

# civil service commission

## BOARD OF REVIEW AND APPEALS



**Commissioners**  
Don Becker  
Alyse M. Lazar  
J. William Little  
Haywood Merricks III  
James Vandenberg

**MINUTES  
REGULAR BUSINESS MEETING  
THURSDAY, JANUARY 26, 2012  
9:30 a.m.  
LOWER PLAZA ASSEMBLY ROOM**

- I. **CALL TO ORDER** – Chair Vandenberg called the meeting to order at 9:30 a.m.
- II. **ROLL CALL** - Commissioners present: Chair Vandenberg, Vice-Chair Merricks, and Commissioners Becker, Little and Lazar. Staff present: Cheryl Shaw, Commission Assistant, and Robert Orellana, Law Advisor.
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MINUTES FOR APPROVAL** – The minutes of the Regular Business Meeting of December 8, 2011, were approved on motion by Commissioner Little, seconded by Vice-Chair Merricks. The minutes of the Special Meeting of January 18, 2012, were approved on motion by Commissioner Becker, seconded by Commissioner Lazar (with Vice-Chair Merricks and Commissioner Little abstaining as they were not present at the January 18 meeting.)
- V. **PUBLIC COMMENTS** – None.
- VI. **OLD BUSINESS** – Staff report back to Commission regarding request for review of past minutes relating to discussions concerning modification and amendments of Commission's rules and procedures.

Cheryl Shaw reported that she had reviewed the minutes from the past year and a half as requested and concluded that there was no unfinished business that the Commission needs to address other than the discussion relating to the procedures for electing the Chair and Vice-Chair. That issue has been tabled to the Commission's March meeting. Ms. Shaw stated that in 2010 when the Union of Physicians and Dentists was seeking recognition there had been discussion before the Commission relating to Personnel Rules and Regulations Section 2009 which requires an organization seeking recognition to submit supportive signature cards to the Human Resources Director only, with no option of turning the cards over to a neutral third party. Another issue raised was the time period for the open filing window which is approximately 6 weeks, and given the 30 day window for the HR Director to respond to petitions filed, this leaves little time for a petition to be amended within the open window period.

The Commission had no questions or comments regarding the report and no action was taken.

**VII. REQUEST FOR HEARING** – None. Cheryl Shaw confirmed the next scheduled appeal hearing was set for March 19, 2012, which would be a closed hearing involving a peace officer.

**VIII. REQUEST FOR INVESTIGATION** – None.

**IX. INFORMATIONAL** – None.

**X. COMMISSION/STAFF COMMENTS** - Presentation of report to the Board of Supervisors of the Commission's activity for second fiscal quarter. Upon motion made by Commissioner Becker, seconded by Commissioner Lazar, the Chair was directed to sign the letter and staff will forward it to the Board of Supervisors.

Robert Orellana indicated that County Counsel had issued an updated memorandum regarding conflicts and financial disclosures applicable to public officers. Ms. Shaw confirmed the memo had been circulated to the Commissioners. Mr. Orellana stated that any questions regarding the memo could be directed to him or a further discussion could be agendaized.

**XI. CLOSED SESSION**

**A. Performance Evaluation of Civil Service Commission Assistant.**

The Commission went into closed session from 9:40 a.m. to 10:35 a.m. to complete the written performance evaluation of the Commission Assistant.

**XII. NEW BUSINESS**

**A. Consideration of Merit Increase for Civil Service Commission Assistant.**

Chair Vandenberg stated that Ms. Shaw had originally been hired at a pay rate slightly above the bottom of the salary range for her position and that in light of the completed performance evaluation, which reflected her outstanding performance, he was recommending a merit increase. In response to questions from the Commission, Ms. Shaw indicated that she had received a 5% merit increase upon the completion of her probation period in March 2010, and that she also currently receives an additional 5% above her hourly rate of \$32.73 as incentive pay for her advanced degree. In response to a question from Commissioner Little, Ms. Shaw also stated that the annual salary range

MINUTES  
Civil Service Commission  
January 26, 2012

provided in the job description for the Civil Service Commission Assistant reflected the range for a full-time employee and since she works only 45 hours bi-weekly, the monthly and annual salary is adjusted accordingly. In response to questions from the Commission, Robert Orellana stated that he believed once an employee reached the maximum cap in a salary range any additional increase would have to be approved by the CEO.

In response to a question from Vice Chair Merricks, Ms. Shaw stated that her performance evaluations and potential merit increases occur only after completion of each additional 2,080 hours of service which at her part-time status, occurs approximately every 22 months.

The Commission voted unanimously, on motion by Chair Vandenberg, seconded by Commissioner Becker, to approve a 7.9 % merit increase for the Commission Assistant, Cheryl Shaw, retroactive to December 25, 2011. Ms. Shaw thanked the Commissioners for the review and merit increase.

**XIII. ADJOURNMENT** – The meeting was adjourned at 10:50 a.m.