

Regular Meeting of the Dallas Civil Service Board

Present:

Chair Anita Childress, Vice-Chair Flora Hernandez, Jeff Bryan, Johnny Clark, Albert Turner, Sharon Van Sell

Attendees:

Phil Burleson, Jr., Attorney for the Grievant
Milton Henderson, Assistant City Attorney
Jennifer Huggard, Senior Assistant City Attorney II
Jacqueline Jones, Grievant
Bernadette Mitchell, Interim Director, Housing and Community Services Department
Georgi Newton, Center for Performance Excellence
Nicholas Palmer, Assistant City Attorney
Rosa Rios, City Secretary

Civil Service Department Staff:

Michelle Hanchard, Assistant Director
Patricia Marsolais, Civil Service Board Secretary
Pamela McDonald, Manager - Examining and Recruitment Division
Ana Monzon, Executive Assistant

The meeting was called to order at 9:36 a.m.

AGENDA ITEM 1 – Approve the minutes of the Tuesday, March 3, 2015, regular meeting

The Board unanimously approved the minutes of the Tuesday, March 3, 2015 regular meeting as revised.

AGENDA ITEM 3

- a. Announce the prospective revision to Civil Service Rule IX REGISTER OF ELEGIBLES, Section 2 (A).
- b. Open the public hearing to receive comments on the proposed rule amendment.
- c. Close the public hearing at which time the Board will vote on the proposed rule amendment.

The Chair opened the public hearing to receive comments on the proposed rule change. There being no one present to comment, the Chair read a letter from the Black Employees Support Team (BEST). BEST President Beverly Davis said that most members of BEST would like to continue the option of having their eligibility extended for an additional six months to one year. A person would have to get on a register only once a year.

The Secretary added that in addition to Civil Service staff the new wording was reviewed by Senior Assistant City Attorney Ayeh Powers and Human Resources Director Molly Carroll. The Chair summarized the rule change by outlining the recommendation in the CPS report on City hiring practices. CPS recommended that eligibility lists be established for six months. Currently, some people are on the list for six months and others for a year. For those on the list for one year, departments often find the list stale or no longer usable.

Relevant Portions of Current Civil Service Rule IX REGISTER OF ELIGIBLES:

Section 2

A. Non-employee eligibles may be removed from the register after six months from the date of examination provided that an eligible may notify the Board of continuing interest in City employment and may continue eligibility for an additional six months without further examination.

PROPOSED RULE:

Section 2

A. All qualified candidates will remain on the register of eligibles for six months unless otherwise stated in the Civil Service Board Code of Rules and Regulations.

The proposed Rule IX Section 2 (A) replaces the existing language in its entirety.

The board voted unanimously to approve the proposed rule change. The rule change will be sent to the City Council for final approval.

AGENDA ITEM 4 – Update on response to CPS findings

Manager of Examining and Recruitment Pam McDonald updated the Board on continuing efforts to address the recommendations in the CPS Hiring Practices Report pertaining to the Civil Service part of the hiring process. Ms. McDonald explained that training for managers and supervisors takes place every month in conjunction with the Human Resources Department. The length of the training has been reduced from five days to two to three days due to departments' resource availability. The Chair asked Ms. McDonald to explain more about the training including level of participation, how employees are chosen to participate, the training schedule, and whether it is mandatory. The board is interested in a comprehensive overview of the training. In the training Civil Service educates the participants on the NEOGOV requisition and reduction-in-force (RIF) procedures. Civil Service Coordinators Dawne Payne and Millie Laird are the department's trainers for the program. Ms. McDonald generally handles the RIF training. Ms. McDonald clarified that the Civil Service portion of the training does include a discussion of minimum qualifications.

Over the previous month staff has converted 51 positions to an exam plan that would permit auto scoring of applications. As requisitions for positions come in they are converted to the auto scoring model. At the beginning of the process there were over 800 positions to be transitioned. Ms. McDonald added that staff members have been able to keep up with this ongoing project. Two positions in the Examining and Recruitment Division have been requested in the 2015-16 budget to enhance the capability to complete this and other ongoing projects.

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AGENDA ITEM 2 – City Secretary Rosa Rios will discuss Adjunct Panel vacancies.

City Secretary Rosa Rios noted that there are currently seven vacancies on the Civil Service Adjunct Panel. She pointed out that for some council members the qualifications seem very stringent. Specifically, five years of experience as a volunteer or employee with an organization that has at least 15 people. Ms. Rios added that the difficulty in filling slots at this time is the present election cycle. The term of anyone appointed now would end on September 30th.

After reading the qualifications to be appointed to the adjunct panel, the Chair expressed surprise that they would be a major hurdle. Ms. Rios reiterated that finding people with the required qualifications can be difficult. Ms. Rios said she would be talking about the importance of appointments to Boards and Commissions at an upcoming candidate orientation. Ms. Rios said she would work with the Board Secretary to assemble some information about the adjunct panel opportunities for distribution. She added that the adjunct panel membership could be looked at again in June after the City Council elections are over. Ms. Rios suggested the current Board members wait until after May to begin the process of their own reappointment although there would be no drawback in submitting an application earlier.

AGENDA ITEM 5 – Examination and Recruitment Division Report

Pam McDonald gave the report on the Examining and Recruitment Division activities. Staff administered the Police Senior Corporal written examination to 579 candidates on March 23, 2015. Dallas police personnel were at the testing site to assist with the check-in process and, crowd control as well as to monitor the examination. This may be a process for future Fire Department testing as well. The Chair remarked that the signage regarding cell phones was great, and that further discussion is warranted about an electronic check-in process. There was discussion on the type of software needed to check in candidates under the department's testing conditions. The Chair asked Ms. McDonald to brief the Board on the option of linking the NEOGOV ID to the scantron answer sheets and putting the test security agreement on the test booklet at the next meeting.

Ms. McDonald reported that the Dallas Police Department is happy with the progress the Examining and Recruitment Division is making in assisting them with filling their vacant 911 positions. There were discussions regarding the number of people hired, the pass rate for the test, and the minimum qualifications. The Chair suggested that Ms. McDonald revise her chart by placing the percentages underneath the numbers (e.g., enter 31.71% of candidates who failed the minimum qualifications under the number who failed the minimum qualifications).

AGENDA ITEM 6 - Test Development and Validation Division report

Michelle Hanchard gave the report on the Test Development and Validation Division activities. She reported the statistics for the Senior Corporal written examination (e.g., pass/fail rate based on tentative scores and the results of the challenge/comment process for test questions). Ms. Marsolais stated that there was one issue regarding the Senior Corporal examination. A candidate said one of his answers was erased and he did not erase it. Ms. McDonald elaborated on the issue and reported that the outcome of her review resulted in no change in his score. His test was manually scored and the score was the same as his initial tentative score.

Ms. Hanchard gave the pass-fail rate for the Fire Rescue Officer Trainee examination and described the next steps for the candidates, including the Accuplacer test and the Candidate Physical ability Test (CPAT). The Chair invited the Board to observe the CPAT process.

Ms. Hanchard reported that the Test Development and Validation Team will be traveling to Columbus, Ohio in the middle of the month to observe the video recording of their Fire Lieutenant and Captain Assessment Centers. Richard Etheridge, IT Business Analyst will be assisting the division with development of the specifications to obtain a consultant to study video recording assessment centers for the City of Dallas and how best to implement the process.

The CitiCall upgrade has not been fully executed and tested. The division is in the process of obtaining online survey services in anticipation of administering job analysis surveys.

Ms. Hanchard provided the status of the job analysis projects for the uniformed Fire ranks, the 911 Call Taker Trainee, and the Office Assistant B. She also talked about how the job analysis process can contribute to the development of the minimum qualifications for the 911 Call Taker Trainee position.

AGENDA ITEM 7 – ISO 9001-2008 Certification Project

Georgi Brooks Newton, Quality Manager for the City, gave the Board a detailed overview of the ISO Certification project she is working on with the Civil Service Department's Test Development and Validation Division. She described ISO 9001 as a Management System. ISO stands for the International Organization of Standardization. It is based on management systems and brings to organizations ways of looking at efficiencies and effectiveness. Operational standards and guidelines are documented so that knowledge is maintained, passed along and compliant with the City of Dallas quality management policy. ISO 9001 focuses on efficiency and meeting the needs and expectations of the City's customers. It is about repeatable and consistent processes and making them better. The Civil Service Department's team will be meeting with Ms. Brooks Newton twice a month until all the steps to earn the certification have been taken. The project is expected to be completed at the end of this year. Ms. Brooks Newton stressed that a key point of the project plan is getting departments to understand the difference between quality and performance objectives. The project demonstrates a true commitment to quality and a way to measure progress. Board members were very enthusiastic about this project.

AGENDA ITEM 8-Update on Fiscal Year 2014-15 budget expenditures and Fiscal Year 2015-16 budget development

The Chair pointed out that Budget Analyst Savina Rikhilal had provided a summary of key points on the Fiscal Year 2014-15 budget expenditures. In Ms. Rikhilal's absence the Secretary gave the report. Vice Chair Hernandez emphasized that unspent money associated with salaries and benefits must be used.

In discussing the Fiscal year 2015-16 budget the Secretary noted that the department had submitted its bids for funding, some of which are resource requests for new positions in the Examining and Recruitment Division as well as in Administration. City departments were required to work with a five percent reduction in funding at the outset of the budget process. The Secretary chose to make those cuts in Test Development and Validation because it is unlikely those cuts would be accepted due to the

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importance of the department's work with the Police and Fire Departments. Bids have been submitted to maintain existing funds in this division. In the Examining and Recruitment Division funds have been requested to add the new positions of Coordinator and two Senior Human Resources Analysts.

AGENDA ITEM 9- Designation of panel members for Trial Board hearing

There were no new Trial Board panels to designate.

AGENDA ITEM 10- Department News

There was no department news. The Secretary noted that new Executive Assistant Ana Monzon is doing a terrific job.

AGENDA ITEM 11- Update on 2014-15 Goals and Objectives

Ms. Hanchard reported that the Test Development and Validation Division are working on a civilian examination process orientation manual to put on-line for candidates. The manual is done and it is in the review stage.

The Examining Division is starting to assemble numbers of applicants who were qualified for an eligibility list based on autoscoring of their applications but on review did not meet the minimum qualifications. This data will be collected from April to July 2015. A report will be compiled for the Board after that trial period.

AGENDA ITEM 12-Hear the grievance appeal of Jacqueline Jones in which she claims that the Housing and Community Services Department discriminated against her in violation of City of Dallas Personnel rules, Section 34-35 (a) and (b), Fair Employment Practices, when it made interim appointments for Manager III position and a Manager II position on June 26, 2013 and July 10, 2013 respectively.

The Board heard the grievance appeal of Senior Contract Compliance Administrator Jacqueline Jones in which she claims that the Housing and Community Services Department discriminated against her in violation of the City of Dallas Personnel Rules, Section 34-35, (a) and (b), Fair Employment Practices, when it made interim appointments for Manager III position and a Manager II position on June 26, 2013 and July, 10, 2013 respectively. The City was represented by Senior Assistant City Attorney Jennifer Huggard. Ms. Jones was represented by Attorney Phil Burleson, Jr. Bernadette Mitchell, Interim Director of the Housing Department served as the department representative. Patricia Marsolais was released as a witness by Mr. Burleson, and thus served as the Secretary to the Board. The City made a motion to dismiss the grievance due to a lack of jurisdiction by the Board. Ms. Huggard stated the original grievance that Ms. Jones filed did not allege any type of discrimination and that the city does not know if the case is about race discrimination, age discrimination, national discrimination, or any of the other protected categories. Therefore, the Board does not have jurisdiction to hear the grievance. Mr. Burleson responded that Ms. Jones' grievance involves the City not following its own policies and procedures. There was further discussion on the discrimination aspect of this grievance hearing. The Chair noted for the record that the original employee grievance appeal dated July 18, 2013, claims the incident was contrary to equal opportunity employment and civil rights laws specifically noting a violation of City of Dallas Personnel Rule 34-35 (a), which addresses discrimination. The Board adjourned into executive session from 1:35 p.m. to 2:33 p.m. to obtain legal advice. Upon coming out of executive session, the Board moved to deny the grievance for lack of jurisdiction. The request for a hearing that was submitted by the Grievant on December 13, 2013 did not state the type of discrimination alleged nor did it refer back to the grievance, which also did not contain the type of discrimination alleged. The Board is without jurisdiction to hear the grievance because it does not have a request for a hearing at its level that meets the requirements of the personnel rules. All Board members, except Mr. Clark, voted to deny the grievance.

There being no further business before the Board, the meeting was adjourned at 2:37p.m.

(A complete transcription of this meeting is available)


ATTESTED


APPROVED