



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22MTA) Applicable to Municipal Transportation Agency Service-Critical Classes

Refer to Civil Service Commission Procedure for Staff - Submission of Written Reports MTA for Instructions on completing and processing this Form

1. Civil Service Commission Register Number: _____ - _____ -
2. For Civil Service Commission Meeting of: September 18, 2023
3. Check One: Ratification Agenda
 Consent Agenda X
 Regular Agenda
4. Subject: Report on MTA Service-Critical Appointments Exempt from Civil Service under Charter Sections 10.104-16 through 10.104-18
5. Recommendation: Adopt the report.
6. Report prepared by: William Miles II Telephone number: 415-646-2863
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:

Municipal Transportation Agency Director: *Romika Williams*

Date: August 29, 2023
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.

<u>CSC RECEIPT STAMP</u>

Attachment

Notifications

Jeffrey Tumlin
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MEMORANDUM

DATE: August 30, 2023

TO: Honorable Civil Service Commission

THROUGH: Romika Williams *RW*
Acting Chief People Officer, SFMTA Human Resources

FROM: William (Bill) Miles II *WEM*
Talent Acquisition Senior Manager, SFMTA Human Resources

Kitty Wong *KW*
HR Division Services Manager, SFMTA Human Resources

SUBJECT: Report on MTA Service-Critical Appointments Exempt from Civil Service under Charter Sections 10.104-16 through 10.104-18

Background

Charter Sections 10.104-16, 10.104-17 and 10.104-18 provide that certain part-time, seasonal, temporary and substitute positions may be exempt from civil service selection, appointment, and removal procedures subject to approval of the Civil Service Commission. On June 3, 1996, the Civil Service Commission established and adopted procedures and guidelines for the processing and approval of such appointments and authorized the Human Resources Director to act on written requests for exemptions and provide the Commission with reports of transactions processed under the guidelines.

Exempt Category	Description
10.104-16 (16)	Temporary and seasonal appointments not to exceed the equivalent of half-time during any fiscal year, except that such positions may be filled through regular civil service procedures
10.104-17 (17)	Appointments, which shall not exceed two year and shall not be renewable, as substitutes for civil service employees on leave, except that such positions may be filled through regular civil service procedures
10.104-18 (18)	Appointments, which shall not exceed three years and shall not be renewable, for special projects and professional services with limited term funding, except that such positions may be filled through regular civil service procedures



This report is currently being requested twice a year. This report provides an update on appointments in these categories up until June 30, 2023 and an explanation and plan for correction of appointments past Charter authorized durations.

Analysis

Attachments A, B and C list all exempt appointments in service-critical positions within these categories with individual appointment date, estimated expiration date and project title as of 6/30/2023. There were a total of 144 appointments for MTA service-critical positions in exempt categories 16, 17 and 18.

The following table provides a breakdown of the number of MTA service-critical appointments compared to the total MTA workforce of 6,029 employees as of 6/30/2023.

Exempt Category	Number of Appointments	Percent of Workforce
10.104-16 (16)	17	0.28%
10.104-17 (17)	4	0.07%
10.104-18 (18)	123	2.04%

Some comments included in this report are related to the Mayor’s Proclamation of COVID-19 Local Emergency, specifically the 48th Supplement. **[Attachment D]**

Through this supplement, the mayor authorized the Department of Human Resources to establish streamlined competitive examination processes for employees who have served for at least one year in an exempt status under Charter Section 10.104(18) (special projects and professional services) as of December 15, 2022. The supplement also delegated the Human Resources Director 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 would expire on or before December 31, 2022.

Attachments A-C include comments on Cat. 18 positions which MTA projects to connect a PCS position to such a list, referred to in the attachments as the 48th Supplement eligible list. Note that this is not intended to be an exhaustive list, that projections may change and any such request needs to go through DHR review and approval to proceed.

Recommendation

Adopt the report.

ATTACHMENT A

Exempt Appointments from Civil Service under Charter Sections 10.104-16 for SFMTA Service-Critical Positions as of 06/30/2023

CLASS	TITLE	APPT TYPE	CAT	APPT DATE	ESTIMATED EXPIRATION DATE	COMMENTS
2992	Comrtract Compliance Officer I	TE	16	11/26/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5380	Student Design Trainee I, Arch/Eng/Plng	TE	16	5/29/2021	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5380	Student Design Trainee I, Arch/Eng/Plng	TE	16	5/28/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5380	Student Design Trainee I, Arch/Eng/Plng	TE	16	6/11/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5380	Student Design Trainee I, Arch/Eng/Plng	TE	16	6/11/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	6/12/2021	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	6/12/2021	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	5/28/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	5/28/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	5/28/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	5/28/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	5/28/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	6/11/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	6/25/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	6/25/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5381	Student Design Trainee II, Arch/Eng/Plng	TE	16	6/25/2022	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.
5382	Student Design Trainee III, Arch/Eng/Plng	TE	16	6/12/2021	N/A	TEX CAT 16 position limited to 1040 hours per year. No true expires date. Position has not gone over hours limit and will continue to be monitored.

ATTACHMENT B

Exempt Appointments from Civil Service under Charter Sections 10.104-17
for SFMTA Service-Critical Positions as of 6/30/2023

CLASS	TITLE	APPT TYPE	CAT	APPT DATE	ESTIMATED EXPIRATION DATE	COMMENTS
1241	Human Resources Analyst	TE	17	10/1/2022	10/1/2024	Position will remain as Cat. 17 until charter limit is reached or if the PCS incumbent returns to the PCS position.
5288	Transportation Planner II	TE	17	9/3/2022	9/3/2024	Position will remain as Cat. 17 until charter limit is reached or if the PCS incumbent returns to the PCS position.
7457	Sign Worker	TE	17	2/19/2022	2/19/2024	Position will remain as Cat. 17 until charter limit is reached or if the PCS incumbent returns to the PCS position.
8167	Admin Hearing Examiner	TE	17	10/1/2022	10/1/2024	Position will remain as Cat. 17 until charter limit is reached or if the PCS incumbent returns to the PCS position.

ATTACHMENT C

Exempt Appointments from Civil Service under Charter Sections 10.104-18
for SFMTA Service-Critical Positions as of 6/30/2023

CLASS	TITLE	APPT TYPE	CAT	APPT DATE	ESTIMATED EXPIRATION DATE	PROJECT TITLE	COMMENTS
1041	IS Engineer-Assistant	TE	18	1/8/2022	1/8/2025	Time Limited Project	
1042	IS Engineer-Journey	TE	18	5/29/2021	5/29/2024	Salesforce programs project	
1042	IS Engineer-Journey	TE	18	12/25/2021	12/25/2024	Enterprise Wireless and VOIP projects	
1042	IS Engineer-Journey	TE	18	1/8/2022	1/8/2025	Enterprise Asset Management Project (EAM)	
1042	IS Engineer-Journey	TE	18	1/8/2022	1/8/2025	Enterprise Asset Management Project (EAM)	
1042	IS Engineer-Journey	TE	18	1/8/2022	1/8/2025	Enterprise Asset Management Project	
1043	IS Engineer-Senior	PE	18	4/4/2020	4/4/2023	SFMTA's Network and Enterprise System	Finalist for PCS position
1043	IS Engineer-Senior	TE	18	7/24/2021	7/24/2024	Next Generation Customer Information System	
1043	IS Engineer-Senior	TE	18	12/25/2021	12/25/2024	Transit Management System	
1044	IS Engineer-Principal	TE	18	4/4/2020	4/4/2023	Radio Project (RP) and Parking & Revenue Control Systems (PARCS) Support	Finalist for PCS position
1044	IS Engineer-Principal	PE	18	2/25/2021	2/25/2024	Middleware Integration Project	
1044	IS Engineer-Principal	TE	18	12/25/2021	12/25/2024	Agency wide ODAR (On Demand Analysis and Report) Project	
1044	IS Engineer-Principal	TE	18	12/25/2021	12/25/2024	Development of complex workflow continues to digitization	
1044	IS Engineer-Principal	TE	18	1/8/2022	1/8/2025	SFMTA Network and Enterprise Upgrade Project	
1044	IS Engineer-Principal	PE	18	10/15/2022	10/15/2025	SharePoint Consolidation/Migration	
1044	IS Engineer-Principal	PE	18	10/15/2022	10/15/2025	Radio Project	
1044	IS Engineer-Principal	PE	18	10/29/2022	10/29/2025	Radio Project Transit Management Center Integration	
1052	IS Business Analyst	TE	18	12/25/2021	12/25/2024	Enterprise Asset Management Project	
1053	IS Business Analyst-Senior	TE	18	10/15/2022	10/15/2025	SFMTA Intranet Redesign	
1091	IT Operations Support Admin I	PE	18	3/21/2020	3/21/2023	Desktop Refresh Project	Division submitted project rescoping paperwork
1241	Human Resources Analyst	PE	18	12/10/2022	12/10/2025	COVID 19 Leave Administration	
1241	Human Resources Analyst	TE	18	4/15/2023	4/15/2026	Staffing Restoration Project	
1241	Human Resources Analyst	TE	18	4/29/2023	4/29/2026	Staffing Restoration Project	
1244	Senior Human Resources Analyst	TE	18	4/15/2023	4/15/2026	REAP MINIMUM QUALIFICATIONS (MQS) PROJECT	
1310	Public Relations Assistant	TE	18	9/19/2020	9/19/2023	Digital/Social Media Customer Communications Documentation and Information System Integration Project	
1310	Public Relations Assistant	TE	18	10/29/2022	10/29/2025	Transportation Management Center and Digital/Social Media project	
1312	Public Information Officer	TE	18	2/7/2023	2/7/2026	Public Outreach and Engagement Team Project	
1314	Public Relations Officer	TE	18	4/29/2023	4/29/2026	Train Control Upgrade Project (TCUP)	
1375	Special Assistant 16	TE	18	6/27/2020	6/27/2023	Autonomous Vehicles Program Senior Manager	Division is in progress of submitting rescoping paperwork
1452	Executive Secretary II	TE	18	3/4/2023	3/4/2026	Healthy Air and Clean Transportation Ordinance (HACTO) Compliance Program	

1823	Senior Administrative Analyst	TE	18	8/21/2021	8/21/2024	The Train Control Project	
1824	Principal Administrative Analyst	PE	18	4/2/2022	4/2/2025	Federal Contracts & Procurement Project	
1824	Principal Administrative Analyst	TE	18	7/23/2022	7/23/2025	IT Strategic Planning project	
1824	Principal Administrative Analyst	PE	18	12/24/2022	12/24/2025	Financial Reporting Automation Project	
1824	Principal Administrative Analyst	TE	18	2/18/2023	2/18/2026	5G Implementation Project Phase 2 & Central Subway transit station improvements project Phase 2	
5201	Junior Engineer	PE	18	2/8/2020	2/8/2023	The LRV 4 Procurement Project	Finalist for PCS position.
5201	Junior Engineer	TE	18	8/21/2021	8/21/2024	SFMTA Rolling Stock of rubber-tired fleet procurement	
5201	Junior Engineer	TE	18	8/6/2022	8/6/2025	Vision Zero Quick Build	
5201	Junior Engineer	TE	18	10/15/2022	10/15/2025	Vision Zero Quick Build	
5201	Junior Engineer	PE	18	10/29/2022	10/29/2025	Transbay Howard, Vision Zero Quick Build	
5203	Assistant Engineer	TE	18	10/16/2021	10/16/2024	Safe Streets Projects at Folsom, Howard, and 13th Streets	
5203	Assistant Engineer	TE	18	10/16/2021	10/16/2024	Vision Zero Quick-Build Implementation Project	
5203	Assistant Engineer	TE	18	8/6/2022	8/6/2025	Train Control Upgrade Project	
5207	Associate Engineer	TE	18	2/23/2019	2/23/2022	SFMTA Rolling Stock of rubber-tired fleet procurement	Position to be connected to 48th Supplement list; delay on division side putting in justification for request; referral pending
5211	Senior Engineer	TE	18	7/9/2022	7/9/2025	Muni Forward program	
5241	Engineer	TE	18	3/19/2022	3/19/2025	Safer Streets Project (now renamed Vision Zero)	
5241	Engineer	TE	18	9/3/2022	9/3/2025	Folsom and Howard Streetscape Projects	
5277	Planner I	PE	18	3/6/2021	3/6/2024	Development & Transportation Integration Planning Project	
5277	Planner I	TE	18	1/7/2023	1/7/2026	3 curb management projects and permanent shared spaces program	
5277	Planner I	TE	18	2/18/2023	2/18/2026	3 curb management projects and permanent shared spaces program	
5288	Transportation Planner II	TE	18	1/23/2021	1/23/2024	The Curb Management Strategy, Valencia Streetscape Project, The creation of a curb mgmt plan on Mission St	
5288	Transportation Planner II	TE	18	7/10/2021	7/10/2024	Communications-Based Train Control System (CBTC)	
5288	Transportation Planner II	TE	18	1/8/2022	1/8/2025	The Muni Forward program	
5288	Transportation Planner II	TE	18	1/22/2022	1/22/2025	The Muni Forward program	
5288	Transportation Planner II	TE	18	3/5/2022	3/5/2025	Safer Streets Project	
5288	Transportation Planner II	TE	18	6/11/2022	6/11/2025	Motorola Metrocom Replacement & Oversight	
5288	Transportation Planner II	TE	18	6/25/2022	6/25/2025	Motorola Metrocom Replacement & Oversight	
5288	Transportation Planner II	TE	18	7/9/2022	7/9/2025	Shared Spaces Parklet Program	
5289	Transportation Planner III	TE	18	10/16/2021	10/16/2024	Next-Generation Customer Information System Project	
5289	Transportation Planner III	TE	18	12/25/2021	12/25/2024	The Muni Forward program	
5289	Transportation Planner III	PE	18	2/19/2022	2/19/2025	The Muni Forward program	
5289	Transportation Planner III	PE	18	4/30/2022	4/30/2025	Safe Routes to School (SRTS) Non-Infrastructure Program	
5289	Transportation Planner III	TE	18	8/6/2022	8/6/2025	Shared Spaces Parklet Program	
5289	Transportation Planner III	TE	18	1/7/2023	1/7/2026	Mission Street Excelsior, 13th Street and Folsom-Howard complete streets projects	

5289	Transportation Planner III	TE	18	2/4/2023	2/4/2026	Vision Zero Quick Build	
5290	Transportation Planner IV	TE	18	7/24/2021	7/24/2024	Paratransit Contract & Service Monitoring project	
5290	Transportation Planner IV	TE	18	2/19/2022	2/19/2025	Hunters Point Power Plant and Stonestown Galleria Redevelopment Projects	
5290	Transportation Planner IV	PE	18	6/11/2022	6/11/2025	The Muni Forward Program	
5290	Transportation Planner IV	TE	18	6/25/2022	6/25/2025	The Muni Forward Program	
5290	Transportation Planner IV	TE	18	2/18/2023	2/18/2026	Shared Spaces Program	
5302	Traffic Survey Technician	PE	18	2/6/2021	2/6/2024	Bicycle Parking Program & Bicycle Wayfinding Signs Pgm	
5303	Supervisor, Traffic & Street Signs	TE	18	12/25/2021	12/25/2024	Citywide Parking Meter Replacement Project	
5502	Project Manager I	PE	18	3/24/2018	3/24/2021	Surface Light Rail Signaling Project	Project Rescope approved by Project Manager committee. Pre-employment process in progress.
5502	Project Manager I	PE	18	5/5/2018	5/5/2021	The Facilities Program	Project Rescope approved by Project Manager committee. Interviews in progress.
5502	Project Manager I	PE	18	12/14/2019	12/14/2023	19th Ave/M Ocean View Project	*Expiration date extended one year per 48th Supplement. Project Rescope approved by Project Manager committee. Pre-employment process in progress.
5502	Project Manager I	TE	18	8/6/2022	8/6/2025	Advanced Transportation Congestion Management Technologies Deployment	
5502	Project Manager I	PE	18	11/26/2022	11/26/2025	Maintenance of Way(MOW) Engineering Group	
5502	Project Manager I	TE	18	4/29/2023	4/29/2026	Historic Fleet Rehabilitation Project	
5504	Project Manager II	TE	18	10/3/2020	10/3/2023	Muni's fixed guideway systems	
5504	Project Manager II	PE	18	1/9/2021	1/9/2024	LRV4 Procurement Project	
5504	Project Manager II	PE	18	10/30/2021	10/30/2024	Citywide Parking Meter Replacement Project	
5504	Project Manager II	TE	18	6/25/2022	6/25/2025	Facilities Program	
5504	Project Manager II	TE	18	8/6/2022	8/6/2025	Facility Project	
5504	Project Manager II	TE	18	4/29/2023	4/29/2026	Automatic Train Control System	
5506	Project Manager III	PE	18	10/6/2018	10/6/2021	LRV Procurement Program	Project Rescope approved by Project Manager committee. Pre-employment process in progress.
5506	Project Manager III	PE	18	1/25/2020	1/25/2023	Van Ness BRT Project	Project rescope pending review by Project Manager committee.
5506	Project Manager III	PE	18	2/8/2020	2/8/2023	Track & Railway Replacement Projects	Project rescope pending review by Project Manager committee.
5506	Project Manager III	TE	18	7/25/2020	7/25/2023	Transit Fixed Guideway Program	Finalist for a different project manager role
5506	Project Manager III	TE	18	5/28/2022	5/28/2025	SFgo and Muni Forward	
5506	Project Manager III	TE	18	9/17/2022	9/17/2025	Intelligent Transportation Systems projects	
6318	Construction Inspector	TE	18	8/20/2022	8/20/2025	Van Ness Bus Rapid Transit (BRT) Project	
6319	Senior Construction Inspector	TE	18	8/20/2022	8/20/2025	Van Ness Bus Rapid Transit (BRT) Project	
7251	Track Maintenance Work Supervisor I	TE	18	6/10/2023	6/10/2026	MOW Fixed Guideway Projects	
7251	Track Maintenance Work Supervisor I	TE	18	6/10/2023	6/10/2026	MOW Fixed Guideway Projects	
7332	Maintenance Machinist	PE	18	11/12/2022	11/12/2025	Citywide Parking Meter Replacement Project	
7345	Electrician	PE	18	11/26/2022	11/26/2025	Electrician	
7346	Painter	PE	18	12/24/2022	12/24/2025	Citywide Parking Meter Replacement Project	
7444	Parking Meter Repairer	PE	18	5/14/2022	5/14/2025	Citywide Parking Meter Replacement Project	
7444	Parking Meter Repairer	TE	18	5/28/2022	5/28/2025	Citywide Parking Meter Replacement Project	
7444	Parking Meter Repairer	TE	18	9/3/2022	9/3/2025	Shared Spaces Parklet Program	
7457	Sign Worker	TE	18	1/22/2022	1/22/2025	CityWide Parking Meter Replacement project	
7457	Sign Worker	TE	18	1/22/2022	1/22/2025	CityWide Parking Meter Replacement project	
7457	Sign Worker	TE	18	3/5/2022	3/5/2025	Short-term Bike Parking	
7457	Sign Worker	PE	18	4/2/2022	4/2/2025	Vision Zero Quick-Build Implementation Project	

8214	Parking Control Officer	PE	18	10/5/2019	10/5/2023	SFHA Transition	Potential for PCS appointments though 48th Supplement process. Individuals on leave and thus cannot be processed.
8214	Parking Control Officer	PE	18	10/5/2019	10/5/2023	SFHA Transition	Potential for PCS appointments though 48th Supplement process. Individuals on leave and thus cannot be processed.
9124	Senior Transit Information Clerk	TE	18	1/8/2022	1/8/2025	Muni Transit Assistance Program (MTAP) project	
9126	Transit Traffic Checker	PE	18	6/24/2023	6/24/2026	AUTOMATIC PASSENGER COUNTING (APC) SYSTEM PROJECT	
9166	Transit Ambassador	TE	18	7/1/2021	7/1/2024	Muni Transit Assistance Program (MTAP)	Potential for PCS appointments though 48th Supplement process
9166	Transit Ambassador	TE	18	7/1/2021	7/1/2024	Muni Transit Assistance Program (MTAP)	Potential for PCS appointments though 48th Supplement process
9166	Transit Ambassador	TE	18	7/1/2021	7/1/2024	Muni Transit Assistance Program (MTAP)	Potential for PCS appointments though 48th Supplement process
9166	Transit Ambassador	TE	18	7/1/2021	7/1/2024	Muni Transit Assistance Program (MTAP)	Potential for PCS appointments though 48th Supplement process
9166	Transit Ambassador	TE	18	7/1/2021	7/1/2024	Muni Transit Assistance Program (MTAP)	Potential for PCS appointments though 48th Supplement process
9166	Transit Ambassador	TE	18	7/1/2021	7/1/2024	Muni Transit Assistance Program (MTAP)	Potential for PCS appointments though 48th Supplement process
9166	Transit Ambassador	TE	18	7/1/2021	7/1/2024	Muni Transit Assistance Program (MTAP)	Potential for PCS appointments though 48th Supplement process
9166	Transit Ambassador	TE	18	9/3/2022	9/3/2025	Muni Transit Assistance Program (MTAP)	
9166	Transit Ambassador	TE	18	10/15/2022	10/15/2025	Muni Transit Assistance Program (MTAP)	
9530	Labor Relations Rep, SFMTA	TE	18	2/19/2022	2/19/2025	Labor Negotiation Project	
9530	Labor Relations Rep, SFMTA	PE	18	2/19/2022	2/19/2025	Labor Negotiation Project	
9530	Labor Relations Rep, SFMTA	TE	18	3/5/2022	3/5/2025	Labor Negotiation Project	
9530	Labor Relations Rep, SFMTA	PE	18	3/5/2022	3/5/2025	Labor Negotiation Project	
9530	Labor Relations Rep, SFMTA	TE	18	3/5/2022	3/5/2025	Labor Negotiation Project	
9530	Labor Relations Rep, SFMTA	TE	18	3/5/2022	3/5/2025	Labor Negotiation Project	

ATTACHMENT D

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



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

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

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

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

NOW, THEREFORE,

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

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

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



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

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

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

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

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



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

DATED: May 19, 2022

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

London N. Breed
Mayor of San Francisco