



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

**LONDON N. BREED  
MAYOR**

*Sent via Electronic Mail*

December 8, 2022

**NOTICE OF CIVIL SERVICE COMMISSION MEETING**

Kevin Jackson  
[REDACTED]

**SUBJECT: APPEAL BY KEVIN JACKSON OF THE MINIMUM QUALIFICATIONS FOR CLASS 3434 ARBORIST TECHNICIAN.**

Dear Kevin Jackson:

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 19, 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, December 14, 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, December 13, 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  
Kate Howard, Department of Human Resources  
Steve Ponder, Department of Human Resources  
Svetlana Vaksberg, Office of the City Administrator  
Carla Short, Department of Public Works  
Karen Hill, Department of Public Works  
Theresa Foglio-Ramirez, Local 261  
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: 0200-19-2
2. For Civil Service Commission Meeting of: **December 19, 2022**
3. Check One:           Ratification Agenda                     
                                   Consent Agenda     
                                   Regular Agenda     
                                   Human Resources Director's Report
4. Subject: **Appeal by Kevin Jackson of the Minimum Qualifications for classification 3434  
Arborist Technician (Amended)**
5. Recommendation: **Adopt the report and deny the appeal by Kevin Jackson of the 3434  
Arborist Technician Minimum Qualification**
6. Report prepared by: **Steve Ponder** Telephone number: **415.557.4917**
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: 12/7/2022

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.

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

Attachment

## NOTIFICATIONS

Carol Isen, Human Resources Director  
Department of Human Resources  
1 S Van Ness Ave., 4th Floor  
San Francisco, CA 94103  
[Carol.isen@sfgov.org](mailto:Carol.isen@sfgov.org)

Kate Howard  
Department of Human Resources  
1 S Van Ness Ave., 4th Floor  
San Francisco, CA 94103  
[Kate.howard@sfgov.org](mailto:Kate.howard@sfgov.org)

Steven Ponder  
Department of Human Resources  
One South Van Ness Ave., 4th Floor  
San Francisco, CA 94103  
[steve.ponder@sfgov.org](mailto:steve.ponder@sfgov.org)

Carla Short  
Department of Public Works  
49 South Van Ness Ave., 16<sup>th</sup> Floor  
San Francisco, CA 94103  
[carla.short@sfdpw.org](mailto:carla.short@sfdpw.org)

Svetlana Vaksberg  
Office of the City Administrator  
City and County of San Francisco  
1155 Market Street, 4th Floor  
San Francisco, CA 94103  
[Svetlana.Vaksberg@sfgov.org](mailto:Svetlana.Vaksberg@sfgov.org)

Theresa Foglio-Ramirez  
Public Sector Business Agent  
LiUNA!, Local 261  
3271 18th Street  
San Francisco, CA 94110  
[laborers261@gmail.com](mailto:laborers261@gmail.com)

Kevin Jackson  




**MEMORANDUM**

**DATE:** December 8, 2022  
**TO:** The Honorable Civil Service Commission  
**FROM:** Steve Ponder, Classification and Compensation Director  
**THROUGH:** Carol Isen, Human Resources Director  
**SUBJECT:** Appeal by Kevin Jackson of the Minimum Qualifications for classification 3434 Arborist Technician (Register No. 0200-19-2) (Amended)

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**EXECUTIVE SUMMARY**

This memo addresses the issues surrounding the appeal by Kevin Jackson over the Minimum Qualifications (MQs) for the 3434 Arborist Technician.

On May 16, 2018, Mr. Jackson appealed the MQ language. On October 1, 2018, the Civil Service Commission granted Mr. Jackson's appeal.

DHR revised the MQs and reposted on 5/21/19 after extensive discussion with the Executive Officer of the Civil Service Commission and the assigned representative of Laborers Union Local 261 (LIUNA Local 261); LIUNA Local 261 is the exclusive representative of the 3434 Arborist Technician classification. The revised language, which reflected the agreement reached between the Commission's representative, the Union's representative and the Department of Human Resources, varied from the Commission's October 1, 2018 order.

DHR informed Mr. Jackson that he had a continuing right of appeal as the amended posting varied from the Commission's order. Mr. Jackson did not file an appeal on the amended MQs. When the appeal period elapsed, the posted MQs became final and became the new standard for any subsequent job announcement.

On April 27, 2019, Mr. Jackson appealed the job announcement for class 3434, on the basis that the announcement did not contain language as ordered in the Commission's October 1, 2018 action. On November 1, 2021, the Commission granted Mr. Jackson's appeal of the job announcement on the basis that the job announcement did not confirm to its October 1, 2018 action.

Based on the agreement reached between the Civil Service Commission's representative, LIUNA Local 261's representative and the Department of Human Resources, DHR requests that Civil Service Commission to adopt the report and deny Mr. Jackson's appeal.

## **BACKGROUND**

On October 1, 2018, the Civil Service Commission granted Kevin Jackson's appeal and instructed DHR to post the following substitution language for classification 3434 Arborist Technician.

Successful completion of the Arborist Technician Apprenticeship Program and possession of an ISA certification.

The Department of Human Resources posted numerous variances of this language based on the guidance provide by Michael Brown, then Executive Officer of the Civil Service Commission.

On October 15, 2018, DHR posted the following revised substitution language in the minimum qualification.

*In accordance with the registered agreement between the City and County of San Francisco, the LiUNA Local 261 (Union) and the State of California, Division of Apprenticeship Standards, the following shall apply:*

*The City and the Union agree that apprentices will be trained in accordance with applicable municipal, state and federal laws, rules, and ordinances; and that the training content of the program is adequate to qualify the eligible apprentices as journey Arborist Technicians (City classification 3434 Arborist Technician).*

*Therefore, eCompletion of the **City And County Of San Francisco and Laborers' International Union of North America, Local 261 Arborist Technician Apprenticeship Project** **CITY AND COUNTY OF SAN FRANCISCO AND LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 261 ARBORIST TECHICIAN APPRENTICESHIP PROJECT** (which is a California Division of Apprenticeship Standards registered Arborist Technician apprenticeship program) **which includes obtaining Tree Worker Climber Specialist certification issued by the International Society of Arboriculture (ISA)** may substitute for the required experience.*

Pursuant to a subsequent appeal on May 21, 2018 by Kevin Jackson, DHR worked with Michael Brown to develop alternative substitution language in an attempt to resolve Mr. Jackson's appeals.

On April 19, 2019, DHR posted the following revised substitution language:

*In accordance with the registered agreement between the City and County of San Francisco, the LiUNA Local 261 (Union) and the State of California, Division of Apprenticeship Standards, the following shall apply:*

~~The City and the Union agree that apprentices will be trained in accordance with applicable municipal, state and federal laws, rules, and ordinances; and that the training content of the program is adequate to qualify the eligible apprentices as journey Arborist Technicians (City classification 3434 Arborist Technician).~~

~~Therefore, completion of the CITY AND COUNTY OF SAN FRANCISCO AND LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 261 ARBORIST TECHICIAN APPRENTICESHIP PROJECT (which is a California Division of Apprenticeship Standards registered Arborist Technician apprenticeship program) may substitute for the required experience.~~

**Completion of an Arborist Technician Apprenticeship Program approved by the Director of Human Resources.**

Mr. Jackson protested this posting on April 26, 2019. In response to that protest, on May 21, 2019, Michael Brown met with Theresa Foglio, representative of LIUNA Local 261 and Steven Ponder in which the parties agreed that DHR would post the following substitution language in the minimum qualification section of classification 3434 Arborist Technician.

**Completion of an Arborist Technician Apprenticeship Program registered with the California Division of Apprenticeship Standards.**

At this meeting, Ms. Foglio explained that not all candidates who graduate from the apprenticeship program obtain the ISA certification and it is not otherwise a requirement for this work. Attachment A memorializes the exchange between DHR and CSC on this matter. Attachment B reaffirms LIUNA Local 261's concurrence with this approach.

Based on Kevin Jackson's appeal of our August 29, 2019 posting, the word "successful" was added to the beginning of the substitution language that was finalized on September 11, 2019. The final language agreed to by DHR, Civil Service Commission Executive Officer and LIUNA Local 261 was as follows:

**Successful completion of an Arborist Technician Apprenticeship Program registered with the California Division of Apprenticeship Standards.**

Irrespective of the extensive multi-party negotiations, on November 1, 2021, the Civil Service Commission granted Kevin Jackson's appeal based on the reasoning that DHR did not post the revised MQ pursuant to the instruction provided by the Civil Service Commission on October 1, 2018.

**Conclusion and Recommendation**

DHR believed that it was acting in accordance with direction provided by the Civil Service Commission's Executive Director; and that LIUNA Local 261's agreement was



required due to its role and rights as the exclusive bargaining representative of class 3434 Arborist Technician. For these reasons, DHR requests that the Civil Service Commission adopt the report and deny Mr. Jackson's appeal.

Attachment A - Communication between DHR and Former Executive Officer Brown

Attachment B - Communication between DHR and Local 261

Attachment C - Appeal by Kevin Jackson

## **Attachment A**

**From:** Brown, Michael (CSC)  
**Sent:** Tuesday, May 21, 2019 2:35 PM  
**To:** Ponder, Steve (HRD); Foglio Theresa ([laborers261@gmail.com](mailto:laborers261@gmail.com))  
**Subject:** RE: 3434 MQs

Steve,

Confirmed,

Michael L. Brown  
Executive Officer/Director  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco Ca 94102  
(415) 252-3247

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**From:** Ponder, Steve (HRD)  
**Sent:** Tuesday, May 21, 2019 2:34 PM  
**To:** Brown, Michael (CSC) <[michael.brown@sfgov.org](mailto:michael.brown@sfgov.org)>; Foglio Theresa ([laborers261@gmail.com](mailto:laborers261@gmail.com)) <[laborers261@gmail.com](mailto:laborers261@gmail.com)>  
**Subject:** 3434 MQs

Thank you both for a very productive meeting today. I will repost with the following substitution language upon both of your confirmations.

Completion of an Arborist Technician Apprenticeship Program registered with the California Division of Apprenticeship Standards.

thanks

## **Attachment B**

**From:** Eng, Sandra (CSC) <[sandra.eng@sfgov.org](mailto:sandra.eng@sfgov.org)>

**Sent:** Wednesday, June 22, 2022 8:33 AM

**To:** Howard, Kate (HRD) <[kate.howard@sfgov.org](mailto:kate.howard@sfgov.org)>; Ponder, Steve (HRD) <[steve.ponder@sfgov.org](mailto:steve.ponder@sfgov.org)>

**Subject:** RE: draft 3434

Good Morning Kate and Steve,

Thank you for providing the email communication that included Michael Brown and Theresa Foglio. Does DHR have written communication from Local 261 explaining why they recommended the change? It could also be a recent letter from L261 that can be attached to the staff report. We can schedule this item to be heard on the meeting of August 1, 2022.

Sincerely,

Sandra

*Sandra Eng*

*Executive Director  
Civil Service Commission  
City and County of San Francisco  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102*

On Wed, Jun 22, 2022 at 9:06 AM Ponder, Steve (HRD) <[steve.ponder@sfgov.org](mailto:steve.ponder@sfgov.org)> wrote:

Hey Theresa, per Sandra's e-mail below, could you send us an email explaining why you hold that the ISA certificate should not be a requirement for those graduating from the apprenticeship program. I believe it is not required for those that meet the regular MQs so it is then deemed not necessary for the job so should not then be extended to apprentices. Specifically, there is now one graduate from the program that does not have this certificate that the City would like to hire, but is prevented from doing so until this is cleared up.

thanks



Connecting People with Purpose

**Steven Ponder, Classification and Compensation Director**

Department of Human Resources

One South Van Ness Ave., 4<sup>th</sup> Floor

San Francisco, CA 94103

Phone: (415) 557-4917

Website: [www.sfdhr.org](http://www.sfdhr.org)

**From:** Theresa Foglio <[laborers261@gmail.com](mailto:laborers261@gmail.com)>  
**Sent:** Tuesday, July 19, 2022 3:24 PM  
**To:** Ponder, Steve (HRD) <[steve.ponder@sfgov.org](mailto:steve.ponder@sfgov.org)>  
**Cc:** Eng, Sandra (CSC) <[sandra.eng@sfgov.org](mailto:sandra.eng@sfgov.org)>; Howard, Kate (HRD) <[kate.howard@sfgov.org](mailto:kate.howard@sfgov.org)>  
**Subject:** Re: draft 3434

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings,  
Sorry for the delayed response, I had too much time off on the books and had to take some time off. Steve, what you stated is absolutely correct. The MQs of the journey level classification does not require that the employee has ISA certifications, therefore it is not deemed necessary to extend to apprentices or apprenticeship. Currently many employees in the 3434 classification (journey level) do not have ISA certifications.



# CIVIL SERVICE COMMISSION

## CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

### NOTICE OF RECEIPT OF APPEAL

ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

DATE: August 14, 2019  
REGISTER NO.: 0200-19-2  
APPELLANT: KEVIN D. JACKSON

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

Dear Ms. Callahan:

The Civil Service Commission has received the attached letter from Kevin D. Jackson, appealing the 3434 Arborist Technician Proposed Classification Action an amendment to the Class Specification. 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 at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. 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 Kevin D. Jackson'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 October 24, 2019** so that it may be heard by the Civil Service Commission at its meeting on November 4, 2019. If you will be unable to transmit the staff report by the October 24<sup>th</sup> deadline, or if required departmental representatives will not be available to attend the November 4<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 [Michael.Brown@sfgov.org](mailto:Michael.Brown@sfgov.org) or (415) 252-3247 if you have any questions. For more information regarding staff report requirements,

MICHAEL L. BROWN  
EXECUTIVE OFFICER

Appellant: Kevin D. Jackson  
August 14, 2019  
Page 2 of 2

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



MICHAEL L. BROWN  
Executive Officer

Attachment

Cc: Jeanne Buick, Department of Human Resources  
Steven Ponder, Department of Human Resources



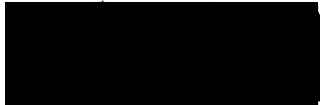
# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

*Sent via U.S. Mail and Email*

August 14, 2019

Kevin D. Jackson



ELIZABETH SALVESON  
PRESIDENT

KATE FAVETTI  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

F. X. CROWLEY  
COMMISSIONER

Subject: **Register No. 0200-19-2: Appealing the 3434 Arborist Technician Proposed Classification Action and Class Specification.**

Dear Kevin D. Jackson:

This is in response to your appeal submitted to the Civil Service Commission on July 12, 2017 appealing the 3434 Arborist Technician Proposed Classification Action and Class Specification. 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. A hard copy of the report will also be available for your review at the Commission's offices located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.

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 (note that the Commission requires an original and nine copies of any supplemental/rebuttal materials you wish to submit—all double-sided, hole-punched, paper-clipped and numbered). 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 at [Michael.Brown@sfgov.org](mailto:Michael.Brown@sfgov.org) or by phone at (415) 252-3247 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

MICHAEL L. BROWN  
Executive Officer

MICHAEL L. BROWN  
EXECUTIVE OFFICER



**CIVIL SERVICE COMMISSION**  
 City and County of San Francisco  
 25 Van Ness Avenue, Suite 720  
 San Francisco, California 94102-6033  
 Executive Officer  
 (415) 252-3247

CSC Register No.  
0200 - 19 - 2  
 To: X M. Callahan  
S. Ponder  
 CC: J. Buick

**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 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) - Limited application  <input type="checkbox"/> Personal Service Contracts (Posting Period)  <input checked="" type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days)  <input type="checkbox"/> Future Employability Recommendations (See Notice to Employee)</p>
---	---

Kevin Jackson      501 Stanyan SF Ca.94117      [REDACTED]

Full Name of Appellant	Work Address	Work Telephone		
3438      Arborist Technician Supervisor 2	Recreation and Park			
Job Code	Title	Department		
[REDACTED]	[REDACTED]	[REDACTED]		
Residence Address	City	State	Zip	Home Telephone
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Full Name of Authorized Representative (if any)	Telephone Number of Representative (including Area Code)			
[REDACTED]	[REDACTED]			

**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:** kevin.jackson@sfgov.org [REDACTED]

**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          Attachments a,b,c,e,g,h,I,j,k,l,m and information regarding attachments</p>
--	--

Kevin Jackson      August 9, 2019  
 Original Signature of Appellant or Authorized Representative      Date

CSC-12 (10/14)      Date Received by Civil Service Commission: \_\_\_\_\_



**State the basis of this appeal in detail.** For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService).

Appeal of proposed classification action posting #17 item #1 and amendment to Class 3434 Arborist Technician class spec. (attachment A)

The basis for this appeal is; The Department of Human Resources Directors proposed amendment does not comply with the October 1, 2018 Civil Service Commission Action.

On October 1, 2018 The Commission, granted Mr. Kevin Jackson's appeal and require the department to amend the 3434-arborist technician classification specification minimum qualification by removing reference to labor agreements and include "successful completion of the arborist technician apprentice program and the possession of an ISA certification". (Attachment B)

The appeal presented to the Commission, that was granted, is for the removal of substitution language **and** the prohibition of any language that attempts to redefine what qualifies as Journey Level Experience. (Attachment C) The Directors proposed amendment and substitution language is **The Completion of an Arborist Technician Apprenticeship Program approved and registered with the California Division of Apprenticeship Standards.** (Attachment A) The substitution language continues attempts at redefining what qualifies as Journey Level Experience, in defiance of the granted appeal, and bears no resemblance to the October 1, 2019 final written action of the CSC.

If you are willing to ignore the above facts and have given the Director authority to override the CSC action, the California Division of Apprenticeship Standards, which registers the program and issues nationally recognized credentials for successful completion of the program, clearly states that, Apprenticeship does not equal Journey level experience and therefore cannot substitute for the required 3 years Journey Level Experience (Attachment D) Also, Tree Care Industry Association (TCIA) supports and concurs with the California Division of Apprenticeship Standards. TCIA is the gold standard in the industry, has been established since 1938 and represents the Tree Care Industry worldwide (Attachment E) Megan Pukhtiar is the Recruitment and Workforce Development Manager for TCIA and provides documentation of concurrence with the California Division of Apprenticeship Standards (Attachment F). In a Civil Service Commission report filed by the Director on September 19, 2018 The Director **agrees** with the aforementioned facts (Attachment G)

If you are willing to ignore the above facts as well, recognize that, the proposed substitution language is prejudice and constitutes discrimination. Apprenticeship credentials are recognized Nationwide, which includes all States, and is not limited to California. For example, the State of Wisconsin Division of Apprenticeship Standards issues Nationally recognized credentials for its Arborist Apprenticeship Program. This program, in my expert opinion, is superior to the program offered in this geographic area. To disallow an applicant who holds a Nationally recognized credential from the Wisconsin Division of Apprenticeship Standards is prejudicial. To allow California Division of Apprenticeship Standards credential holders exclusive access is favoritism. The Director is a signatory of the California program. The proposed language, proposed by the Director, in its entirety, is discriminatory.

The Director does not provide evidence to support, exercising authority under CSC rule 109.1.5 (Attachment H) The proposed amendment and substitution language does not reflect, nor is it relevant to, the major duties of the 3434 position The 3434 classification is a position that requires three (3) years Journey Level Experience as noted in attachment A. Apprenticeship completion does not meet this threshold, as the evidence shows and as a matter of fact, and therefore does not constitute a necessity to amend the class spec.

The Director has put into effect a class spec that is under protest (Attachment I) and has implemented a Permanent Civil Service Examination based on a protested class spec. CSC rule, 109.2.2 and 109.2.3, provides for an exception to the effective status of a class spec through protest or appeal of proposed changes. (Attachment J) It is accepted that you are not prohibited from the administration process of a Civil Service Exam. It is not accepted that you may implement a Permanent Civil Service Examination based on a class spec that is under protest and therefore deemed not in effect, pending further consideration from CSC. A Civil Service Examination may and must be implemented from a class spec that has been deemed "effective" The current effective 3434 class spec is from posting #27 item #1 effective date of May 26, 2017 (Attachment K)

The Director knowingly and willingly failed to adhere to Civil Service Commission protocol by refusing to provide the appropriate and required "Notice to Appellants" under Civil Service procedure one (1) section IV and IX (Attachment L) After repeated requests to provide this notification it was left to the Civil Service Commission, Executive Officer, Director Brown and Deputy Director Sandra Eng to furnish the appropriate notification. (Attachment M) The protest to the proposed classification action dated May 28, 2019, was denied by the Director of DHR on May 29, 2019. I received the appropriate notice from Deputy Director Eng on July 10, 2019

#### Conclusion

The Director of the Department of Human Resources has displayed a total disregard for Civil Service Commission rules, procedures and actions. The Director has implemented the 3434 Civil Service Examination which has generated an eligible list for Permanent Civil Service appointment, based on classification specification that should not be deemed effective or valid. The Director has shown contempt for the October 1, 2019 Civil Service final action, which granted my appeal, has assumed an authority to override the Civil Service Commission action and has replaced the Civil Service Commissions instruction with text that bears no resemblance to the final action. The Director knowingly and willingly refused to follow protocol, and by doing so, denied my rights to appeal for 49 days at which point the CSC Director and Deputy Director were tasked with assuming the DHR Directors duties. The Director agrees with, but chooses not to accept, the statements submitted from experts at the California Division of Apprenticeship Standards. The Director chooses not to recognize the statement submitted from Industry experts TCIA's Recruitment and Workforce Development Manager. The Director has shown a predilection for prejudice, favoritism and discrimination. The Directors conduct in this matter is antithetical to good governance

#### Recommendation

Based on the above, I, Kevin Jackson, respectfully request that the Civil Service Commission uphold my appeal for the complete removal of the Department of Human Resources Directors proposed Classification action Substitution language and amendment and to grant my appeal without conditions and to prohibit any and all language that attempts to substitute, redefine or equate with the true meaning of Journey Level Experience and/or three (3) years Journey Level Experience

Regards

Kevin Jackson



# Attachment A

City and County of San Francisco  
Micki Callahan  
Human Resources Director



Department of Human Resources  
*Connecting People with Purpose*  
www.sfdhr.org

**NOTICE OF FINAL ACTION TAKEN BY THE  
HUMAN RESOURCES DIRECTOR**

Date: May 29, 2019

Re: **Notice of Proposed Classification Actions – Final Notice No. 17 FY 2018/19 (copy attached).**

Pursuant to completion of discussion with the Civil Service Commission regarding this classification action, the classification actions contained in the above referenced notice became effective May 29, 2019.

Micki Callahan  
Human Resources Director

by:

---

Steve Ponder  
Classification and Compensation Director  
Human Resources

cc: All Employee Organizations  
All Departmental Personnel Officers  
DHR – Class and Comp Unit  
DHR – Client Services Unit  
DHR – Employee Relations Unit  
DHR – Recruitment and Assessment Unit  
DHR – Client Services Operations  
Micki Callahan, DHR  
Michael Brown, CSC  
Sandra Eng, CSC  
Christopher Colandene, SFERS  
Theresa Kao, Controller/ Budget Division  
E-File

**NOTICE OF PROPOSED CLASSIFICATION ACTIONS BY  
THE HUMAN RESOURCES DIRECTOR**

The following actions are being posted in accordance with Civil Service Rule 109. In the absence of a protest addressed to the Human Resources Director, the proposed changes will become final seven (7) calendar days from the posting date.

**Posting No:** 17  
**Fiscal Year:** 2018/2019  
**Posted Date:** 10/15/2018  
**Reposted Date:** 05/21/2019

**AMEND THE FOLLOWING JOB SPECIFICATION(S):**  
*(Job specification(s) attached)*

Item #	Job Code	Title
1	3434	Arborist Technician

**Protests on an item should be addressed to the Human Resources Director** and can be submitted by mail to the City and County of San Francisco, Department of Human Resources, 1 South Van Ness Ave, 4th Floor, San Francisco, CA 94103 or by email to [DHR.ClassificationActionPostings@sfgov.org](mailto:DHR.ClassificationActionPostings@sfgov.org). All protests must be received in writing no later than close of business seven (7) calendar days from the posting date, and must include the posting and item number(s), the basis on which the protest is submitted and identify the affected parties.

Copies of this notice may be obtained from the Department of Human Resources or from the website at: <http://sfdhr.org/index.aspx?page=109>. Copies of Civil Service Rule 109 may be obtained from the Department of Human Resources, the office of the Civil Service Commission at 25 Van Ness Ave, Suite 720, San Francisco, CA 94102 or from the website at: [Rule 109 Position Classification and Related Rules | Civil Service Commission](#).

- cc: All Employee Organizations  
All Departmental Personnel Officers  
DHR – Class and Comp Unit  
DHR – Client Services Unit  
DHR – Employee Relations Unit  
DHR – Recruitment and Assessment Unit  
DHR – Client Services Operations  
Micki Callahan, DHR  
Michael Brown, CSC  
Sandra Eng, CSC  
Christopher Colandene, SFERS  
Theresa Kao, Controller/ Budget Division  
E-File

**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES**

**Title:** Arborist Technician

**Job Code:** 3434

**DEFINITION**

Under general supervision, performs duties involving the maintenance and removal of trees and other vegetation and performs related duties as required. The essential functions of this class include climbing up trees and/or using aerial lift equipment to reach dead, damaged or unwanted limbs or tree tops for removal and pruning, or for purposes of complete tree removal; performing various types of rigging with cranes, skidders, tractors and other heavy equipment; preparing brush for disposal, operating chipper and driving aerial lift equipment vehicles, heavy loader trucks or other required vehicles. Nature of the work involves exposure to a high risk of physical injury to the employee and constant vigilance to public safety. Positions in this job code require considerable physical demands, manual dexterity with frequent exposure to arduous and disagreeable working conditions, including inclement weather.

**DISTINGUISHING FEATURES**

The 3434 Arborist Technician is distinguished from the 3436 Arborist Technician Supervisor in that the latter is the entry-level supervisory class.

**SUPERVISION EXERCISED**

None.

**EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES**

*According to civil service commission rule 109, the duties specified below are representative of the range of duties assigned to this job code/class and are not intended to be an inclusive list.*

1. Assesses and evaluates condition of trees and other vegetation; maintains tree inventories.
2. Climbs trees and removes dead, diseased or otherwise damaged or unwanted limbs or tree tops; prunes, fells and cuts up trees; piles trimmings for pick up and disposal.
3. Performs various types of rigging in connection with this work; operates chain and hand saws, aerial ladder truck, chipper, and other equipment.
4. Drives heavy equipment.
5. Performs related duties as assigned.

**KNOWLEDGE, SKILLS, AND ABILITIES**

Knowledge of: Methods, materials and equipment used in trimming and caring for trees; mechanical aptitude in the use of power saws and other equipment.

Ability and Skill to: Perform necessary roping and rigging connected with this work.

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

**Title:** Arborist Technician

**Job Code:** 3434

**MINIMUM QUALIFICATIONS**

*These minimum qualifications establish the education, training, experience, special skills and/or license(s) which are required for employment in the classification. Please note, additional qualifications (i.e., special conditions) may apply to a particular position and will be stated on the exam/job announcement.*

Education:

Possession of a high school diploma or equivalent (GED or High School Proficiency Examination).

Experience:

Three (3) years of verified journey-level experience as a tree work professional. Duties must have included climbing trees of considerable height for the purpose of removing tree limbs, treetops or entire tree in accordance with safety standards. Experience in pruning trees from a ladder is not qualifying experience.

License and Certification:

Possession of a valid California Class C driver's license at the time of application; AND Possession of a valid California Class B driver's license with no air brakes restriction is required upon completion of the probationary period.

Substitution:

Completion of an Arborist Technician Apprenticeship Program approved and registered with the California Division of Apprenticeship Standards.

**SUPPLEMENTAL INFORMATION**

Safety Sensitive Positions Requirements: In compliance with the Department of Transportation Omnibus Transportation Employee Testing Act of 1991 employing the Federal Motor Carrier Safety Administration (FMCSA) and Federal Transit Administration (FTA) regulations, drug and alcohol testing for employees in "safety-sensitive" positions are required. The selected applicants for safety-sensitive positions will be required to pass a Pre-Employment drug test prior to appointment and shall be subject to Random, Post-Accident, Reasonable Suspicion, Return-To-Duty, and Follow-Up testing during employment. Prior to appointment to an FMCSA position, each applicant who has participated in a DOT drug and alcohol testing program within the immediately preceding two years will be required to sign a consent form authorizing the City to contact his/her prior employers concerning his/her drug and alcohol test history.

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

**Title:** Arborist Technician

**Job Code:** 3434

**PROMOTIVE LINES**

To: 3436 Arborist Technician Supervisor I

**ORIGINATION DATE:** 05/19/00

**AMENDED DATE:** 09/04/01; 10/31/14; 05/26/17; 03/27/18; 05/29/19

**REASON FOR AMENDMENT:** *To accurately reflect the current tasks, knowledge, skills & abilities, and minimum qualifications.*

**BUSINESS UNIT(S):** COMMN SFMTA



# Attachment B



CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED  
MAYOR

*Sent via Electronic Mail and U.S. Mail*

October 5, 2018

NOTICE OF CIVIL SERVICE COMMISSION ACTION

F. X. CROWLEY  
PRESIDENT

ELIZABETH SALVESON  
VICE PRESIDENT

DOUGLAS S. CHAN  
COMMISSIONER

KATE FAVETTI  
COMMISSIONER

SCOTT R. HELDFOND  
COMMISSIONER

Kevin D. Jackson

[REDACTED]  
[Kevin.Jackson@sfgov.org](mailto:Kevin.Jackson@sfgov.org)

**SUBJECT: APPEAL BY KEVIN D. JACKSON OF THE PROPOSED CLASSIFICATION ACTION FOR CLASS 3434 ARBORIST TECHNICIAN.**

Dear Mr. Jackson:

At its meeting on **October 1, 2018** the Civil Service Commission had for its consideration the above matter.

The Commission granted Mr. Kevin Jackson's appeal and require the department to amend the 3434 Arborist Technician classification specification minimum qualifications by removing reference to labor agreements and include "successful completion of the Arborist Technician Apprenticeship Program and the possession of an ISA certification."

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

MICHAEL L. BROWN  
Executive Officer

Cc: Micki Callahan, Department of Human Resources  
Susan Gard, Department of Human Resources  
Steve Ponder, Department of Human Resources  
Tammy Wong, General Services Agency  
Commission File  
Chron

# Attachment C

CSC-12 (10/14)

Date Received by Civil Service Commission: \_\_\_\_\_

State the basis of this appeal in detail. For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService)

I am the 3438 Arborist Technician Supervisor 2 (acting) for the San Francisco, Recreation and Parks Departments, Urban Forestry Division. I have been with RPD Urban Forestry Division for 27 years. I am a subject matter expert with over 33 years in the Tree Care Industry. I am appealing the Director of the Department of Human Resources decision to move forward with the Proposed Classification Action for the 3434 Arborist Technician. (Attached; Item #1 Posting #55). The proposed Classification Action has an amendment, in the form of a Substitution. In my view, the Director and her subordinates have not given appropriate review or consideration to my protest of the proposed Classification Action.

The basis for my appeal is; The Minimum Qualifications (MQ's) for the 3434 Arborist Technician includes, but is not limited to, 3 years of verifiable Journey Level experience. This accurately reflects the knowledge, skills and abilities required to be successful as a 3434 Arborist Technician upon employment. The Director has proposed that completion of a three year apprenticeship program is equal to, and may substitute for, 3 years of Journey Level experience.

The questions is; In an occupation that has a 3 year Apprenticeship Program, would a graduate of this program qualify for a job (in that occupation) that requires 3 years of verifiable Journey Level Experience as a minimum qualification (MQ) Successful completion of the Apprenticeship Program recognizes the graduate as a Journeyman.

Richard Robles from California Department of Industrial Relations, California Division of Apprenticeship Standards, Senior Apprenticeship Consultant, Southern California (DAS) District Offices responded. "During those three years you are an Apprentice not a Journeyman so the answer based on the question would be "no" as you are not a Journeyman during those three years". (Email attached)

Eric Elberg, Senior Apprenticeship Consultant, Division of Apprenticeship Standards,. Northern California, concurs with Mr Robles and adds, "regarding whether the time spent as an Apprentice can be counted toward Journey person time" "The time spent as an Apprentice is just that, Apprentice time. You are not considered a Journeyman until you successfully complete the Apprenticeship and from that point on you would accrue time as a Journey person.(Email attached)

DHR Classification and Compensation Division provide updated Minimum Qualification Principles. It defines MQ's and provides guidelines when determining Training and Experience and Substitution language for classifications, based on field and level. Under training and experience for a Journey level position. The standard is. Apprenticeship AND 1-3 years Journey level experience with an allowable Substitution of 5 years experience in the field. (Document attached).

A Journey Level Arborist Technician is not a 3434 Arborist Technician unless they have 3 years of verifiable Journey level experience and until they have passed an exam and are chosen from an eligible list.

If you are to presume the Substitution to be justified, you would need to look at the facts and deny them entirely.

For remedy I am seeking the removal of the Substitution language from the current Proposed Classification Action, ( item #1 Posting #55) AND the prohibition of any language that attempts to redefine what qualifies as Journey Level Experience.

Thank You for your consideration of this important matter.

Sincerely  
Kevin Jackson

# Attachment D

Reply to Question on Journeyperson time.

EE Elberg, Eric@DIR <EElberg@dir.ca.gov>  
Fri 6/9, 11:24 AM  
Jackson, Kevin (REC); Robles, Richard@DIR <RRobles@dir.ca.gov>; +1 more

Reply all |

You replied on 6/9/2017 12:31 PM.

Mr. Jackson:

I concur with the answer Mr. Robles provided you regarding whether the time spent as an apprentice can be counted toward "Journeyperson" time (See below).

The time spent as an apprentice is just that, apprentice time. You are not considered a journeyperson until you successfully complete the apprenticeship and from that point on you would accrue time as a journeyperson.

During those 3 years you are an apprentice not a journeyman so the answer based on your question would "no" as you are not a journeyman during that 3 year time period.

Richard E Robles  
Senior Apprenticeship Consultant  
Division of Apprenticeship Standards  
(213) 576-7750  
[Rrobles@dir.ca.gov](mailto:Rrobles@dir.ca.gov)

Question;

In an occupation that has a 3year Apprenticeship Program. Would a graduate of this Apprenticeship Program qualify for a job (in that occupation) that requires 3 years of verifiable Journey Level experience as a minimum qualification (MQ)?

Successful completion of the Apprentice Program recognizes the graduate as a Journeyman

Thank you for your assistance

Kevin Jackson

# Attachment E

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## About The Tree Care Industry Association

**The Tree Care Industry Association (TCIA)** is a trade association of 2,300 tree care firms and affiliated companies and was established in 1938 as the National Arborist Association

### Our mission is to advance tree care businesses



TCIA develops safety and education programs, standards of tree

care practice and management information for tree and landscape firms around the world. We provide continuing education, training, conferences and publications to promote the safe and appropriate practice of tree care.

#### TCIA helps member companies by:

- [Educating consumers about the proper care of trees](#)
- [Advancing professionalism in the tree care industry](#)
- [Improving business practices in the tree care industry](#)
- [Training employees in safe work practices](#)



[JOIN](#)[NEWS](#)[Home](#) » [About](#) » [75th Anniversary](#)

## 75th Anniversary

**Since 1938, TCIA's mission has been to advance tree care businesses. 2013 was our 75th anniversary year.**

The association has been helping tree care companies grow and keep employees safe since our founding. With more than 2,000 members to date, TCIA is grateful for the loyal commitment of our commercial tree care firms and affiliated companies who have stood by us throughout the years. Visit the photo gallery links below and learn more about the history of TCIA and the tree care industry. After all, your history is our history.

### About our 75th

Anniversaries are celebrated in a number of ways and for a variety of purposes. A wedding anniversary can honor a commitment of decades and provide the opportunity to reflect upon the curves, bumps and hills overcome along the journey.

For an organization like the Tree Care Industry Association, an anniversary serves as a way to honor the commitment of the pioneers who established the organization, to reflect on the volunteer members who oversaw its growth, and to salute the current members who act as stewards for its ongoing legacy.

TCIA was established in 1938 as the National Arborist Association with a mission is to advance tree care businesses. Since its founding, the association has been helping tree care companies grow

and keep employees safe.

## **How does TCIA help members advance their businesses?**

### **By providing a network of resources**

It can be lonely out there running a business by yourself with competitors, regulators, and employees posing challenges daily. TCIA's hotlines, business mentors program, member-to-member storm assistance network, and ongoing information sharing provides members with ways to reach out and communicate with other tree care professionals.

When members need industry-related information or assistance with a specific business challenge, they call on TCIA – and each other – for answers. TCIA's network of companies, industry resources, business advisors, staff arborists and regulatory experts will find the answers to members' questions.

### **By making the industry safer**

Since its inception, association staff, members and volunteers have dedicated themselves to improving safety for those in this industry who are open to change and improvement. At the end of the day, TCIA wants your employees to return home safely to their families and loved ones. TCIA works with government agencies to write understandable and enforceable rules to improve safety in the industry. The association creates safety training programs to help make sure this happens – programs available to members for free or at steep discounts.

More than 1,000 Certified Treecare Safety Professionals around the country serve as training and innovation leaders in companies, municipalities and utilities large and small.

### **By advancing professionalism and public recognition**

TCIA has been a driving force for professional business practices in arboriculture. The world has changed significantly since TCIA first opened its doors. The sheer volume of information that is always available electronically gives everyone a voice, an opinion and a platform. Slicing through the clutter to define professional practices and ethical conduct for consumers looking to purchase tree work and for companies striving to be the best has always been an integral part of TCIA's mission.

There's a reason why many of TCIA's founding companies started out as one- or two-man operations and decades later are multi-million dollar businesses. Through hard work and a partnership with TCIA, they have stayed plugged into an industry that is constantly evolving. The business challenges faced by owners 70, 50 or 30 years ago are remarkably similar to the ones faced today.

# Attachment F

## Jackson, Kevin (REC)

---

**From:** Meagan Pukhtiar <mpukhtiar@tcia.org>  
**Sent:** Friday, April 26, 2019 9:16 AM  
**To:** Jackson, Kevin (REC)  
**Subject:** RE: Apprenticeship

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Kevin,

Thank you for clarifying. I appreciate your question and want to make sure I understand it.

You're asking – Does an apprentice who completes a 3-year program and receives a journeyworker credential meet the qualifications for a position that requires 3-years of journeyworker level experience?

I would say the answer is no. A journeyworker is an individual who has attained a level of skills, abilities, and competencies recognized within an industry as having mastered the skills and competencies required for the occupation.

If a job requires 3 years of journeyworker experience, then a recent apprentice graduate would not yet meet this qualification. The apprentice would have to complete the apprenticeship, receive the journeyworker credential, and then be in practice for 3 years as a journeyworker to meet that requirement.

Please let me know if this is helpful and if I answered your question!

Thank you,

Meagan

**Meagan Pukhtiar**

Recruitment and Workforce Development Manager

Tree Care Industry Association

603.792.1280 | [mpukhtiar@tcia.org](mailto:mpukhtiar@tcia.org)

**From:** Jackson, Kevin (REC) <kevin.jackson@sfgov.org>  
**Sent:** Friday, April 26, 2019 10:44 AM  
**To:** Meagan Pukhtiar <mpukhtiar@tcia.org>  
**Subject:** FW: Apprenticeship

**From:** Jackson, Kevin (REC)  
**Sent:** Friday, April 26, 2019 7:41 AM

# Attachment G

Attempts to resolve Mr. Jackson's protest were unsuccessful. Seeing as the apprentices would not be graduating from the program for at least another year, the parties agreed to maintain the existing minimum qualifications without the apprenticeship substitution language to allow for the 3434 examination to move forward (Attachment D).

Upon completion of this 3434 examination and with expectation that the apprentices would be graduating soon, the City reposted the proposed classification action for class 3434 in March of 2018 with the proposed apprenticeship substitution language added back in. On this posting, the apprenticeship language was modified to make clear that only graduation from the City's apprenticeship program would be allowed to substitute for the journey-level experience (Attachment E).

The amended 3434 Arborist Technician class specification states:

In accordance with the registered agreement between the City and County of San Francisco, the LIUNA Local 261 (Union) and the State of California, Division of Apprenticeship Standards, the following shall apply:

The City and the Union agree that apprentices will be trained in accordance with applicable municipal, state and federal laws, rules, and ordinances; and that the training content of the program is adequate to qualify the eligible apprentices as Journey Arborist Technicians (City classification 3434 Arborist Technician).

Therefore, completion of the CITY AND COUNTY OF SAN FRANCISCO AND LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 261 ARBORIST TECHNICIAN APPRENTICESHIP PROJECT (which is a California Division of Apprenticeship Standards registered Arborist Technician apprenticeship program) may substitute for the required experience.

The Apprenticeship Standards approved by the State of California, Department of Industrial Relations, Division of Apprenticeship Standards states in part, "The City and the Union agree that apprentices will be trained in accordance with applicable municipal, state and federal laws, rules, and ordinances; and that the training content of the program is adequate to qualify the eligible apprentices as Journey Arborist Technicians (City classification 3434)." (Attachment F)

Mr. Kevin Jackson has expressed two primary concerns regarding the revision to the 3434 minimum qualifications (MQ). 1) Even with completion of the apprenticeship program, incumbents need to have three (3) years of journey-level experience in order to be eligible to become a 3434 Arborist Technician; and 2) the apprenticeship program does not adequately train employees to do the work at REC.

Here, Mr. Jackson asserts that he asked Richard Robles and Eric Elberg from the Division of Apprenticeship Standards whether apprenticeship experience is the same as journey-level experience to which they said it does not. The City would agree with this interpretation which is why the City proposed to make the changes at issue.

The City holds that three (3) years of apprenticeship experience in the City's apprenticeship program should be deemed the equivalent of three (3) years of journey-level experience.

On July 12, 2017, Mr. Jackson appealed Ms. Callahan's finalization of the classification action to the Civil Service Commission (Attachment G). On 3/21/18, Mr. Jackson reinstated his appeal (Attachment H).

# Attachment H

Applicability: The provisions of Rule 109 apply to employees in all classes: except the Uniformed Ranks of the Police and Fire Departments and MTA Service-Critical Classes.

Sec. 109.1      Authority

109.1.1      As provided under the Charter Section 10.103 of the City and County of San Francisco, the Human Resources Director shall have the duty and authority to establish a system of job classification and to allocate each position to a job class.

109.1.2      The Human Resources Director shall have the responsibility and authority to allocate new positions to a class based on the level and type of assigned duties as applicable under this Rule. Groups of positions form a class when it is determined by the Human Resources Director that the duties are at the same level of responsibility and authority.

109.1.3      The Human Resources Director, when notified of a significant change in duties, shall analyze positions. If it is determined by the Human Resources Director, through a job analysis, that the level and/or function of the assigned responsibilities have changed significantly and are no longer consistent with the existing class, the position will be reclassified.

109.1.4      When appropriate to the Classification Plan, the Human Resources Director has the authority to change the title and/or number of a class without affecting the classification of the position or the status of incumbents.

109.1.5      The Human Resources Director has the authority to amend class specifications as necessary to reflect the major duties of positions within the class and the job related knowledge, skills and abilities necessary to perform the functions of the class.

109.1.6      The Human Resources Director has the authority to make changes to the Classification Plan including creating new classes, abolishing, consolidating or amending classes consistent with the Classification Plan.



# Attachment I

City and County of San Francisco  
Micki Callahan  
Human Resources Director



Department of Human Resources  
*Connecting People with Purpose*  
www.sfdhr.org

**NOTICE OF FINAL ACTION TAKEN BY THE  
HUMAN RESOURCES DIRECTOR**

Date: May 29, 2019

Re: **Notice of Proposed Classification Actions – Final Notice No. 17 FY 2018/19 (copy attached).**

Pursuant to completion of discussion with the Civil Service Commission regarding this classification action, the classification actions contained in the above referenced notice became effective May 29, 2019.

Micki Callahan  
Human Resources Director

by:

Steve Ponder  
Classification and Compensation Director  
Human Resources

cc: All Employee Organizations  
All Departmental Personnel Officers  
DHR – Class and Comp Unit  
DHR – Client Services Unit  
DHR – Employee Relations Unit  
DHR – Recruitment and Assessment Unit  
DHR – Client Services Operations  
Micki Callahan, DHR  
Michael Brown, CSC  
Sandra Eng, CSC  
Christopher Colandene, SFERS  
Theresa Kao, Controller/ Budget Division  
E-File

**NOTICE OF PROPOSED CLASSIFICATION ACTIONS BY  
THE HUMAN RESOURCES DIRECTOR**

The following actions are being posted in accordance with Civil Service Rule 109. In the absence of a protest addressed to the Human Resources Director, the proposed changes will become final seven (7) calendar days from the posting date.

**Posting No:** 17  
**Fiscal Year:** 2018/2019  
**Posted Date:** 10/15/2018  
**Reposted Date:** 05/21/2019

**AMEND THE FOLLOWING JOB SPECIFICATION(S):**  
*(Job specification(s) attached)*

Item #	Job Code	Title
1	3434	Arborist Technician

Protests on an item should be addressed to the Human Resources Director and can be submitted by mail to the City and County of San Francisco, Department of Human Resources, 1 South Van Ness Ave, 4th Floor, San Francisco, CA 94103 or by email to [DHR.ClassificationActionPostings@sfgov.org](mailto:DHR.ClassificationActionPostings@sfgov.org). All protests must be received in writing no later than close of business seven (7) calendar days from the posting date, and must include the posting and item number(s), the basis on which the protest is submitted and identify the affected parties.

Copies of this notice may be obtained from the Department of Human Resources or from the website at: <http://sfdhr.org/index.aspx?page=109>. Copies of Civil Service Rule 109 may be obtained from the Department of Human Resources, the office of the Civil Service Commission at 25 Van Ness Ave, Suite 720, San Francisco, CA 94102 or from the website at: [Rule 109 Position Classification and Related Rules | Civil Service Commission](#).

- cc: All Employee Organizations  
All Departmental Personnel Officers  
DHR – Class and Comp Unit  
DHR – Client Services Unit  
DHR – Employee Relations Unit  
DHR – Recruitment and Assessment Unit  
DHR – Client Services Operations  
Micki Callahan, DHR  
Michael Brown, CSC  
Sandra Eng, CSC  
Christopher Colandene, SFERS  
Theresa Kao, Controller/ Budget Division  
E-File

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

**Title:** Arborist Technician

**Job Code:** 3434

**DEFINITION**

Under general supervision, performs duties involving the maintenance and removal of trees and other vegetation and performs related duties as required. The essential functions of this class include climbing up trees and/or using aerial lift equipment to reach dead, damaged or unwanted limbs or tree tops for removal and pruning, or for purposes of complete tree removal; performing various types of rigging with cranes, skidders, tractors and other heavy equipment; preparing brush for disposal, operating chipper and driving aerial lift equipment vehicles, heavy loader trucks or other required vehicles. Nature of the work involves exposure to a high risk of physical injury to the employee and constant vigilance to public safety. Positions in this job code require considerable physical demands, manual dexterity with frequent exposure to arduous and disagreeable working conditions, including inclement weather.

**DISTINGUISHING FEATURES**

The 3434 Arborist Technician is distinguished from the 3436 Arborist Technician Supervisor in that the latter is the entry-level supervisory class.

**SUPERVISION EXERCISED**

None.

**EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES**

*According to civil service commission rule 109, the duties specified below are representative of the range of duties assigned to this job code/class and are not intended to be an inclusive list.*

1. Assesses and evaluates condition of trees and other vegetation; maintains tree inventories.
2. Climbs trees and removes dead, diseased or otherwise damaged or unwanted limbs or tree tops; prunes, fells and cuts up trees; piles trimmings for pick up and disposal.
3. Performs various types of rigging in connection with this work; operates chain and hand saws, aerial ladder truck, chipper, and other equipment.
4. Drives heavy equipment.
5. Performs related duties as assigned.

**KNOWLEDGE, SKILLS, AND ABILITIES**

Knowledge of: Methods, materials and equipment used in trimming and caring for trees; mechanical aptitude in the use of power saws and other equipment.

Ability and Skill to: Perform necessary roping and rigging connected with this work.

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

Title: Arborist Technician

Job Code: 3434

**MINIMUM QUALIFICATIONS**

*These minimum qualifications establish the education, training, experience, special skills and/or license(s) which are required for employment in the classification. Please note, additional qualifications (i.e., special conditions) may apply to a particular position and will be stated on the exam/job announcement.*

Education:

Possession of a high school diploma or equivalent (GED or High School Proficiency Examination).

Experience:

Three (3) years of verified journey-level experience as a tree work professional. Duties must have included climbing trees of considerable height for the purpose of removing tree limbs, treetops or entire tree in accordance with safety standards. Experience in pruning trees from a ladder is not qualifying experience.

License and Certification:

Possession of a valid California Class C driver's license at the time of application; AND Possession of a valid California Class B driver's license with no air brakes restriction is required upon completion of the probationary period.

Substitution:

Completion of an Arborist Technician Apprenticeship Program approved and registered with the California Division of Apprenticeship Standards.

**SUPPLEMENTAL INFORMATION**

Safety Sensitive Positions Requirements: In compliance with the Department of Transportation Omnibus Transportation Employee Testing Act of 1991 employing the Federal Motor Carrier Safety Administration (FMCSA) and Federal Transit Administration (FTA) regulations, drug and alcohol testing for employees in "safety-sensitive" positions are required. The selected applicants for safety-sensitive positions will be required to pass a Pre-Employment drug test prior to appointment and shall be subject to Random, Post-Accident, Reasonable Suspicion, Return-To-Duty, and Follow-Up testing during employment. Prior to appointment to an FMCSA position, each applicant who has participated in a DOT drug and alcohol testing program within the immediately preceding two years will be required to sign a consent form authorizing the City to contact his/her prior employers concerning his/her drug and alcohol test history.

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

Title: Arborist Technician

Job Code: 3434

**PROMOTIVE LINES**

To: 3436 Arborist Technician Supervisor I

**ORIGINATION DATE:** 05/19/00

**AMENDED DATE:** 09/04/01; 10/31/14; 05/26/17; 03/27/18; 05/29/19

**REASON FOR AMENDMENT:** *To accurately reflect the current tasks, knowledge, skills & abilities, and minimum qualifications.*

**BUSINESS UNIT(S):** COMMN SFMTA

# Attachment J

109.1.7 The decision of the Human Resources Director regarding classification matters including the authority to determine the status of an employee, shall be final unless appealed to the Civil Service Commission.

Sec 109.2      Notice and Appeals

109.2.1 Any employee, employee representative or appointing officer affected by a classification action or status grant under this Rule may appeal the action to the Civil Service Commission. The appeal shall be in writing, stating the basis on which the appeal is based and shall be in accordance with the procedures established by the Executive Officer of the Civil Service Commission.

109.2.2 Proposed changes in classification and/or status of permanent civil service incumbents with existing status rights shall be posted for seven (7) calendar days. A day the Department of Human Resources is closed shall not be counted as the seventh (7<sup>th</sup>) calendar day. Proposed changes will become effective on the eighth (8<sup>th</sup>) calendar day following the posting date, with the following exception:

109.2.3 Protests shall be submitted to the Human Resources Director prior to the end of the posting period.

109.2.4 The decision of the Human Resources Director is appealable to the Civil Service Commission. The decision of the Civil Service Commission shall be final and not subject to reconsideration.

**Rule 109**

Position Classification and Related Rules

Article II: Definitions



# Attachment K

City and County of San Francisco



Department of Human Resources

Edwin Lee  
Mayor

Micki Callahan  
Human Resources Director

**NOTICE OF FINAL ACTION TAKEN BY THE  
HUMAN RESOURCES DIRECTOR**

Date: May 26, 2017

Re: **Notice of Proposed Classification Actions – Final Notice No. 27 FY 16/17 (copy attached).**

Pursuant to completion of discussion with Local 261 regarding this classification action, the classification action contained in the above referenced notice became effective May 26, 2017.

Micki Callahan  
Human Resources Director

by:

A handwritten signature in black ink, appearing to be "S. Ponder", written over a horizontal line.

Steve Ponder  
Classification and Compensation Director  
Human Resources

cc: All Employee Organizations  
All Departmental Personnel Officers  
DHR – Class and Comp Unit  
DHR – Client Services Unit  
DHR – Employee Relations Unit  
DHR – Recruitment and Assessment Unit  
DHR – Client Services Support Services  
Micki Callahan, DHR  
Michael Brown, CSC  
Sandra Eng, CSC  
Maria Newport, SFERS  
Theresa Kao, Controller/ Budget Division  
E-File

**NOTICE OF PROPOSED CLASSIFICATION ACTIONS BY  
THE HUMAN RESOURCES DIRECTOR**

The following actions are being posted in accordance with Civil Service Rule 109. In the absence of a protest addressed to the Human Resources Director, the proposed changes will become final seven (7) calendar days from the posting date.

**Posting No:** 27  
**Fiscal Year:** 2016/2017  
**Posted Date:** 01/27/2017  
**Reposted Date:** 05/16/2017

**AMEND THE FOLLOWING JOB SPECIFICATION(S):**  
**(Job specification(s) attached.)**

Item #	Job Code	Title
1	3434	Arborist Technician

**Protests on an item should be addressed to the Human Resources Director** and can be submitted by mail to the City and County of San Francisco, Department of Human Resources, 1 South Van Ness Ave, 4th Floor, San Francisco, CA 94103 or by email to [DHR.ClassificationActionPostings@sfgov.org](mailto:DHR.ClassificationActionPostings@sfgov.org). All protests must be received in writing no later than close of business seven (7) calendar days from the posting date, and must include the posting and item number(s), the basis on which the protest is submitted and identify the affected parties.

**For additional information regarding this proposed classification action**, please contact Stephen Fu, Management Assistant, at (415) 701-5680 or by email at [Stephen.Fu@sfgov.org](mailto:Stephen.Fu@sfgov.org).

Copies of this notice may be obtained from the Department of Human Resources or from the website at: <http://sfdhr.org/index.aspx?page=109>. Copies of Civil Service Rule 109 may be obtained from the Department of Human Resources, the office of the Civil Service Commission at 25 Van Ness Ave, Suite 720, San Francisco, CA 94102 or from the website at: <http://www.sfgov3.org/index.aspx?page=328>.

- cc:** All Employee Organizations  
All Departmental Personnel Officers  
DHR – Class and Comp Unit  
DHR – Client Services Unit  
DHR – Employee Relations Unit  
DHR – Recruitment and Assessment Unit  
DHR – Client Services Operations  
Micki Callahan, DHR  
Michael Brown, CSC  
Sandra Eng, CSC  
Christopher Colandene, SFERS  
Theresa Kao, Controller/ Budget Division  
E-File

**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES**

**Title: Arborist Technician  
Job Code: 3434**

**DEFINITION**

Under general supervision, performs duties involving the maintenance and removal of trees and other vegetation and performs related duties as required. The essential functions of this class include climbing up trees and/or using aerial lift equipment to reach dead, damaged or unwanted limbs or tree tops for removal and pruning, or for purposes of complete tree removal; performing various types of rigging with cranes, skidders, tractors and other heavy equipment; preparing brush for disposal, operating chipper and driving aerial lift equipment vehicles, heavy loader trucks or other required vehicles. Nature of the work involves exposure to a high risk of physical injury to the employee and constant vigilance to public safety. Positions in this job code require considerable physical demands, manual dexterity with frequent exposure to arduous and disagreeable working conditions, including inclement weather.

**DISTINGUISHING FEATURES**

The 3434 Arborist Technician is distinguished from the 3436 Arborist Technician Supervisor in that the latter is the entry-level supervisory class.

**SUPERVISION EXERCISED**

None.

**EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES**

*According to Civil Service Commission Rule 109, the duties specified below are representative of the range of duties assigned to this job code/class and are not intended to be an inclusive list.*

1. Assesses and evaluates condition of trees and other vegetation; maintains tree inventories.
2. Climbs trees and removes dead, diseased or otherwise damaged or unwanted limbs or tree tops; prunes, fells and cuts up trees; piles trimmings for pick up and disposal.
3. Performs various types of rigging in connection with this work; operates chain and hand saws, aerial ladder truck, chipper, and other equipment.
4. Drives heavy equipment.
5. Performs related duties as assigned.

**IMPORTANT AND ESSENTIAL KNOWLEDGE, SKILLS AND ABILITIES**

Knowledge of: Methods, materials and equipment used in trimming and caring for trees; mechanical aptitude in the use of power saws and other equipment.

Ability and Skill to: Perform necessary roping and rigging connected with this work.

**MINIMUM QUALIFICATIONS**

*These minimum qualifications are to be used as a guide for establishing the education, training, experience, special skills and/or license(s) which may be required for employment in the class. Please note, additional qualifications (i.e. special conditions) may apply to a particular position and will be stated on the exam/job announcement.*

CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF HUMAN RESOURCES

**Title: Arborist Technician**  
**Job Code: 3434**

Education:

Possession of a high school diploma or equivalent (GED or High School Proficiency Examination).

Experience:

Three (3) years of verifiable journey-level experience as a tree work professional. Duties must have included climbing trees of considerable height for the purpose of removing tree limbs, treetops or entire tree in accordance with safety standards. Experience in pruning trees from a ladder is not qualifying experience.

License and Certification:

Possession of a valid California Class C driver's license at the time of application; AND Possession of a valid California Class B driver's license with no air brakes restriction is required upon completion of the probationary period.

Substitution:

**SUPPLEMENTAL INFORMATION**

Safety Sensitive Positions Requirements: In compliance with the Department of Transportation Omnibus Transportation Employee Testing Act of 1991 employing the Federal Motor Carrier Safety Administration (FMCSA) and Federal Transit Administration (FTA) regulations, drug and alcohol testing for employees in "safety-sensitive" positions are required. The selected applicants for safety-sensitive positions will be required to pass a Pre-Employment drug test prior to appointment and shall be subject to Random, Post-Accident, Reasonable Suspicion, Return-To-Duty, and Follow-Up testing during employment. Prior to appointment to an FMCSA position, each applicant who has participated in a DOT drug and alcohol testing program within the immediately preceding two years will be required to sign a consent form authorizing the City to contact his/her prior employers concerning his/her drug and alcohol test history.

**PROMOTIVE LINES:**

To: 3436 Arborist Technician Supervisor I

**ORIGINATION DATE:** 5/19/00

**AMENDED DATE:** 9/4/01; 10/31/14; 05/26/2017

**REASON FOR AMENDMENT:** *To accurately reflect the current tasks, knowledge, skills & abilities, and minimum qualifications.*

**BUSINESS UNIT(S):** COMMN, SFMTA

# Attachment L

Appeals filed under Rule 111A Position-Based Testing shall immediately be transmitted to the Human Resources Director upon receipt and placed on the next Civil Service Commission Meeting Agenda for resolution.

The Department of Human Resources shall forward to the Executive Officer, Civil Service Commission, documentation for consideration by the Civil Service Commission.

In the event the appeal is resolved by the Department of Human Resources staff, the Department of Human Resources staff will provide the Executive Officer, Civil Service Commission with the documented resolution prior to the scheduled Commission hearing date. The Executive Officer shall report the resolution to the Civil Service Commission at the scheduled meeting.

#### *B. All Other Appeals/Requests for Hearing:*

All appeals or requests for hearing will be transmitted to the Human Resources Director for appropriate follow-up and assigned a tentative date it will be placed on the Civil Service Commission Agenda. In the event of the following: the appeal/request is not timely; the matter is resolved by the Department of Human Resources staff; the tentative Civil Service Commission hearing date established by the Executive Officer is not feasible; the matter is not subject to appeal; or for some other reason; the Department of Human Resources or auxiliary staff must advise the Executive Officer to amend or close the file through the use of Civil Service Commission Form Number 13 - Action Request on Pending Appeal (Attachment F ) with applicable documentation attached. A copy of Civil Service Commission Form 13 is to be sent simultaneously to the Human Resources Director. If appropriate, the Executive Officer will then take the requested action - such as closing the file, notifying the appellant/requestor, etc.

### **VIII. Pending Appeals Log (P.A.L.)**

Within the first five (5) working days of each month, the Executive Officer will issue and send to the Human Resources Director and applicable departmental personnel a list of all active outstanding appeals and requests for hearing as of the last day of the previous month. This Pending Appeals Log (P.A.L.) assists in monitoring the processing of appeals.

Civil Service Commissioners also review the P.A.L. and often direct the Executive Officer to contact departments to report on the status of an appeal.

Should departments not respond to inquiries of long-standing appeals, the Executive Officer will calendar the appeal for a Civil Service Commission hearing. Should either party not appear at the hearing, the Civil Service Commission will rule on the appeal based on the materials submitted. Requests for postponement will be considered in accordance with Civil Service Commission procedures.

### **IX. Procedures for Noticing and Appealing Classification Actions**

Appeals of proposed classification action received by the Human Resources Director during the posting period shall be processed in accordance with Civil Service Commission Rule 09 Series, Section 09.2, and acted upon by the Human Resources Director. The decision of the Human Resources Director may be appealed to the Civil Service Commission within thirty (30) calendar days following the postmarked mailing date of notification to the appellant, in accordance with the time frame established in Rule Series 05.12. The Commission's decision on the appeal is final.

### **X. Appeals/Hearings on Separations/Releases/Future Employability**

#### **A. General**

When an appeal of a separation/release or a request for review of a recommendation for future employability is filed with the Civil Service Commission, the Executive Officer will notify the Human Resources Director to forward the original file and nine (9) copies.

Civil Service Commission Rules Application/Interpretation  
 Discrimination Complaints  
 Employee Compensation (very limited)  
 Employee Separations/Releases  
 Examinations (including background rejections)  
 Position-Based Testing (CSC Rule 111A)  
 Position Classifications  
 Personal Services Contracts

#### **IV. Notice to Appellants Required**

In conveying final decisions of the Human Resources Director to appellants, unless the Civil Service Commission Rules specify that the decision of the Human Resources Director is final, appellants are to be notified in writing of their right under Civil Service Commission Rule 05 Series or Rule 111A Position-Based Testing, to appeal the Human Resources Director's action to the Civil Service Commission; of the deadline for filing the appeal with the Civil Service Commission; and the location where appeals may be filed.

#### **V. Calculation of Deadline for an Appeal**

In the event the final date for filing an appeal falls on a non-business day, the deadline is automatically extended to the close of business of the first business day following the final date for receipt of the appeal.

#### **VI. Filing of Appeal or Request for Hearing - Acknowledgment and Transmittal**

All appeals to or requests for hearing before the Civil Service Commission must be received in the Civil Service Commission Office by the deadline for filing an appeal as set forth in the Civil Service Commission Rules. Appeals and requests for hearing must be in writing or filed on the proper form (CSC-12 – Appeal to the Civil Service Commission) and signed by the appellant or authorized representative. A signed FAX received in the Civil Service Commission by the deadline for filing an appeal is acceptable; provided that, the original signed FAX is received in the Commission office in five (5) working days. Electronic mail (e-mail) is not acceptable.

When an appeal is received, the Executive Officer will, in writing, simultaneously notify the appellant of receipt of the Appeal (Attachment A) and transmit the appeal to the Human Resources Director (Attachment B). Appeals filed under Rule 111A Position-Based Testing will immediately be calendared for the next Civil Service Commission meeting (Attachment C). For all other appeals, a tentative target date for a Civil Service Commission hearing of approximately sixty (60) days for appeals from the date of the transmittal will be established. The appellant will not be advised of this target date.

When a request for hearing or an appeal on recommendations restricting future employment or automatic resignation where the Civil Service Commission has full authority is received, the Executive Officer will, in writing, simultaneously notify the appellant of receipt of the Appeal (Attachment D) and transmit the appeal/request to the Human Resources Director (Attachment E) for appropriate action. A tentative target date for a Civil Service Commission hearing of approximately thirty (30) days for separations/releases from the date of transmittal will be established. The requestor will not be advised of this target date.

#### **VII. Action Request on Pending Appeal/ Request for Hearing**

A. Appeals filed under Rule 111A Position-Based Testing:



# Attachment M

Search your mailbox

Kevin Jackson

Account Info

Go

Sign Out

Home

Sent

Contacts

Notepad

Calendar

Switch to the newest Yahoo Mail

Compose

Delete

Actions

Apply



StubHub Inc.

StubHub Official Sit

AD

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Inbox

Drafts

Sent

Archive

Spam

Trash

Folders

Edit Hide

Fw: At The Direction of the DHR Direct or

Jul 11 at 7:20 AM

Print Raw message



Kevin Jackson

To: Kevin Jackson <kevin.jackson@sfgov.org>

2 Files 145.2kB Download All

PDF 52kB PDF 93kB



Response Le... Appeal to C...

Download

Download

----- Forwarded Message -----

From: Brown, Michael (CSC) <michael.brown@sfgov.org>  
To: [redacted]; Eng, Sandra (CSC) <sandra.eng@sfgov.org>  
Cc: Aldana, Elizabeth (CSC) <elizabeth.aldana@sfgov.org>; Callahan, Micki (HRD) <micki.callahan@sfgov.org>; Theresa Foglio <laborers261@gmail.com>  
Sent: Wednesday, July 10, 2019, 12:41:31 PM PDT  
Subject: RE: At The Direction of the DHR Director

Dear Kevin Jackson,

Attached you will find a response to your email and the appropriate form to file an appeal with the Civil Service Commission. Please complete the appropriate form and submit the original to our office. Email filings are not acceptable. You may attach additional pages to support your appeal.

Thank you.

Michael L. Brown  
Executive Officer/Director  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco Ca 94102  
(415) 252-3247

From: [redacted] [mailto:[redacted]]  
Sent: Friday, July 05, 2019 12:52 PM  
To: Brown, Michael (CSC) <michael.brown@sfgov.org>; Eng, Sandra (CSC) <sandra.eng@sfgov.org>  
Cc: Aldana, Elizabeth (CSC) <elizabeth.aldana@sfgov.org>; Callahan, Micki (HRD) <micki.callahan@sfgov.org>; Theresa Foglio <laborers261@gmail.com>  
Subject: At The Direction of the DHR Director

Greetings Director Brown,

I am submitting this at the direction of the Director of the Department of Human Resources (DHR) through Steve Ponder of DHR.  
At issue is an amended classification specification for class 3434.

Search your mailbox

Kevin Jackson

Account Info

Go

Sign Out

Home

Inbox

Contacts

Notepad

Calendar

Switch to the newest Yahoo Mail

Compose

Delete

Spam

Actions

Apply

Inbox

Drafts

Sent

Archive

Spam

Trash

Folders

Edit Hide

Compose



University of P You don't get by. Y

AD

RE: At The Direction of the DHR Direct or



Jul 9 at 12:48 PM

Print Raw message

Eng, Sandra (CSC) <sandra.eng@sfgov.org>

To:

Cc:

Brown, Michael (CSC) <michael.brown@sfgov.org>

Good Afternoon Kevin,

Protests to proposed job classification amendments or final job classification decisions of the Human Resources Director may be submitted to the Department of Human Resources. The decision of the Human Resources Director/designee in response to a protest of a job classification decision, is appealable to the Civil Service Commission within 30 days of the date of the written response from the Human Resources Director/designee. The written response (or notification) by the Human Resources Director/designee may be in a mailed letter or email format.

Appeals of the decision made by the Human Resources Director/designee must be submitted in writing with the original signature to the Civil Service Commission at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If an appeal is faxed or emailed to the Civil Service Commission, the appellant must immediately follow-up with the hard copy and original signature to our office. The appellant must clearly state what decision is being appealed to the Commission.

Please note that protests or appeals do not automatically stop the examination process.

Please call me at 415-252-3254 if you have additional questions.

Sincerely,

Sandra Eng

Sandra Eng  
Deputy Director  
Civil Service Commission  
City and County of San Francisco  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102

Main (415) 252-3247  
Direct (415) 252-3254  
Fax (415) 252-3260

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Tuesday, July 09, 2019 8:23 AM  
To: Eng, Sandra (CSC) <sandra.eng@sfgov.org>  
Cc: Brown, Michael (CSC) <michael.brown@sfgov.org>  
Subject: Re: At The Direction of the DHR Director

Advertisement for the 2019 Nissan Armada. It features a cash back offer of \$4,500 and a holiday bonus cash of \$1,000, totaling \$5,500 in savings. The text includes 'THE 2019 NISSAN ARMADA', 'MORE OFFER INFORMATION', and 'ESTIMATE YOUR SAVINGS'.

Advertisement for Norwegian Cruise Line's 'Endless Summer Sale'. It offers 'ALL FREE OFFERS' and 'FREE UNLIMITED OPEN BAR & MORE'. A 'LEARN MORE' button is present. The NCL logo and 'NORWEGIAN Feel Free CRUISE LINE' are also visible.