



CIVIL SERVICE COMMISSION MEETING  
CITY COUNCIL CHAMBERS – CITY HALL  
#1 CITY HALL PLACE  
Tuesday, December 11, 2018  
5:30 PM

## **MINUTES**

### **CALL TO ORDER**

Chairman Archibeque called the Civil Service Commission Meeting to order at 5:30 PM.

### **ROLL CALL**

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

Administrative and Civil Service Staff Members Present: Robert Jagger, Counsel for the Commission; Manuel Alcala, Civil Service Administrator.

Absent: Human Resources Department representation.

Other interested parties: Captain Charlie Taylor, Laura Wittrup.

### **AMENDMENTS TO THE AGENDA**

None

### **READING AND APPROVAL OF MINUTES:**

Motion made by Mr. Archibeque to dispense with the reading and approve the minutes for the November 13, 2018 regular meeting as distributed; Mr. Kennedy moved, seconded by Ms. Bonner.

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

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**CONSENT AGENDA**

The following items are considered routine by the Civil Service Commission and will be passed and approved by one motion. There will be no separate discussion of these items unless a Commissioner so requests; in which event, the item shall be removed and considered as a regular item.

1. Receive and file the following status reports on current recruitments:
  - a. **Associate Engineer II - Wastewater** (vacancy due to an employee resignation) – the promotional recruitment began on November 13, 2018 and ended on November 26, 2018. We received 2 applications and 1 was approved for the exam. A Training and Experience (T&E) exam was administered on December 4, 2018. The eligibility list was presented to the Civil Service Commission for certification during this meeting.
  - b. **Senior Airport Operations/Maintenance Specialist** (vacancy due to an employee retirement) – the promotional recruitment began on December 4, 2018 and ends on December 17, 2018. We had received 1 application as of the date this agenda was prepared. The written exam is scheduled for January 2, 2019.
  - c. **Senior Planner** (vacancy due to an employee resignation) – the external recruitment began on November 29, 2018 and ends on December 19, 2018. We had received 4 applications as of the date this agenda was prepared. The written exam is scheduled for January 3, 2019.
2. Ratified the Commission's letters to Rose Cooper, Alexandra Deary, Julie Grinstead, Tracy Lange, Mary Macias, Gianna Martinez, Selena Rocha, Annette Stone, Leslie Thurston, and Mellisa Vigil, regarding the removal of their names from the Clerk Typist eligibility list.
3. Ratified the Commission's letter to Adriana Holmes, Kurt Hudgens, and Debrah Ortega, regarding the removal of their names from the Code Enforcement Officer eligibility list.
4. Ratified the Commission's letters to Jennifer Davis, Crystal Ellis, Brenda Martinez Rodriguez, Alayna Parker, Ashley Perez, and Frank Trujillo, regarding the removal of their names from the Emergency Services Dispatcher eligibility list.
5. Ratified the Commission's letters to Tonia Hendrich, Tracy Naumann, and Krista Velasquez-Trujillo regarding the removal of their names from the Senior Clerk Typist eligibility list.
6. Ratified the Commission's letter to Christopher Bratnick regarding his appeal to the rejection of this application for the Associate Engineer II – Wastewater position.
7. Ratified the Commission's letters to Tonia Hendrich, Tracy Naumann, and Krista Velasquez-Trujillo regarding the acceptance of their appeals to place their names back on the Senior Clerk Typist eligibility list.
8. Ratified the Commission's decision to conduct a Training and Experience (T&E) exam on the Associate Engineer II – Wastewater position.

**Commission Action:** *Commission Action: Motion made by Mr. Archibeque to accept all Consent agenda items; Mr. Kennedy moved, seconded by Ms. Bonner. Roll Call -- Ayes: Archibeque, Kennedy, Bonner. Motion carried unanimously.*

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**REGULAR AGENDA**

1. Discussion of a proposal to use the CritiCall software as a scored exam.

*Civil Service Administrator Manuel Alcala advised that this exam underwent a content and criterion validity study where the overall exam was considered fair and valid, and addressed the essential requirements of the Uniform Guidelines on Employee Selection Procedures. He indicated that although the validity study did not address a test of fairness, the Guidelines allow for provisional use of the exam, within certain parameters, until test unfairness is determined, or the City can internally conduct such test. Alcala indicated that based on the reviewed documentation, he believes that we have sufficient information to support validity and job similarity, consistent with the Guidelines.*

*Alcala indicated that a transportability study was conducted by the City and it was determined that all 14 work behaviors addressed in the study were considered transportable. He also indicated that Criticall would be beneficial to the department for dispatch testing and would result in significant savings and a streamlined process.*

*Alcala Advised that Criticall will be administered consistent with current written exam protocols, including Civil Service Rule 18. The pass points will remain as previously approved, 73% for the non-data entry portion and 2,826 KPH for the data-entry part.*

*Alcala recommended approval as he believes the use of CritiCall as a scored exam is appropriate, necessary, and consistent with our mission and objective of using credible and reliable testing instruments to ensure the Commission is providing well-qualified persons for City employment.*

*Counsel for the Commission, Robert Jagger wanted clarification that the research conducted in relation to the validity study properly addressed section 15 of the Guidelines, specifically those that relate to record-keeping requirements. Alcala indicated that record keeping would be something that would need to be established internally. He indicated the vendor had provided several documents related to the validity testing they had conducted and had agreed to provide anything else we needed.*

**Commission Action:** *Mr. Archibeque entertained a motion with respect to the proposal. Mr. Kennedy moved, seconded by Ms. Bonner.*

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

2. Submission of the eligible list for Associate Engineer II - Wastewater.

**Commission Action:** *Mr. Kennedy, seconded by Ms. Bonner, moved to approve, and certify the eligible list for the class title of Associate Engineer II- Wastewater.*

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

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**ADMINISTRATIVE ITEMS**

1. Discussion on changing how we handle polygraph exams to limit liability, streamline the selection process, and conform with best practices.

*Alcala said that the Commission had approved the polygraph order to fulfill the requirements under Civil Service Rule 10, to help make a determination of appointment suitability based on a candidate's history, background or moral character. Historically we have treated this exam similar to a pass/fail test, where failure immediately prompts a removal from the list and triggers the appeal process. Since this exam is administered at the tail end of the selection process, Alcala said it is very difficult to replace the lost candidate in time for the scheduled start date.*

*He noted that although it's widely accepted and used, a polygraph has not attained scientific acceptance as a reliable/accurate exam, sufficient to be accepted as evidence in a court of law under the strict rules of evidence.*

*Alcala said the Office surveyed many agencies about their polygraph practices and that of the ones who use polygraphs as a screening tool, none indicated its use on a pass/fail basis. Rather, it is used as a tool to complement their background investigations.*

*Barring Commission objections, Alcala said that City would like to implement a change to move away from the pass/fail concept and use the polygraph as an investigative tool, as everyone else is using it. The change involves taking candidates through the polygraph sooner in the selection process and giving the City more flexibility to determine appointment suitability based on considering all aspects of the background investigation, including the polygraph. The change provides for CS Office oversight per Civil Service Rule 10. No candidate who fails a polygraph result will be approved for appointment without a detailed report being filed with the Commission establishing why the person was found suitable for appointment despite the polygraph results. Alcala stated the process change will do three main things:*

- 1) *Limit liability.*
- 2) *Allow the flexibility of making a decision on employment suitability based on a thorough background investigation.*
- 3) *Alignment with best practices and Bring us closer to fulfilling the spirit of the polygraph order.*

*Commission voiced the primary concern that candidates would be required to pay for the second polygraph, should the City decide that a second exam is appropriate or necessary to determine appointment suitability.*

2. The next regular meeting of the Civil Service Commission was scheduled for January 15, 2019, at 2:00 p.m. The meeting will be held in the City Council Chambers, #1 City Hall Place.

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**INFORMATIONAL ITEMS**

1. Employee Status Report for November 2018
2. Handouts

**ADJOURN: 5:59 PM**

  
Chairperson