



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

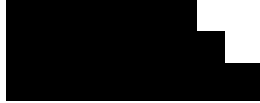
**LONDON N. BREED
MAYOR**

Sent via Electronic Mail

December 8, 2022

NOTICE OF CIVIL SERVICE COMMISSION MEETING

William McDonagh III



SUBJECT: APPEAL BY WILLIAM MCDONAGH III OF THE REJECTION OF APPLICATION FOR GENERAL LABORER (CBT-7514-E00060).

Dear William McDonagh III,

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.sf.gov/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 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 if you have any questions.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer

Attachment

Cc: Carol Isen, Department of Human Resources
Dave Johnson, Department of Human Resources
Anna Biasbas, Department of Human Resources
Shawn Sherburne, Department of Human Resources
Svetlana Vaksberg, Office of the City Administrator
Kimberly Castillo, Office of the City Administrator
Sean Sexton, Office of the City Administrator
Karen Hill, Department of Public Works
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 and the web address is 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 (4th) 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, 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/.

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 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: sof@sfgov.org, or on the City's website at 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/>.



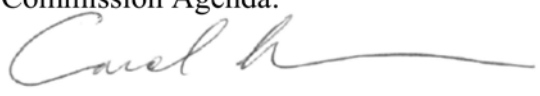
CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

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 Number: **0215-22-4**
2. For Civil Service Commission Meeting of: **December 19, 2022**
3. Check One:

Ratification Agenda	<input type="checkbox"/>
Consent Agenda	<input type="checkbox"/>
Regular Agenda	<input checked="" type="checkbox"/>
Human Resources Director's Report	<input type="checkbox"/>
4. Subject: **Appeal by William McDonagh III of the rejection of his application for Class 7514 General Laborer (#CBT-7514-E00060)**
5. Recommendation: **Deny the appeal and adopt the report of the City Administrator Human Resources**
6. Report prepared by: **Kimberly Castillo** Telephone number: 415.554.6010
7. Notifications: **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format-A).**
8. Reviewed and approved for Civil Service Commission Agenda:

Human Resources Director: 

Date: 11.15.22
9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer
Civil Service Commission
25 Van Ness Avenue, Suite 720
San Francisco, CA 94102**

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

Attachment

CSC RECEIPT STAMP

NOTIFICATIONS

William McDonagh III



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karen.hill@sfdpw.org

City and County of San Francisco

**London Breed
Mayor**



Department of Human Resources

**Carol Isen
Human Resources Director**

DATE: December 8, 2022

TO: The Honorable Civil Service Commission

THROUGH: Carol Isen, Human Resources Director
Anna Biasbas, Employment Services Director

FROM: Dave Johnson, Assistant Director, Employment Services

SUBJECT: Register No. 0215-22-4: Appealing the Rejection of His Application for Class 7514 General Laborer (CBT-7514-E00060) Cat. 18 Recruitment.

BACKGROUND

The City Administrator Human Resources published the job ad for the Class Based Test (CBT) 7514 General Laborer (E00060) recruitment on September 30, 2022 (see Attachment A). This recruitment is being conducted under the authority of the 48th Supplement to the Emergency Declaration from Mayor London Breed (see Attachment B) and Civil Service Commission (CSC) rule 111.17. The job ad specified the following minimum qualifications (MQs):

“A minimum of one year as a Category 18 exempt appointee in Class 7514 by December 15, 2022. Must be a current exempt employee with the City and County of San Francisco with no break in service.”

Appellant Mr. William McDonagh III applied to this recruitment on October 3, 2022. Mr. McDonagh’s application was rejected on November 4, 2022 (see Attachment C) and he appealed that rejection on November 13, 2022 (see Attachment D). Mr. McDonagh cited many issues in his appeal to the Civil Service Commission including having 20 years of service with the San Francisco Public Utilities Commission. This appeal was forwarded to the Department of Human Resources Equal Employment Opportunity Division because of the nature of many of the issues raised by Mr. McDonagh in his appeal. That Division will investigate as appropriate.

Issue

Should William McDonagh III be allowed to participate in the CBT 7514 General Laborer (E00060) recruitment without meeting the MQs as stated in the job ad?

Authority/Standards

Sec. 110.2 Examination Announcements

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

Sec. 110.4 Appeals of Examination Announcements

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

Sec. 110.9 Qualifications of Applicants

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

Sec. 110.11 Promotional Applicants

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

Sec. 111.17 Authorization for Exempt to Permanent Status Program

Pursuant to the Forty-Eighth Supplement to the Mayoral Emergency Declaration, the Human Resources Director is authorized to establish programs giving exempt employees the opportunity to transition to permanent status. The exempt employee must have successfully served in an exempt status for a minimum of one (1) year. In establishing the program, the Human Resources Director shall consider, among other factors, active holdover rosters where qualified eligibles exist and availability of positions, budgetary restrictions, equal employment opportunity and Office of Racial Equity goals.

The specific procedures and qualifications established shall be listed in the examination announcement for the classifications involved. Eligibles processed in this manner will be placed on an eligible list. This rule shall only apply to Exempt Category 18: Special Projects and Professional Services. The certification rule for all eligible lists established under this program shall be Rule of the List. Determination of the appropriate eligible list from which

to make appointments if there is an active eligible list in the job classification is at the discretion of the Human Resources Director subject to criteria submitted to and approved by the Civil Service Commission.

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

The Human Resources Director shall submit monthly reports to the Civil Service Commission on the progress of the temporary program. Inquiries and complaints on this program submitted to the Civil Service Commission office under its Charter authorizes Inspection Services and shall continue to be investigated and resolved.

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

Findings

The CBT 7514 General Laborer (E00060) job ad was posted in accordance with CSC rule 110.2. CSC Rule 110.9 states that “every applicant for an examination must possess and maintain the qualifications required by law and by the examination announcement for the examination.” The MQs for this recruitment require that the applicant be a current exempt employee with the City and County of San Francisco and have 12 months of service as a Cat 18 appointee in Class 7514. According to Peoplesoft records (see Attachment E), Mr. McDonagh resigned from his Permanent Civil Service (PCS) Class 7215 appointment with the San Francisco Public Utilities Commission on February 4, 2020.

Analysis

The intent of this program as authorized through the 48th supplement and as stated in CSC rule 111.17 is to give “exempt employees the opportunity to transition to permanent status.” The Job Ad further clarifies in stating that to qualify an applicant must be “a current exempt employee with the City and County of San Francisco with no break in service.” Mr. McDonagh is not a current exempt employee with the City and County of San Francisco, and while Mr. McDonagh’s Peoplesoft records show service as an exempt appointee in Class 7514, there is no indication that it was a Cat 18 appointment. This disqualifies him from this recruitment as he does not meet the MQs stated in the job ad.

Conclusion

Mr. McDonagh does not meet the MQs specified in the job ad and should not be allowed to participate in this CBT 7514 General Laborer (E00060) recruitment.

Recommendation

Deny the appeal and adopt the report of the City Administrator Human Resources.



SF | Careers

General Laborer - Citywide (7514) - (E00060)

1 Dr Carlton B Goodlett Pl, San Francisco, CA 94102, USA

Full-time

Exam Type: Class Based Test

Eligible List Type: Entrance

Certification Rule: Rule of the List

Fill Type: Permanent Civil Service

Work Hours: Regular

Job Code and Title: 7514-General Laborer

Company Description

- Full Time
- Regular Work Hours
- Filing deadline – October 27, 2022
- *Amended 10/27/2022 to close the filing period*

Company Description

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

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

Compensation rate for this position is \$69,238 - \$84,162 annually.

Job Description

Position Description

Under general supervision, performs a variety of manual labor tasks such as removing debris from construction, maintenance, wrecking, or repair work; loading and unloading materials, supplies, furniture, and equipment; may work as part of a crew with other crafts; and operating various types of equipment and machinery including pneumatic and hand tools associated with general construction.

Qualifications

Minimum Qualifications for this Recruitment

A minimum of one year as a Category 18 exempt appointee in Class 7514 by December 15, 2022. Must be a current exempt employee with the City and County of San Francisco with no break in service.

Underlying Minimum Qualifications

Experience:

Three (3) years (6000 hours) of journey-level experience as a general laborer in the construction field.

License:

Possession of a valid Class C California driver license (must be maintained during employment).

Substitution:

Completion of a California Division of Apprenticeship Standards (DAS) or United States Department of Labor (DOL) approved apprentice construction laborer program may be substituted for the required experience.

Verification

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

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

Additional Information

How to Apply

Applications for City and County of San Francisco jobs are **only** accepted through an online process.

Visit careers.sf.gov and begin the application process.

- Select the "I'm Interested" button and follow instructions on the screen

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

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

Selection Process

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

Eligible List/Score Report

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

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

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

Certification Rule

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

Terms of Announcement and Appeal Rights:

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

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

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

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

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

HR Analyst Information

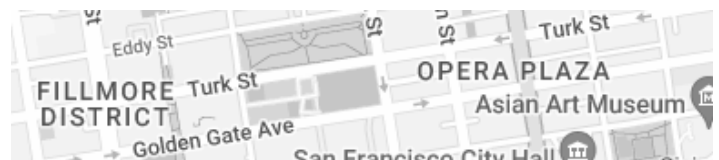
If you have any questions regarding this recruitment or application process, please contact sean.sexton@sfgov.org.

Recruitment ID: CBT-7514-E00060

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

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

Job Location



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OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

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

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

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

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

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

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

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

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

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

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

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

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

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

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

NOW, THEREFORE,

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

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

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

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

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

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

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

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

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

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SAN FRANCISCO



LONDON N. BREED
MAYOR

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

DATED: May 19, 2022

A handwritten signature in black ink that reads "London N. Breed".

London N. Breed
Mayor of San Francisco

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From: Sean Sexton from City and County of San Francisco
To: [REDACTED]
Subject: Class 7514 General Laborer (#E00060) – Application Status
Date: Friday, November 4, 2022 8:03:39 AM

Dear William McDonagh III,

Thank you for taking the time to complete an application and express your interest in Class 7514 General Laborer.

This notice is in response to your application for General Laborer - Citywide (7514) - (E00060) (REF16494L).

As indicated in the Job Ad, this selection process is being conducted in accordance with the 48th Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020 and temporary Civil Service Commission (CSC) Rule 111.17. The intent of this program is to provide current employees already working as a 7514 General Laborer on Category 18 exempt appointments a path to permanent civil service status. Specifically, the minimum requirements for this recruitment are:

“A minimum of one year as a Category 18 exempt appointee in Class 7514 by December 15, 2022. Must be a current exempt employee with the City and County of San Francisco with no break in service.”

We regret to inform you that our records indicate you do not meet this requirement, and consequently, your application cannot be considered for this recruitment.

We appreciate your interest in working with the City and County of San Francisco, and encourage you to, if you have not already done so, apply for a traditional Class 7514 recruitment wherein a Category 18 exempt appointment is not required. To sign up for future job notification(s), follow the instructions at this link: <https://careers.sf.gov/interest/>.

Civil Service Commission Rules grant you the right to appeal this rejection of your application to the within five business days of this notice. Information on how to file an appeal and the associated forms can be found at: <https://sfgov.org/civilservice/procedures-forms>.

Please feel free to contact me, Sean Sexton, at sean.sexton@sfgov.org or 415-554-6050, if you have any questions, including if you wish to exercise this appeal right by 5:00PM on November 10, 2022.

Regards,

Sean Sexton

City Administrator Human Resources

City and County of San Francisco



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

NOTICE OF RECEIPT OF APPEAL

DATE: November 15, 2022
REGISTER NO.: 0215-22-4
APPELLANT: WILLIAM MCDONAGH III

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

Dear Carol Isen:

The Civil Service Commission has received the attached letter from William McDonagh III appealing the rejection of his application for Class 7514 General Laborer (CBT-7514-E00060) Cat. 18 recruitment. Your review and action are required.

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

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

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

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer

Attachment

Cc: Anna Biasbas, Department of Human Resources
Jeanne Buick, Department of Human Resources
Kate Howard, Department of Human Resources
Dave Johnson, Department of Human Resources
Stephanie Mayorga-Tipton, Department of Human Resources
Mawuli Tugbenyoh, Department of Human Resources
Karen Hill, Department of Public Works
Svetlana Vaksberg, Office of the City Administrator
Sean Sexton, Office of the City Administrator



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Sent via Email

November 15, 2022

William McDonagh III
[REDACTED]

Subject: **Register No. 0215-22-4: Appealing the Rejection of His Application for Class 7514 General Laborer (CBT-7514-E00060) Cat. 18 Recruitment.**

Dear William McDonagh III:

This is in response to your appeal submitted to the Civil Service Commission on November 13, 2022, appealing the rejection of your application for Class 7514 General Laborer (CBT-7514-E00060) Cat. 18 recruitment. Your appeal has been forwarded to the Department of Human Resources for investigation and response to the Civil Service Commission.

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

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

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

Sincerely,

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG
Executive Officer

McDonagh III William

Bill mcdonagh <[REDACTED]>

Sun 11/13/2022 12:42 PM

To: CivilService, Civil (CSC) <civilservice@sfgov.org>

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

I'm writing to protest the denial I received to be eligible for 7514 General laborer. Or 7215 general laborer supervisor I have 20 years service with the San Francisco Public Utilities Commission I've been denied new hire reinstatement in over a dozen classifications over the last three years. My rights as a civil servant and civil rights laws has been systematically violated by numerous government agencies. I engaged in protected activities reporting illegal activities fraud waste and abuse along with other felony criminal activities since 2007 I was repeatedly subjected to retaliation and witness intimidation at the SFPUC and off work at my residence by city employees. I filed police reports, ethics complaints reported to every government agency local state and federal there is no mechanism for victims of retaliation. whistleblowers are systematically forced out of their jobs and threatened with arrest based on false criminal allegations to conceal fraud theft of government funds and organized crime operating within city departments I also lost my 20 year pension due to the intentional financial physical brain injury severe stress forcing me to work injured after repeatedly being denied my rights as a worker to work in a safe environment i was repeatedly denied worker comp intentionally as a means of cruel punishment the pattern that other employees experienced is documented i choose to work injured rather than lose my home to foreclosure. Currently my home is in foreclosures this is as a result of a concerted long drawn out retaliation that caused my catastrophic financial injury due to me being intentionally injured at work subjected to repeated attempts at false arrest to conceal fraud and directly to my fitness for duty exam retaliation suspension upon my arrival first pay back to work with a doctors note was isolatef transfered then suspended without just cause my union intentionally did not represent me at my disciplinary hearing I had previously reported the same worker to management on numerous occasions he was disciplined and continue unabated to threaten and harass me without any justification other than reporting him for repeatedly threatening me management willfully concealed his unlawful behavior I was intentionally injured repeatedly to force me out of my position when attempts at malicious prosecution false arrest were unsuccessful. that I was willfully subjected to. I'm appealing once again to be considered for reinstatement in my former position and have the option to buy back my 20 years of civil service. On two occasions I sent in my reinstatement form within six months before a year of separation and received no reply whatsoever from SFDHR while city workers that were fired or forced to resign were reinstated promoted while I was basically isolated and demoted for exposing the rampant corruption misallocation of funds waste and abuse the former head of DHR resigned under similar allegations and another employee that was directly involved in retaliation by means of willfully disregard willfully ignorance failure to take action failure to investigate denial of transfer unlawful suspension without merit or just cause I watched dozens of managers high level supervisors quietly resign or were fired only after top managers protected and concealed illegal activity I've witnessed first hand the nepotism illegal hiring procedures. I was a model employee that worked extremely hard for my position was

denied promotion or hiring in other classifications while nepotism runs rampant interdepartment internal acting positions my union local 261 was involved in the Fraud illegal activities conflict of interest and provided me with no representation when I was retaliated against injured suspended after refusing a retaliation transfer after being denied a transfer out of the sfpuc due to concerns for my safety all of my request were denied to allow management to continue to subjected me to cruel and unusual punishment for simply doing my job. I contacted the civil service commission before and new fraud has been brought to my attention which contributed to my constructive discharge along with a lack of concern for my safety as a whistleblower and working in a sewer plant without covid ppe protection causing me to resign under duress. I requested reinstatement and did not receive any a knowledgement or reply I would tequest a chance to address the commission in person to reconsider my reinstatement or rehire due to the factors Ive listed above thank you respectfully William McDonagh III 415 846 9012

[Sent from Yahoo Mail on Android](#)

CCSF Job Appointment Summary

William F McDonagh

Emp

ID [REDACTED]

Empl Record 0

Job Appointment Summary																				
Eff Date	Appt Date	Action	Description	Payroll Status	Job Code	Union Code	Empl Class	Exempt Cat	Full/Part Time	Elig List #	Rank	POS #	Dept Sen Date	Dept	Location	Cert Date	Citywd Srty Date	Company Seniority Date	Vacation Anniversary Date	Sick Anniversary Date
02/04/2020	02/26/2007	TER	Resign - Satisfactory Service	Terminated	7215	261	PCS	NA	F	052128	22.00	01096889	09/22/2005	PUC	PUC049	09/22/2005	09/22/2005	02/05/2001	02/05/2001	
09/27/2017	02/26/2007	RFL	Return From Leave	Active	7215	261	PCS	NA	F	052128	22.00	01096889	09/22/2005	PUC	PUC001	09/22/2005	09/22/2005			
09/09/2017	02/26/2007	PLA	Paid Administrative Leave	W/Py	7215	261	PCS	NA	F	052128	22.00	01096889	09/22/2005	PUC	PUC001	09/22/2005	09/22/2005			
07/01/2017	02/26/2007	POS	Position Data Update	Active	7215	261	PCS	NA	F	052128	22.00	01096889	09/22/2005	PUC	PUC001	09/22/2005	09/22/2005			
08/17/2012	02/26/2007	DTA	Data Conversion	Active	7215	261	PCS	NA	F	052128	22.00	01096889	09/22/2005	PUC	WTR001	09/22/2005	09/22/2005			
10/15/2007	02/26/2007	RAS	Department Request	Active	7215	261	PCS		F	052128	22.00		09/22/2005	PUC	WTR001	09/22/2005	09/22/2005			
02/26/2007	02/26/2007	PRO	Prom - Permanent Civil Service	Active	7215	261	PCS		F	052128	22.00		09/22/2005	PUC	CWPF001	09/22/2005	09/22/2005			
12/08/2003	12/08/2003	PRO	Prom - Permanent Civil Service	Active	7514	261	PCS		F	052129	1.00		10/29/2003	PUC	WTR001	10/29/2003	10/29/2003			
02/05/2001	02/05/2001	REH	Rehire - Provisional	Active	7514	261	TFV		F		0.00			PUC	WTR001					
08/18/1999	04/01/1999	TER	Legal Limit - Temporary Time	Terminated	7514	261	TEX		A		0.00			DPW	DPW001					