

# PUEBLO

## CIVIL SERVICE COMMISSION MEETING CITY COUNCIL CHAMBERS

JUNE 14, 2011  
5:30 P.M.

### MINUTES

#### CALL TO ORDER

Chairman Dan Archibeque called the Civil Service Commission Meeting to order.

#### ROLL CALL

**Commission Members Present:** Dan Archibeque, Guy Kennedy, Sharon Bonner

**Administrative and Civil Service Staff Members Present:** Counsel for the Commission Robert Jagger, HR Analyst Manuel Alcala, Civil Service Administrator Toni Selman and Secretary Lynne Huskins.

**Other Interested Parties:** Assistant City Manager Jenny Eickelman, Assistant City Attorney Carla Sikes, Deputy Police Chief Andrew McLachlan, Fire Union Representative James Riddell.

#### AMENDMENTS TO AGENDA

Mr. Archibeque asked if there were any amendments to the agenda. None were voiced

#### READING AND APPROVAL OF MINUTES

Mr. Kennedy seconded by Ms. Bonner moved to dispense with the reading and approve the minutes of the Civil Service Commission regular meeting dated Thursday, May 12, 2011 as distributed.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

### CONSENT AGENDA

#### STATUS REPORT OF CURRENT RECRUITMENTS

The Commission received and filed the following status report on current recruitments:

- a. Fire Captain (Recruitment required every year per Civil Service Rule 29) The written exam was held on May 24, 2011. Twenty seven persons were scheduled and 22 appeared to take the exam. Twelve candidates passed the exam. The review/appeal deadline is June 10, 2011.
- b. Traffic Control Utility Worker II (New position in 2011 budget) – The written exam was held on June 1, 2011. Twelve persons were scheduled, and 10 appeared to take the exam. All candidates passed the exam. The eligibility list will be signed at this meeting.

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**CONSENT AGENDA**

- c. Parking Enforcer (Recruitment due to replacement of staff) – The written examination was held on May 17, 2011. Twenty three persons were scheduled and 21 appeared to take the exam. Twenty candidates passed the exam and one person failed. The eligibility list will be signed at this meeting.
- d. Park Caretaker, Senior (New position in 2011 budget) – T&E examinations were conducted on the three qualified applications for this position. The eligibility list will be signed at this meeting.
- e. Parks Senior Mechanic/Welder (New position in 2011 budget] – A T&E examination was conducted on the one qualified application for this position. The eligibility list will be signed at this meeting.
- f. Auto Mechanic (Recruitment due to employee voluntary demotion) - External recruitment began on June 5, 2011 and ends on June 19, 2011. As of the date of this agenda, we had received eight applications for this position.
- g. Business Systems Analyst (Recruitment due to employee retirement) – External recruitment began on June 5, 2011 and ends on June 26, 2011. As of the date of this agenda, we had received ten application for this position.
- h. Police Patrol Officer (Recruitment due to several current vacancies) - External recruitment began on May 29, 2011 and ends on June 19, 2011. As of the date of this agenda, we had received 113 applications for this position.

**COMMUNICATIONS**

- 1. Ratify the Commission's letter to Scot Burbidge regarding the removal of his name from the Civil Engineer/Drainage eligibility list.
- 2. Ratify the Commission's letter to Gina Trujillo regarding the removal of her name from the Emergency Services Dispatcher eligibility list.
- 3. Ratify the Commission's letter to Cynthia Whalen regarding the removal of her name from the Clerk Typist eligibility list.
- 4. Ratify the Commission's letter to Jonathan Martinez regarding the acceptance of his objection to take the Traffic Control Utility Worker II examination.
- 5. Ratify the Commission's letter to Marie Watson regarding the rejection of her objection of her removal from the Clerk Typist eligibility list.
- 6. Ratify the Commission's letter to Dan Fresquez regarding the rejection of his objection to allow him to take the Park Caretaker, Senior examination.
- 7. Ratify the Commission's letter to Dolores Autobee regarding the removal of her name from the Clerk Typist eligibility list.
- 8. Ratify the Commission's letter to Mary Cordova regarding the removal of her name from the Clerk Typist eligibility list.

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**CONSENT AGENDA**

**COMMUNICATIONS**

9. Ratify the Commission's letter to Pamela Johnson regarding the removal of her name from the Clerk Typist eligibility list.
10. Ratify the Commission's letter to Lacie Keene regarding the removal of her name from the Clerk Typist eligibility list.
11. Ratify the Commission's letter to Lisa Pacheco regarding the removal of her name from the Clerk Typist eligibility list.
12. Ratify the Commission's letter to Kimberly Pearce regarding the removal of her name from the Clerk Typist eligibility list.
13. Ratify the Commission's letter to Corey Shilling regarding the removal of his name from the Clerk Typist eligibility list.

Commission Action: Mr. Kennedy seconded by Ms. Bonner, moved to approve all items on the Consent Agenda.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

**REGULAR AGENDA**

1. The Civil Service Administrator submitted the eligible list for Park Caretaker, Senior.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Park Caretaker, Senior.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

2. The Civil Service Administrator submitted the eligible list for Parking Enforcer.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Parking Enforcer.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

3. The Civil Service Administrator submitted the eligible list for Parks Senior Mechanic/Welder.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Parks Senior Mechanic/Welder.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

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**REGULAR AGENDA**

4. The Civil Service Administrator submitted the eligible list for Traffic Control Utility Worker II.

Commission Action: Mr. Kennedy, seconded by Ms. Bonner, moved to approve and certify the eligible list for Traffic Control Utility Worker II.

Roll Call -- Ayes: Archibeque, Kennedy and Bonner. Motion carried unanimously.

**ADMINISTRATIVE ITEMS**

1. Ms. Selman and Mr. Jagger provided the Commission with an update on the Civil Service Rule Changes. Ms. Selman stated she and Mr. Jagger met and formulated changes to the rules which were discussed at the Civil Service Commission retreat in April 2011. She said the proposed changes have been forwarded to the City Manager and the HR Director and have met with both their approvals. She requested that the Commission set a hearing date for the proposed rule changes. Mr. Archibeque asked for a brief summary of the changes.

Mr. Jagger said the purpose of the one rule change is to give the staff flexibility as it relates to dividing examination groups. Rather than having to give two separate exams, the rule change would give more flexibility in handling large groups of examinees. Ms. Selman had contacted other jurisdictions to gather information on how they handle these situations.

The other rule change regards the notice of examination. The change breaks it down to more of a notice of the application process, indicating when applications will be accepted, and then giving the qualified applicants for each specific recruitment notice of the written exam. He stated there are no legal issues pushing these rule changes, but more of a practical issue for the staff.

Mr. Jagger said the third rule change regards updating the provision of the rules regarding certified mail notification. Some changes were necessary to this rule based on the fact that many of the Commission notices are now sent out via electronic mail service. Certified mail will still be used when mailing notice of removal from lists or in instances where notice of service is required. Ms. Selman concurred with Mr. Jagger's synopsis of the pending rule changes.

On an unrelated note, Mr. Jagger expressed some concerns regarding T&E examinations. He stated there is no case law proving them to be competitive examinations because they do not have a fail level. Mr. Jagger said from a legal standpoint, the Commission should minimize the use of T&E's unless it is a highly professional position where it would be very difficult to put together a written exam. He felt the administration may be requesting T&E's more frequently. He said that the Commission needs to look at these instances closely, and when they can do so, a written exam should be given. One of his concerns is that it is difficult to give advance notice of the date of examination on job notices when you are not even sure that you will be giving a written exam. He said he wanted to bring up this issue, but at this point he can not advise the Commission as to whether the T&E's are competitive exams.

Mr. Archibeque stated he did not understand the concern about T&E's not having a fail level. Mr. Jagger deferred to Ms. Selman on this question. Ms. Selman explained that in the case of a written exam, even if the applicant meets the minimum qualifications, they may still fail the exam. In the case of a T&E exam, the applicant automatically scores at least 70% on the exam just by meeting the minimum qualifications, thus allowing them to automatically pass the exam.

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**ADMINISTRATIVE ITEMS**

Anything above and beyond the minimum qualifications and all their directly related education and experience in the last ten years gives the applicant extra points. Mr. Jagger stated there may be a concern that the Commission is certifying an eligible individual who may have otherwise failed an examination. The T&E's will rank them based on their education and experience, but even with that they may not be completely eligible for the position. Mr. Archibeque stated that he felt the main concern is that all candidates for a position be given the same type of test, not whether you have candidates that fail. Mr. Jagger said that is a fair point, and stated that it goes back to the class specifications and whether the minimum qualifications are written specific enough to identify those persons.

Ms. Selman stated the majority of T&E's that have been conducted are internal promotional exams, and every position has a probationary period in which the department head is able to evaluate the employee's performance. Mr. Archibeque added that once the candidate is on the eligibility list, they still have to go through the interview process and the background check.

Mr. Jagger brought up the issue of the competitiveness of the exam. In doing the evaluation the staff looks at background as related to education and experience above and beyond the minimum qualifications and assess that in the candidate's score. His concern is that depending on the class specification, that type of exam may not be the best method of examination to competitively rank those individuals. The staff under the rules has the responsibility to report any concerns they have regarding whether the T&E is the best testing method. The Commission should consult the staff before they make that recommendation regarding the testing procedures. He said generally in the cases where the Commission has less than three or five qualified applicants as a practical matter, it may not make a lot of sense to test them. He noted the candidates also have an appeal right. He stated these are not black and white legal issues, but more Commission policy issues. Mr. Jagger just wanted to make the Commission aware in case those issues come up. Ms. Selman stated that internal candidates have appeal rights on their scores, and they are always welcome to come in and have the T&E process explained to them and exactly how they got their points so they understand how their score came about.

The Commission set the date for the rule change hearing for July 12, 2011 at 5:30 p.m. or as soon thereafter as permitted by the regular Civil Service Commission Meeting. The hearing will be listed as part of the regular Commission meeting agenda.

2. The next regular meeting of the Civil Service Commission was scheduled for July 12, 2011 at 5:30 p.m. The meeting will be held in the interim City Council Chambers, 301 W. "B" Street.

**INFORMATIONAL ITEMS**

1. The Commission received their handouts.
2. Ms. Selman reminded the Commission of the note they received from the City Clerk's office inviting them to the City Council Worksession next Monday at 5:30 p.m. There will be a CIRSA presentation for all elected City officials.

**ADJOURN – 5:55 p.m.**

  
Chairman