> information not previously presented in the appeal to the Human Resources Director? If so, please specify.</p>	<p>Check One:  <input checked="" type="checkbox"/> Yes      <input type="checkbox"/> No</p>
--	---

Original Signature of Appellant or Authorized Representative: Phillip Lowenthal Date: 11/02/2022

CSC-12 (5/2021) Date Received by Civil Service Commission: \_\_\_\_\_



CCSF Job Appointment Summary

Phillip B Lowenthal Emp ID [REDACTED] Empl Record 0

Job Appointment Summary

Personalize | Find | View All | First 1 of 1 Last

Eff Date	Appt Date	Action	Description	Pavroll Status	Job Code	Union Code	Empl Class	Exmpt Cat	Full/Part Time	Elig List #	Rank	POS #	Deot Sen Date	Dept	Location	Cert Date	Ctnwrd Srtry Date	Company Seniority Date	Vacation Anniversary Date	Sick Anniversary Date
01/09/2021	01/09/2021	HIR	New Hire	Active	2803	021	TPV	NA	F		0.00	01104304		DPH	DPH001			01/09/2021	01/09/2021	01/09/2021

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