



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

**LONDON N. BREED
MAYOR**

**MINUTES
Regular Meeting
October 2, 2023**

**2:00 p.m.
Room 400, CITY HALL
1 Dr. Carlton B. Goodlett Place**

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or by calling (415) 655-0001 and entering meeting id #2664 718 2757. Instructions for providing remote public comment are below.

**LISTEN/PUBLIC COMMENT CALL-IN
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Press # twice in order to listen to the meeting via audio conference
Dial *3 when you are ready to queue**

LONDON N. BREED, MAYOR

COMMISSIONERS

JACQUELINE MINOR

President

KATE FAVETTI

Vice President

F.X. CROWLEY

VITUS LEUNG

ELIZABETH SALVESON

SANDRA ENG

Executive Officer

The public is encouraged to submit comments in advance of the meeting by email at civilservice@sfgov.org, or by voicemail message at the CSC Office main line at 628-652-1100. Comments submitted by 5:00 pm the Friday before the meeting will be included in the record. During commission meeting use the Civil Service Commission's dedicated public comment line 1-415-655-0001, Access Code # 2664 718 2757.

CALL TO ORDER

2:06 p.m.

ROLL CALL

President Jacqueline P. Minor	Present
Vice President Kate Favetti	Present (arrived at 4:41 p.m.; left at 7: ??)
Commissioner F. X. Crowley	Present
Commissioner Vitus Leung	Present
Commissioner Elizabeth Salvesson	Present

President Jacqueline P. Minor presided.

REQUEST TO SPEAK ON ANY MATTER WITHIN THE JURISDICTION OF THE CIVIL SERVICE COMMISSION BUT NOT APPEARING ON TODAY'S AGENDA (Item No. 2)

Selina Keene (Ms. K), a forced retiree from Human Service Agency during the pandemic. Expressed her deepest concern about the mishandling of the retainment of civil service employees during the COVID pandemic. The City is picking and choosing who they're returning to work, several people that she knows have received letters as of September 15th asking to return to work or to check-in to return work within their departments by September 18th. She wasn't one of those who received the letter. The City should bring back people who want to continue to serve San Francisco.

Kimberly Cox, a terminated employee due to the vaccine requirement. Carol Isen has announced that the mandates are over, however, former employees have to reapply, why should they have to reapply. Alameda County employees under the same Union SEIU did not have to reapply or New York employees. They should be given their jobs back along with benefits and seniority that they had when terminated. She was denied an exemption from SFMTA, but the department still hasn't answered why her medical exemption was denied.

Melody Fountila, a forced retiree from the City and County of San Francisco. She started in 1999 with an excellent record. Refused to take the COVID vaccine because it was her right to refuse a medical mandate, and it brought up a lot of issues for her because she was not ready to retire. She was forced to retire and has not been able to get any of her items from the office where she worked. She is having financial issues, had to move in with her daughters, "this is not okay; this is not acceptable", she wants to come back to work with her seniority.

Bradley Wiedmaier, a home care worker and also retired, luckily receiving social security to help so that he can remain in the city and has a job as a night club accountant and cash counter. Concerned that the Civil Service Commission is supposed to be assuring fairness in staffing and it seems like it has fallen down on the job. Are we under staffing so that we can then bring in outside nonprofits to take the job? Not in favor of turning more work over to unaccountable outside agencies that have way less oversight. The City needs to be responsible and take charge of the things that must be done.

Maria Cristina Gutierrez, the Executive Director of Companeros del Barrio, a Non-

Profit Agency. I come here to tell you how sorry I am that we are used to exploit the workers in this city. I'm really sad to see how they use our needs and our suffering to take away the jobs from the people in this city. This money is for non-profit.

You (City) are actually contracting out with agencies like mine, to not only take away the jobs from the people in this city and pay us really low wages, but also not allowing the workers in the city to be able to get the type of wages that they deserve. At the same time, for all of us who work in nonprofit, we don't have retirement plans, we have no right to unions. Our salaries are lousy and at the same time, we never know if we will be funded in the next year or not. You're taking jobs from people in the city and you're using us to fight each other when it's the government that is not providing for us, please look into that.

Steve Zeltzer, I'm with the United Front Committee for a Labor Party and the testimony we've just heard is an example of the serious systemic problems we have in San Francisco. There's a lack of oversight of the non-profits causing corruption and nepotism. Why are these workers doing the same work as city workers and being paid less, thirty to forty percent less? I call that Union busting and this commission has a responsibility to put a halt to it. If you do the same work as a public worker, you should get the same pay. There's an attack on civil service and public workers going on right now and unfortunately the union that represents these workers SEIU 1021, they know that they're attacking civil service yet, they've not mobilized their members. In fact, they haven't even informed their members about your attack on the list and civil service. It's a scandal, it's a systemic problem and the other attack is on workers who've been terminated because they refuse to take a test - as has been pointed out by public workers. SEIU members in Alameda and Los Angeles were not terminated why in San Francisco? Now we understand. There's a shortage of staff and one of the reasons for the shortage of staff is that they're not testing for civil service. The effort to destroy civil service, which big corporations want, is an effort that is going to lead to more nepotism, more substandard wages, more corruption and the destruction of public resources. **Sergio Sosa**, worked for La Raza Community Resource Center, commented, on his experience working with the agency, request the Commission to investigate how the agency is using the money for non-profit organizations.

APPROVAL OF MINUTES (Item No. 3)

Regular Meeting of September 18, 2023 – 2:00 p.m.

Action: Adopted the Minutes. (Vote of 4 to 0)

ANNOUNCEMENTS (Item No. 4)

President Minor announced that Items #11 and #12 will be heard out of order after the Closed Session Agenda.

HUMAN RESOURCES DIRECTOR'S REPORT (Item No. 5)

Carol Isen, Human Resources Director announced that later in the agenda they will be presenting items eleven and twelve. They'll be presenting a staff report and a request to consider amendments to certain aspects of the rules. They are seeking rule changes to modernize and expedite hiring while still protecting the basic tenants of the merit system with investments in technology and changes both in the city and in the world about how people are hired. They are asking the commission to consider specific rule changes and have been working their way through them starting with those that they believe either interfere or just simply don't mesh with existing investments in the hiring modernization system. They'll be making presentations and once the Commission agrees to move forward and to meet and confers with the labor organizations. Also, announced that at the next meeting under the Human Resources Director's Report they will provide a report on the apparent invitation to some employees to return to work now that the mandatory vaccination program is ended.

Public Melody Fountila
Comment: Selina King (Ms. K)
 Kimberly Cox
 Monique Flambures
 Steve Zeltzer, United Front Committee for a Labor Party
 Cheryl Thornton
 Donte Vickers, Local 1414

0202-23-1 EXECUTIVE OFFICER'S REPORT**Civil Service Commission Priority Goals and Objectives for Fiscal Year 2023-24.
(Item No. 6)**

Action: Adopted the report with the condition to add the reference to the Grand Jury training and the goal of completing hiring for the vacant position with the Civil Service Commission.

**0197-23-8 Review of Request for Approval of Proposed Personal Services Contracts.
(File Item No. 7)**

PSC	Department	Amount	Type of Service	Type of Approval	Duration
41676-23/24	City Administrator	\$800,000	Contractor will perform natural areas management on Yerba Buena Island to include invasive plant removal and habitat restoration activities using hand and small-tool techniques. This work is to support the Yerba Buena Island (YBI) Habitat Management Plan, following pre-established site priorities developed by the Treasure Island Development Authority (TIDA).	Regular	9/30/2027
42481-23/24	City Administrator	\$300,000	Vendor will perform as-needed specialized toxicological analyses. Tests will be performed for such substances such as synthetic cannabinoids, designer opiates, and bath salts. The office of the Chief Medical Examiner (OCME) developed several leading analytical methods to detect, quantify and confirm over 450 common drugs of abuse, medications poisons and novel psychoactive drugs. This is beyond national minimal standards and recommendations for decedents, impaired driving, and sexual assault casework. The capacity to perform these tests in-house has mitigated some of the additional work required during the City's fentanyl drug overdose epidemic. However, an outside accredited laboratory contract is necessary to perform specialized work that OCME cannot do.	Regular	12/31/2028
45826-23/24	Controller	\$7,000,000	The City seeks responses from Respondents to provide professional services for the following: PeopleSoft Financials and Supply Chain Management (FSCM); PeopleSoft Human Capital Management (HCM); PeopleSoft Enterprise Learning Management (ELM); Oracle Business Intelligence Applications (OBIA); Oracle Business Intelligence Enterprise Edition (OBIEE); Potential replacement systems for the above listed products; Potential change in infrastructure used to support the above listed products; and City legacy and related systems. Respondents must be able to provide functional, technical, and project management services for these systems both remotely and on-site at the Office of the Controller's City Hall Office. These services will be used to assist the Controller's Office and other City Departments with system enhancements, modifications, and additional systems support.	Regular	10/31/2028
32820-23/24	Municipal Transportation Agency	\$2,500,000	The contractor will plan, coordinate, and conduct an in-person survey of the San Francisco Municipal Transportation Agency's (SFMTA) transit riders to collect data on their demographics and transportation practices. The consultant will collect statistically significant data about customer travel patterns, income levels, ethnic background, language proficiency, and fare media usage both on a temporal and geographic basis. Riders will be surveyed on all routes and modes of transit vehicles, on platforms, and by telephone as necessary. The consultant shall produce a final report that includes a discussion of the survey results and relevant high-level data summaries.	Regular	12/31/2025

PSC	Department	Amount	Type of Service	Type of Approval	Duration
35159-23/24	Municipal Transportation Agency	\$2,000,000	<p>The U.S. Department of Transportation (USDOT) awarded the San Francisco Municipal Transportation Agency (SFMTA) \$2 million from the SMART (Strengthening Mobility and Revolutionizing Transportation) grants program to support the SFMTA’s Digital Curb project. The SMART grants program funds innovative approaches to using technology to solve transportation problems -- the Digital Curb project will create a first-of-its-kind citywide database and map of all curb locations and regulations, which will provide valuable information for the agency and public, and help achieve the agency’s curb management goals. The SFMTA intends to issue an RFP for a Contractor to support the Digital Curb project in assembling curb data for the first time by leveraging existing data and collecting data on the street using innovative digital mapping tools; keeping data up to date via software tools as SFMTA plans legislate, and implements curb regulation changes; and disseminating data via maps, analytical tools, and an open data feed using the Curb Data Specification (CDS) industry standard.</p> <p>As part of the Digital Curb project, SFMTA will also partner with the Open Mobility Foundation (OMF). OMF is a non-profit organization that develops digital tools for public agencies and manages the CDS standard. OMF will make changes to CDS as necessary to support the Digital Curb project, as well as work with SFMTA and other cities with similar projects to document costs, benefits, lessons learned, and best practices, which will help SFMTA meet its grant obligations to USDOT.</p>	Regular	9/15/2025
44669-22/23	Municipal Transportation Agency	\$250,000	To provide federally mandated urine analysis for Safety-Sensitive employees with the San Francisco Municipal Transportation Agency (SFMTA).	Regular	2/1/2029
41458-23/24	Public Utilities Commission	\$15,000,000	Perform highly specialized engineering tasks that include conducting geotechnical field explorations, investigations, and laboratory testing; hydraulic modeling, seismic vulnerabilities of water treatment facilities and chemical storage tanks, site surveying in remote locations, reliability and maintenance issues with chemical pumps, preparing reports for new and existing facilities; The SFPUC intends to award one (1) contract, not to exceed \$15,000,000.	Regular	1/31/2035
45295-23/24	Sheriff	\$140,000	The San Francisco Sheriff’s Office proposes to enter into a contract for the garbage collection services for the San Francisco County Jail #3 located in San Bruno, CA, and to comply with the San Bruno Municipal Code 10.20.050, which the City of San Bruno issued an exclusive contract for the collection of garbage.	Regular	9/30/2024
48964-23/24	Department of Technology	\$15,000,000	Background: The City retired its physical mainframe equipment in 2022. While the City offers its own private City Cloud Platform, it must also offer Public Cloud Service options to those City departments who choose not to leverage the City’s Cloud Services. In addition, the City needs Cloud Services from Public Web Services providers for the City to maintain redundancy and disaster recovery services. The Public Cloud Providers are expected to provide Cloud Technical Support and professional services to cover development and production issues for Cloud products and services, along with other key stack components: "How to" questions about Cloud services and features, Best practices to help successfully integrate, deploy, and manage applications in the cloud, Troubleshooting Application Programming Interface (API) and Software Development Kit (SDK) issues, Troubleshooting operational or systemic problems with Cloud resources, Issues with our Management Console or other Cloud tools, Problems detected by Cloud Providers health check tools, and f A number of third-party applications such as Operating System (OS), web servers, email, Virtual Private Network (VPN), databases, and storage configuration.	Regular	12/31/2030

PSC	Department	Amount	Type of Service	Type of Approval	Duration
48582-22/23	City Administrator	Current Approved Amount \$6,000,000 Increase Amount Requested \$8,000,000 New Total Amount Requested \$14,000,000	The Office of Contract Administration (OCA) would like to establish contracts for departments to obtain short-term and intermittent security guard services for special events and locations without existing service. Uniformed security guard services will provide a visible presence to the public and City staff while monitoring the grounds/facilities; protecting the safety of persons on sites; protecting the property against fire, theft, damage, and trespass; and investigating and reporting unusual or suspicious activities. These services will be available to all City departments requiring a short turnaround and for short-term duration services. Services will not cover long-term or consistent/regular security guard services.	Regular	8/30/2028
43319-21/22	Airport	Current Approved Amount \$7,000,000 Increase Amount Requested \$8,000,000 New Total Amount Requested \$15,000,000	Professional support services for the Noise Insulation Program (NIP) particularly on the following as-needed tasks: review of County records and updated noise impact boundaries to identify properties that may qualify for noise insulation improvements, outreach efforts to invite potentially eligible homeowners to participate in the NIP, coordination of aircraft noise easement acquisitions and recording, coordination of noise insulation design and construction work, handling inquiries from property owners regarding eligibility for noise insulation improvements funded by the Federal Aviation Administration (FAA) and the San Francisco International Airport (Airport), and preparation of outlay reports.	Regular	6/30/2028
44356-19/20	Airport	Current Approved Amount \$3,000,000 Increase Amount Requested \$3,500,000 New Total Amount Requested \$6,500,000	Complete integrated parking access revenue control system (PARCS) support and maintenance for both hardware and software at the San Francisco International Airport (Airport) public and employee parking facilities. Contractor shall provide all labor, materials, spare parts, software, testing equipment, tools, etc. necessary to perform technical maintenance services for all PARCS equipment and software.	Regular	12/31/2026
32594-15/16	Municipal Transportation Agency	Current Approved Amount \$100,000 Increase Amount Requested \$10,000 New Total Amount Requested \$110,000	The consultant will provide the services of a Medical Review Officer (MRO) for the San Francisco Municipal Transportation Agency (SFMTA). This is a mandatory service under the Department of Transportation/ Federal Transit Administration (DOT/FTA), TITLE 49: TRANSPORTATION, Code of Federal Regulations, PART 40 – PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS (49 CFR Part 40).	Regular	6/30/2025
39913-23/24	Police	Current Approved Amount \$100,000 Increase Amount Requested \$425,000 New Total Amount Requested \$525,000	The contractor will provide background investigation services for civilian and command-level San Francisco Police Department (SFPD) employment applicant positions. The contractor's services will include, but not be limited to, interviewing applicants, investigating records from the criminal justice system, credit reporting agencies, and Department of Motor Vehicles, and contacting employers and references.	Regular	10/31/2026
47706-16/17	Public Health	Current Approved Amount \$2,590,000 Increase Amount Requested \$5,000,000 New Total Amount Requested \$7,590,000	The initial engagement will be in support of a task force established by the Board of Supervisors in preparation for the possible legalization and regulation of adult use and possession of cannabis, the Cannabis State Legalization Task Force, begun in early 2016, to be active for a two-year period. The Task Force is comprised of 22 members, including non-voting representatives of City departments such Planning, Fire, Police, Building Inspection and Public Health and voting members from various sectors, including advocates, business and tourism sector representatives. Services will include assistance in planning; identifying best practices, legal mandates and other relevant information; determining the stakeholder needs; facilitating meetings and handling task force/project documentation and communications; development of findings and recommendations; and making large and small group presentations.	Regular	12/31/2028

PSC	Department	Amount	Type of Service	Type of Approval	Duration
47743-17/18	Public Health	Current Approved Amount \$962,000 Increase Amount Requested \$550,000 New Total Amount Requested \$1,512,000	The contractor(s) will provide a behavioral workforce program to prepare students and residents for the behavioral health services workforce by teaching up-to-date, evidenced-based practices. This program will develop and implement a drug and alcohol studies certificate program (currently provided at City College of San Francisco) that will span 2-3 academic years for counselors employed through Department of Public Health (DPH) Behavioral Health Services (BHS)-funded programs, or those who plan to seek employment with San Francisco agencies. The program will reinforce segments of the DPH BHS's planned education and training "pipeline," with a focus on drawing candidates of varying ethnic and cultural heritages, language backgrounds, sexual orientations/gender identities, and experiences with behavioral health systems. The format will be weekly night classes accessible to working adults and those who may have interrupted academic histories due to family responsibilities and/or time needed for recovery. Enrollment will be aimed to reflect the populations currently served, prioritizing students from diverse communities (e.g., African Americans, Latino/as, Asians, Pacific Islanders, Native Americans and immigrant groups from the neighborhoods of Bayview-Hunters Point, Visitacion Valley, the Mission, Western Addition, Tenderloin and other disenfranchised areas of the city) and marginalized groups (e.g., Lesbian/Gay/Bisexual/Transgender/Queer/Questioning/Intersex [LGBTQQI], formerly-incarcerated, homeless, etc.).	Regular	12/31/2024
43527-17/18	Public Utilities Commission	Current Approved Amount \$1,200,000 Increase Amount Requested \$200,000 New Total Amount Requested \$1,400,000	The work under this agreement includes identifying underutilized and other SFPUC properties that are candidates for revenue enhancement; assessing land economics; assessing project and entitlement feasibility; making entitlement applications; building and sustaining local government and community relationships to generate project support; securing necessary local government entitlement approvals outside of San Francisco; analyzing and resolving complex title issues and boundary issues; performing appraisals and providing pre-acquisition and pre-disposition services.	Regular	4/1/2027
37035-22/23	Sheriff	Current Approved Amount \$100,000 Increase Amount Requested \$61,000 New Total Amount Requested \$161,000	Coordinate efforts among multiple city agencies to identify and reduce barriers to pre-release Medi-Cal enrollment for persons incarcerated in the San Francisco County jails. Interview stakeholders and map existing Medi-Cal enrollment processes that occur in custody, Identify barriers for enrollment efforts and operational gaps that need to be addressed to implement the pre-release enrollment and suspension processes, including but not limited to IT system modifications, Facilitate meetings and collaborative planning sessions between Sheriff's Office and County Health and Social Service agencies. Identify protocols and IT modifications to strengthen pre-release enrollment, Identify the technology systems and staff needed to more efficiently identify Medi-Cal status at booking, provide enrollment assistance to those in need, while also providing accurate booking and release information to the HSA. Work with partner agencies to develop a comprehensive application for implementation funding which is due to the State Department of Health Care Services by December 31, 2022. The initial deliverable of the implementation grant proposal is due no later than December 9, 2022. Scope Change: Implementation Assistance, meetings, and Project Management.	Regular	4/20/2025
44886-19/20	Treasurer/Tax Collector	Current Approved Amount \$1,670,000 Increase Amount Requested \$1,000,000 New Total Amount Requested \$2,670,000	The Office of the Treasurer and Tax Collector, Office of Financial Empowerment (OFE) is seeking to expand its one-on-one financial coaching program, Smart Money Coaching (SMC), to reach more residents in low-income communities and in communities with inequitable economic opportunity. The financial coaching service provider would have opportunities to support coaching across the City at City department sites, community-based organizations (CBOs) and other locations identified by the financial coaching service provider in partnership with OFE.	Regular	6/30/2026

Speakers: Joan Lubamersky, City Administrator spoke on PSC #41676-23/24.
Mark Perlite and Jack Wood, Office of the Controller spoke on PSC #45826-23/24.
Evan Knopf, Municipal Transportation Agency spoke on PSC #32820-23/24.
Shawndrea Hale, Public Utilities Commission spoke on PSC #41458-23/24.
Jolie Gines, Department of Technology spoke on PSC #48964-23/24.
Lynn Khaw, Annyse Acevedo, and Taraneh Moayed, City Administrator spoke on PSC #48582-22/23.
Kelly Hiramoto and Kimberly Ganade, Department of Public Health spoke on PSC #47743-17/18.

- Action:**
1. Approved PSC #41676-23/24 from the City Administrator.
(Vote of 4 to 0)
 2. Approved PSC #45826-23/24 from the Office of the Controller.
(Vote of 4 to 0)
 3. Approved PSC #32820-23/23 from the Municipal Transportation Agency. (Vote of 3 to 1; Commissioner Crowley dissents)
 4. Approved PSC #41458-23/24 from the Public Utilities Commission with the condition to report back to the Commission in four (4) years.
(Vote of 4 to 0)
 5. Approved PSC #48964-23/24 from the Department of Technology with the condition to report back to the Commission in four (4) years.
(Vote of 4 to 0)
 6. Withdrew the modification of PSC #48582-22/23 from the City Administrator.
 7. Approved PSC #47743-17/18 from the Department of Public Health.
(Vote of 4 to 0)
 8. Adopted the report. Approved the remaining requests for proposed Personal Services Contracts; Notify the Office of the Controller and the Office of Contract Administration. (Vote 4 to 0)

Public Comment: Naj Daniels, SEIU 1021, requesting to sever PSC #48582-22/23.
Steve Zeltzer, United Front Committee for a Labor Party, commented on PSC #48582-22/23.
Melody Fountila, Retiree
Ms. K (Selina Keene), commented on PSC #41676-23/24 and PSC #32820-23/24.
Melody Fountila, commented on PSC #45826-23/24.
Dennis Wong, SEIU 102 commented on PSC #48582-22/23.

0198-23-3 Certification of the Highest Prevailing Rate of Wages of the Various Crafts and Kinds of Labor Paid in Private Employment in the City and County of San Francisco. (Item No. 8)

Speaker: None.

Action: Adopted the report of the Office of Labor Standards Enforcement.
(Vote of 4 to 0)

0146-23-4 Appeal by Barbara Dullea of the Q-60 Lieutenant Examination. (Item No. 9)

Speakers: Jen Lo, Department of Human Resources
Barbara Dullea, Appellant

Action: Adopted the report and denied the appeal by Barbara Dullea.
(Vote of 4 to 0)

0145-23-4 Appeal by James Sanabria of the Rejection of Their Application for Supervising Electronic Maintenance Technician (7287) (CBT-7287-T00044). (Item No. 10)

Speakers: Shivani Nath, Municipal Transportation Agency
James Sanabria, Appellant
William Miles II, Municipal Transportation Agency
Kate Kimberlin, Deputy City Attorney

Action: Grant the appeal by James Sanabria. (Vote of 3 to 2; Vice President Favetti and Commission Salveson dissented)

Public Comment: Steve Zeltzer, United Front Committee for a Labor Party
Donte Vickers, Local 1414
Kimberly Cox

0200-23-5 Proposed Changes to Civil Service Commission Rules: 102, 202, and 302 Definitions; 109, 209, and 309 Position Classification; 114, 214, and 314 Appointments; 120, 220, and 320 Leaves of Absence; 121, 221, and 321 Layoffs to Modernize and Expedite Hiring. (Item No. 11)

Speakers: Dan Kaplan, Department of Human Resources
Shawn Sherburne, Department of Human Resources
Anna Biasbas, Department of Human Resources
William Miles II, Municipal Transportation Agency
Sandra Eng, Civil Service Commission

Note: Continue to the meeting of October 16, 2023, directed DHR to incorporate the changes Vice President Favetti proposed and for the Municipal Transportation Agency to present Volume IV proposed rule changes and

incorporate the changes Vice President Favetti. Append Vice President Favetti's changes to the minutes.

Public Comment: Steve Zeltzer, United Front Committee for a Labor Party
Ms. K
Melody Fountila
Kimberly Cox

0201-23-5 Proposed Amendments to Civil Service Commission Rules: 113, 213, AND 313 Certification of Eligibles to Modernize and Expedite Hiring. (Item No. 12)

Speakers: Dan Kaplan, Department of Human Resources
Shawn Sherburne, Department of Human Resources
Anna Biasbas, Department of Human Resources
William Miles II, Municipal Transportation Agency
Sandra Eng, Civil Service Commission

Note: Continue to the meeting of October 16, 2023, directed DHR to incorporate the changes Vice President Favetti proposed and for the Municipal Transportation Agency to present Volume IV proposed rule changes and incorporate the changes Vice President Favetti. Append Vice President Favetti's changes to the minutes.

Public Comment: Steve Zeltzer, United Front Committee for a Labor Party
Ms. K
Melody Fountila
Kimberly Cox

Public Comment on all matters pertaining to Items 14, 15, and 16. (Item No. 13)

Andrew Sun, friend of Henry Xe

Vote on whether to hold Items 15 and 16 in closed session. (Item No. 14)

The Commission voted to go into closed session for Item #15. (Vote of 3 to 1; Commissioner Salveson dissents)

The Commission voted to go into closed session for Item #16. (Vote of 4 to 0)

0106-23-6 Appeal by Henry Xe of the Human Resources Director’s Determination to Administratively Close Appellant’s Complaint of Harassment, Retaliation, and Failure to Report. PERSONNEL EXCEPTION – San Francisco Administrative Code Section 67.10(b) and California Government Code Section 54957 (b)(1) – (Item No. 15)

The Commission went into closed session at 7:29 p.m. and the following were present:

President Jacqueline P. Minor
Commissioner F.X. Crowley
Commissioner Vitus Leung
Commissioner Elizabeth Salvesson
Dianna Jou, Recreation and Park
Amalia Martinez, Department of Human Resources
Mariana Gonzalez Rojas, Department of Human Resources
Yazmin Gonzalez, Department of Human Resources
Kate Kimberlin, Deputy City Attorney
Sandra Eng, Civil Service Commission
Lavena Holmes, Civil Service Commission
Elizabeth Aldana, Civil Service Commission

Action: Adopted the report, upheld the decision of the Human Resources Director, and denied the appeal by Henry Xe. Henry Xe failed to appear. (Vote of 4 to 0)

0199-23-1 Performance Evaluation – Executive Officer – PERSONNEL EXCEPTION – San Francisco Administrative Code Section 67.10(b) and California Government Code Section 54957 (b)(1) – (Item No. 16)

The following were present:

President Jacqueline P. Minor
Commissioner F.X. Crowley
Commissioner Vitus Leung
Commissioner Elizabeth Salvesson
Sandra Eng, Executive Officer

Closed Session ended at 8:37 p.m.

The Commission reconvened in open session at 8:40 p.m.

Reconvene in Open Session. Vote to elect whether to disclose any or all discussions on Items 15 and 16 in closed session (S.F. Admin. Code §67.12 (a)) - (Item No. 17)

Action: The commission voted not to disclose any discussions held in closed session. The Performance Evaluation has been completed. (Vote of 4 to 0)

COMMISSIONERS' ANNOUNCEMENTS/REQUESTS (Item No. 18)

President Minor will not be present for the meeting of October 16, 2023.

ADJOURNMENT (Item No. 19)

8:52 p.m.

Article III: Application of Certification Rules

Applicability: Article III, Rule 113, shall apply to employees in all classes; except the Uniformed Ranks of the Police and Fire Departments and Service-Critical classes at the Municipal Transportation Agency (MTA).

Sec. 113.7 Certification Rules Applicable to Employees in all

113.7.1 Rule of Three Scores

- 1) For Promotive only (P) and Combined Promotive and Entry (CPE) eligible lists, ~~Unless~~ mutually agreed between the employee organization representing the class and the Human Resources Director to use a broader Certification Rule, the Rule of Three Scores shall be used exclusively **except for Entry (E) only and continuous testing eligible lists.**
- 2) The Department of Human Resources shall certify to the appointing officer the confidential list of candidate names with the three (3) highest scores on the list who are available for appointment to the position. Eligibles' information, including names on eligible lists shall not be made public, unless required by law.
- 3) Except as otherwise provided, when there are two (2) or more approved personnel requisitions on file for the same class, the number of scores certified shall be equal to the number of positions to be filled plus two (2) scores. An eligible list adopted under the Rule of Three Scores shall in all cases be exhausted when eligibles standing at fewer than three (3) scores are available. Use of the eligible list when there is fewer than the minimum certification available shall be at the discretion of the appointing officer.
- 4) If all eligibles at a score waive appointment or fail to respond within the time limits provided in these Rules, the appointing officer may request supplementary certification(s) from the next highest score(s).

113.7.2 Expansion of Certification Rules

- 1) **The certification rule for Entry (E) only and continuous testing eligible list shall be Rule of the List.**
- 2) Notwithstanding any other provisions of these Rules, the Human Resources Director is authorized to meet and confer with representatives of employee organizations to reach mutual agreement over the Certification Rule applicable to each of the classes covered by this Section **except for Entry (E) only and those eligible lists in classes designated continuous testing by the Human Resources Director.** If the parties fail to reach mutual agreement, the Rule of Three Scores shall be used.

Rule Proposal	Comments
<p><u>Sec. 113.7 Certification Rules Applicable to Employees in all</u></p> <p>113.7.1 Rule of Three Scores</p> <p>1) For Promotive only (P) and Combined Promotive and Entry (CPE) eligible lists, unless mutually agreed between the employee organization representing the class and the Human Resources Director to use a broader Certification Rule, the Rule of Three Scores shall be used exclusively except for Entry (E) only and continuous testing eligible lists.</p>	<p>Increases opportunity, provides balance, and consistency with Volumes 2 and 3</p>
<p>113.7.2 Expansion of Certification Rules</p> <p>1) The certification rule for Entry (E) only and continuous testing eligible list shall be Rule of the List.</p> <p>2) Notwithstanding any other provisions of these Rules, the Human Resources Director is authorized to meet and confer with representatives of employee organizations to reach mutual agreement over the Certification Rule applicable to each of the classes covered by this Section, except for Entry (E) only and those eligible lists in classes designated continuous testing by the Human Resources Director. If the parties fail to reach mutual agreement, the Rule of Three Scores shall be used.</p>	<p>Increases opportunity, provides balance, and consistency with Volumes 2 and 3</p>
<p>213.3.4 Rule of the List 1</p>	<p>Remove from 213.3.4 and establish separate section 213.8 Consistent with Rule organization and intent.</p>

CSC Meeting 10/2/2023

Item #11

Proposed changes to Civil Service Rules

Focus: Certification Rules

3) The certification rule for all eligible lists that the Human Resources Director designates as "continuous list class" shall be Rule of the List	
Sec. 313.3.3 Rule of the 3) The certification rule for all eligible lists that the Human Resources Director designates as "continuous list class" shall be Rule of the List.	Remove from 313.3.3 and establish separate section 313.7 Consistent with Rule organization and intent.

DRAFT

Rule and Proposal	Comment
MTA Rules	Must have clarification if MTA agrees to proposed changes. If not, or they differ must have process to address 2 separate systems
<p>Sec. 102.27 Seniority 102.27.1 Civil Service – Permanent Seniority shall be determined by the appointment date of the employee following certification from an eligible list to a permanent position in a class in a department. In the event of identical dates, seniority shall be determined by rank on the eligible list, the higher eligible being the senior. Employees who resign or are terminated and subsequently are reappointed shall have their seniority determined by their new appointment date following reappointment certification to a position in the class following separation.</p>	<p>Clarification, assure possible PV appointment pending reappointment certification not counted toward new seniority date. Broad definition “eligible lists”: E, CPE, P, HOP, Status Grant Lists, Disability Transfer, etc.</p>
<p>102.27.2 Civil Service - Temporary (from eligible list) Seniority shall be determined by the appointment date of the employee following certification from an eligible list to a temporary position in a class in a department. In the event of identical dates, seniority shall be determined by rank on the eligible list, the higher eligible being the senior.</p>	Clarification
<p>102.27.4 Citywide Seniority 102.27.4 (a) Citywide Seniority prior to _____ (date) Citywide seniority is determined by the date of certification for appointees to a specific class???? 102.27.4 (b) Citywide Seniority effective _____ (date) by the date of appointment for appointees to a specific class thereafter. 102.27.4 (c) Ties in Seniority In the event of ties in seniority, seniority shall be determined as elsewhere provided in the Rules on Layoff</p>	<p>Good idea Section needs further clarification Connects to Rule on Ties located in the Layoff Rule.</p>
<p>Sec. 109.15 Civil Service Seniority Civil service seniority for employees granted status under Civil Service Commission Rule 109 shall be carried forward and is</p>	Provides clarity, bridge to former process

<p>calculated from the date of the citywide seniority as defined in these Rules in the former class prior to reclassification.</p>	
<p>114.15.5 In the event of layoff of an appointee who occupies a position through transfer under the provisions of this section, such layoff shall be in accordance with the applicable provisions of the Layoff Rule. Seniority shall be calculated from the date of the citywide seniority as defined in these Rules in the class from which transferred.</p>	<p>Clarity</p>
<p>Sec. 114.21 Seniority of Appointees in Class 8304 Deputy Sheriff Upon Advancement Seniority in Class 8304 Deputy Sheriff shall be determined by the date of permanent appointment following certification from and rank on the eligible list for Class 8302 Deputy Sheriff I.</p>	<p>? Need to tie to definition?</p>
<p>120.26.10 Military Leave - Eligibles Reached for Certification If while in the military service, the name of an eligible was reached for certification to a permanent position and the eligible presents an honorable discharge or certificate of honorable active service within 120 days from the date of release from active military duty not including reserve service during time of war, the eligible shall be certified to a position in the class for which so reached; and, for all purposes of seniority, the date of appointment following certification if appointed, shall be deemed to be the date when the eligible was reached for certification while in the military service. A person appointed in accordance with this section shall serve the required probationary period. An eligible who is offered appointment in accordance with the provisions of this section and who waives appointment and is subsequently certify appointed following subsequent certification after withdrawal of waiver shall have seniority as of the date of such appointment certification.</p>	<p>Clarification</p>
<p>120.26.11 Military Leave - Participants in Written Examinations Persons who participate in a written examination and who present their orders or other proof of service within 120 days from the date of</p>	<p>Clarification</p>

<p>release from active military service in time of war shall be allowed to participate in the remaining parts of the examination. If they meet all the eligibility qualifications, they shall be certify appointed following certification as of the date they would have been reached for certification in accordance with their rank based on the entire examination.</p>	
<p>121.2.1 Except as may otherwise be provided in this Rule, seniority shall be determined as follows: 1) Permanent Seniority for permanent appointees shall be determined by the date of permanent appointment following certification to a position in a class in a department. Seniority for appointees granted status or permanent tenure to a class shall be determined by the date of citywide seniority date as defined in these Rules in the class from which status or permanent tenure was granted. 2) Temporary from Eligible List Seniority for temporary employees appointed from an eligible list shall be determined by the date of citywide seniority as defined in these Rules from certification which resulted in a temporary appointment to a position in a class in a department.</p>	<p>Clarification, bridge language</p>
<p>121.4.2 If requested by the Human Resources Director, the appointing officer shall provide a seniority roster including, but not limited to, the name, status, certification original citywide seniority date?, and rank on eligible list of all employees in the affected classes and the number of such employees to be laid off.</p>	<p>? How can AO provide citywide seniority? AO can provide appointment/certification to position in a class in that AO's department</p>
<p>121.13.2 through 121.17 original citywide seniority reference</p>	<p>Change to citywide seniority as defined in these Rules</p>
<p>Rule 202 through 214.22 Same comments as Volume 1</p>	
<p>Sec. 214.25 Advancement In Class Based on POST Certification (cont.) 214.25.4 Conditions of Advancement (cont.)</p>	<p>Clarification</p>

<p>c) Such advancement shall not alter an existing probationary period nor shall it require a new probationary period. Once a POST Certification has been obtained, the advance placement shall be carried forward when appointed from an eligible list to a permanent position in one of the above referenced Classes.</p> <p>d) Civil Service Status Seniority shall be determined by the date of the appointment that resulted in the appointment following certification to the a Permanent Civil Service position in Class Q2, Q35, Q50, Q60 and Q80; and shall not be altered by advancement in Class as referenced in Section 214.25.3 above.</p>	
<p>Rules 220 and 221 – Same comment as Volume 1</p>	
<p>Rule 302 through 321 Same comments as Volume 1</p>	

