

MINUTES

**Sacramento County Civil Service Commission Meeting
700 H Street, Hearing Room 2, Suite 1445
Sacramento, California 95814**

January 6, 2006

The Commission convened for its regularly scheduled meeting at 1:31 p.m. on Friday, December 16, 2005, at 700 H Street, in Hearing Room 2, Suite 1445, Sacramento, California. Commissioners Johnson, Nakagawa, Bruce Nelson and Raymond Nelson were present. Commissioner Keen was absent.

CONSENT CALENDAR

(Matters on the consent calendar are acted upon as one motion.)

- A. **Minutes 12/16/05**
- G. **Receive And File Department Of Employment Services And Risk Management Monthly Status Report On Exempt Student Classes** (*Continued from 12/16/05 - not received timely*)
- I. **Corrected Minutes: November 18, October 21, September 23, And August 26, 2005 Commission Meetings**

Chairperson Nakagawa removed Item A, the Minutes of December 16, 2005 from the Consent Calendar so that a correction could be made with the understanding that the corrected version would be re-submitted for approval at the January 20, 2006 meeting.

ACTION: By unanimous vote of those present, approved Items G and I of the Consent Calendar.

SEPARATE MATTERS

- B. **Departmental Requests To Extend Provisional Appointments**

- (1) Municipal Services Agency – Jose Mendez, In The Class Of Code Enforcement Officer II**

ACTION: By unanimous vote of those present, extended the above-mentioned provisional appointment for five months and 29 days from the date of expiration or until 20 days after the eligible list is established, whichever occurs sooner.

- C. **Appeals Pursuant To Civil Service Rule 4.2, Application Rejection**

- (1) Felicia Boissiere – Human Services Specialist**

After oral presentation by Appellant, response from Employment Services representatives, and following lengthy discussion, David Devine, Department of Employment Services and Risk Management Director requested that the appeal be continued to the next Commission meeting to allow his staff additional time to review Ms. Boissiere's coursework and perhaps arrive at an administrative remedy.

ACTION: By unanimous vote of those present, continued without prejudice to January 20, 2006.

(2) Esther Diaz - Human Services Specialist

Chairperson Nakagawa confirmed with Appellant and Department of Employment Services and Risk Management that the issues raised by Ms. Diaz in her appeal were similar to Ms. Boissiere's. To allow time for Employment Services staff to review Ms. Diaz's coursework and perhaps arrive at an administrative remedy, the Commission continued the appeal to the meeting of January 20, 2006

ACTION: By unanimous vote of those present, continued without prejudice to January 20.

D. Appeals From Disqualification In The Human Services Supervisor – Master's Degree, Written Examination, Failure To Achieve A Passing Score**(1) John Gruber**

ACTION: By unanimous vote of those present, denied the appeal.

(2) Suzanne Kiesz

ACTION: By unanimous vote of those present, denied the appeal.

(3) Joan Klick

ACTION: By unanimous vote of those present, denied the appeal.

(4) Gina Larsen-Mott

ACTION: By unanimous vote of those present, denied the appeal.

E. Closed Session: Proposed Decision Of The Hearing Officer In The Matter Of The Appeal Of ... From An Order Of Disciplinary Action Of A Suspension As The Waste Management Operations Superintendent, With Department Of Waste Management And Recycling For The County Of Sacramento

ACTION: At the request of the appellant, the Commission convened and acted on this matter in closed session. By the following vote the Commission adopted as the decision of the Civil Service Commission, County of Sacramento, State of California, the Decision of the hearing officer in its findings of fact, but denied the appeal and imposed a Three (3) Day Suspension.

AYES: Commissioners Johnson, Bruce Nelson, Raymond Nelson, and Nakagawa

NOES: None

ABSTAIN: None

ABSENT: Commissioner Keen

F. Open Session: Commission Discussion Regarding Report Back To The Grand Jury On Commission's Review Of Civil Service Rule, Sections 11 And 12

(Continued from 12/16/05)

Commissioner Raymond Nelson noted that the new commissioner being appointed to replace retiring Commissioner Keen would need to be briefed prior to going forward with the discussion and review. Commissioner Raymond Nelson further suggested that the matter be continued to the next meeting.

ACTION: By unanimous vote of those present, continued to January 20, 2006.

H. Closed Session: Proposed Decision Of The Hearing Officer In The Matter Of The Appeal Of ... From An Order Of Disciplinary Action Of A Pay Step Reduction As An Office Assistant II (C), With Department Of Employee Records And Training

ACTION: At the request of the appellant, the Commission convened and acted on this matter in closed session. By the following vote the Commission adopted as the decision of the Civil Service Commission, County of Sacramento, State of California, the hearing officer's findings of fact, conclusions of law, and order denying the appeal.

AYES: Commissioners Raymond Nelson, Bruce Nelson, Johnson, and Nakagawa

NOES: None

ABSTAIN: None

ABSENT: Commissioner Keen

J. OPEN SESSION: Discussion, Action And Direction To Commission Staff Concerning Department Of Health And Human Services Privacy Concerns Regarding Closed Session Disciplinary Appeal Information Contained In Civil Service Commission Minutes

At the request of Commissioner Johnson, discussion of this matter took place prior to the two Closed Session matters set on the agenda.

Kathleen O'Connor, Commission Counsel noted for the record that, to protect the identity of appellants, all closed session disciplinary and release from probation appeals could be introduced and the final votes announced during the open public meetings by identifying only the classification title and the disciplinary or release action being taken.

Commissioner Raymond Nelson suggested that two separate sets of minutes could be produced by staff. The public minutes would exclude appellants' names but reference that a confidential set of minutes is kept by the Commission. The confidential minutes would include appellants' names and not be released to the public. Ms. O'Connor further advised the Commission that formal permission from the Board of Supervisors would be required in order to keep separate public and confidential minutes.

Commissioner Raymond Nelson moved to submit to the Board of Supervisors, a request to keep separate Public Civil Service Commission Minutes and Confidential Civil Service Commission Minutes in order to protect the names of appellants requesting closed session hearings on appeal before the Commission.

ACTION: By unanimous vote of those present, approved introducing and announcing final votes on closed session disciplinary and release from probation appeals in open session public meetings by identifying the classification title and disciplinary or release action being taken only; approved submitting to the Board of Supervisors a request to keep separate Public Minutes and Confidential Minutes of Commission meetings to protect the identity of appellants in closed session matters before the Commission.

ADJOURNMENT

There being no further business to come before the Commission and by unanimous vote of

those Commissioners present, the meeting was adjourned at 4:07 p.m. The Commission will reconvene for its next regularly scheduled meeting at 1:30 p.m. on Friday, January 20, 2006, in Suite 1450 at 700 H Street, Sacramento.

Respectfully Submitted:

Approval Recommended:

Clair E. Fry,
Civil Service Staff Assistant

Leslie Leahy,
Executive Officer

APPROVED:

Mike Nakagawa,
Chairperson