



# CITY OF SAN JOSÉ, CALIFORNIA

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## CIVIL SERVICE COMMISSION

Bill Brill, Chair  
Sharon L. Hightower, Vice Chair  
Dave Busse  
Richard J. Giovannetti  
Leon Louie

## Minutes of the Commission February 1, 2007

The Civil Service Commission of the City of San José convened in regular session February 1, 2007, in the City Council Chambers of San José City Hall at 4:04 p.m.

### ROLL CALL

Present: Commissioners Busse, Giovannetti, Hightower, and Louie  
Absent: Brill

### ORDERS OF THE DAY

By motion unanimously adopted, the Consent Calendar was approved.

### CONSENT CALENDAR

By motion unanimously adopted, the Consent Calendar was approved.

1. Information Only
  - a. Hiring Summary – Memorandum from Human Resources Department dated January 24, 2007, listing complaints about hiring issues and a summary of hiring activity for the period July 2, 2006 through December 30, 2006, was filed.
2. Minutes were approved:
  - a. Minutes of December 7, 2006
  - b. Minutes of December 14, 2006
  - c. January 11, 2007

3. Human Resources report dated January 24, 2007, listing the following amendments to the classification plan was filed.
  - a. New Class Specifications

**END OF CONSENT CALENDAR**

4. Hearings to be scheduled:
  - a. Scheduling the appeal of suspension of Raymond Pena, Police Officer (2215). Written time waiver filed. (Hopper/Peterson)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Attorney Larry Peterson, appearing on behalf of the appellant, were present. Mr. Peterson requested that the matter be continued to the March 2007 agenda due to Mr. Pena's medical condition. There was no objection from the City.

- b. Rescheduling the appeal of termination of Luis Perez, parking and Traffic Control Officer (2451) was scheduled for March 22, 2007. Hearing of January 17, 2007 canceled. Written time waiver filed. (Hopper/Icaza)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, was present. Hearing Officer Hightower advised that both parties participate in a prehearing conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already changed documents.

5. Request of the City Clerk's Office to earmark \$3,075 of the Civil Service Commission budget for use by the City Council Salary Setting Commission.

Upon motion by Commissioner Busse, seconded by Commissioner Louie and unanimously carried, the request of the City Clerk's Office to earmark \$3,075 of the Civil Service Commission budget for use by the City Council Salary Setting Commission was passed. Vote: 4-0-1. Absent: Brill

6. Request by Melanie Harmon, Account Technician with the Department of Parks, Recreation and Neighborhood Services, requesting a formal review of the hiring practices in regards to the minimum qualifications and suitable substitution for Analyst I/II. Continued from December 7, 2006.

This item was continued to the March 2007 agenda to allow Ms. Harmon to review Human Resources response to her request.

7. Request for investigation of the Environmental Services Department in regards to the position of Senior Environmental Inspector. Deferred from November 2, 2006.

At the request of Mr. Wall, this item was deferred to the March 2007 agenda.

8. Human Resources subcommittee final report on the Information Technology Investigation. No action to be taken.
9. Quarterly verbal report of the Employment Oversight Committee (EOC).

Sarah Nunes, Human Resources Employment Manager, stated that the EOC held its regular meeting in December and discussion was held on the proposed revisions to the policy on probationary work periods. The EOC decided to refer the proposal to the Office of Employee Relations for the formal meet and confer process. Continue discussion was also held on the hiring policies and procedures and a decision was made to schedule a meeting with the City Labor Alliance to participate and to provide feedback on information gathered from a focus group consisting of Human Resources liaisons and hiring managers. A date of February 12<sup>th</sup> has been scheduled.

## **ORAL PETITIONS**

Deborah Powell, Vice President of AFSCME-MEF/CEO, expressed concern in postponing Ms. Harmon's request for an investigation. Ms. Powell questioned if Ms. Harmon would be able to apply for an upcoming Analyst position if the matter was continued to March. Arlene Gibbs, Deputy Director of Human Resources, stated that she would accept substitutions to the minimum qualifications that were not previously accepted to allow Ms. Harmon to apply for a current recruitment.

**ADJOURN** at 4:22 p.m. to February 6, 2007 at 6:30 p.m. to hear the appeal of demotion of Phil McGinnis, Senior Environmental Inspector (5223) (Hopper/Buchanan).

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SHARON HIGHTOWER, VICE- CHAIR

ATTEST:  
CIVIL SERVICE COMMISSION  
LEE PRICE, SECRETARY, MMC

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Michelle Estabillo, Deputy Secretary