

Regular Meeting of the Dallas Civil Service Board

**Present:**

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

**Absent:**

Sharon Van Sell

**Attendees:**

Yasmin Barnes, Assistant Director, Human Resources Department  
Kevin Belcher, Human Resources Department  
Molly Carroll, Director, Human Resources Department  
Jaquina Gilbert, Manager II, Human Resources Department  
Milton Henderson, Assistant City Attorney  
Kelly High, Director, Sanitation Services Department  
Cheryl Orr, Third Tier Executive, Ethics & Diversity Office  
Aych Powers, Senior Assistant City Attorney II

**Civil Service Department Staff:**

Michelle Hanchard, Assistant Director  
Patricia Marsolais, Civil Service Board Secretary  
Pamela McDonald, Manager of Examining and Recruitment Division  
Ana Monzon, Executive Assistant  
Lily Patel, Ph.D., Test Development and Validation  
Poornima "Savina" Rikhilal, Budget Analyst  
Andrew Yurkon, Test Development and Validation  
Joseph Zaragoza, Test Development and Validation

The meeting was called to order at 9:32 a.m.

**AGENDA ITEM 1 – Approve the minutes of the Tuesday, April 7, 2015 regular meeting**

The Board unanimously approved the minutes of the Tuesday, April 7, 2015 regular meeting.

**AGENDA ITEM 2 – Update on proposed changes to the Criminal Convictions Matrix**

The Board received an update from Human Resources Director (HR) Molly Carroll about proposed changes to the Criminal Convictions Matrix for unskilled labor and truck driver positions. Changes to the matrix are designed to improve the hiring capability for laborer I and II truck driver I and II applicants hired by the HR Department. Recruitment for Senior Truck Driver and above falls within the Civil Service Board's jurisdiction although HR applies the current matrix during the candidate background screening. Additionally, Ms. Carroll reviewed a pilot program suggested by the City Council to bring in day laborers as City employees by having them participate in a certificate program with a temporary help agency to pave the way.

Ms. Carroll explained that the current matrix was adopted in the 1990s by the Civil Service Board to establish wait times from a criminal conviction before a candidate is eligible to apply for City jobs.

Ms. Carroll said that the biggest obstacle for keeping the labor and driver positions filled is the stringent requirements in the matrix. About 57 percent of the candidates who receive offers of employment fail the background check. HR did not track statistics for positions categorized as Civil Service jobs. HR Labor Recruiter Kevin Belcher believes the number of candidates who are disqualified from hire because of the matrix would be lower for Civil Service civilian jobs. Sanitation Director Kelly High estimates the present truck driver vacancy rate at 10 percent. The result of this proposed plan would be to have two separate matrices, one for non-Civil Service labor positions and the other for Civil Service jobs found in the majority of departments. Categorization of crimes considered to be felonies has also changed to distinguish those that are violent from those assessed to be nonviolent. The Chair pointed out that one of the issues the Board will have to look at is whether to sync both matrices for the purpose of consistency. The waiting period will be changed from seven years to five or three depending on the felony type. All placements will factor in job relatedness of the position a person is being hired for. Stable work history will be modified from two years to one year.

The Chair questioned whether pending charges would still constitute an absolute bar until the case is adjudicated. Ms. Carroll indicated that these would be looked at on a case by case basis. It will not be an absolute bar on qualifying if someone has a minor class C misdemeanor. In the revised matrix, for example, Chief Employment Attorney Aych Powers confirmed that list A felonies will remain an automatic bar. The Chair suggested a notation be added about this on the matrix. There is a notation on the existing matrix.

Ms. Carroll reiterated that employees who wish to promote to Civil Service positions will still have to meet the standards contained in the existing matrix. Background authorization forms signed by candidates go back seven years instead of the ten currently called for. Ms. Powers recommends the matrix for Civil Service positions be changed to seven instead of ten years where applicable.

Ms. Carroll provided details on the pilot certificate program proposed for the Sanitation Department. Sanitation Director Kelly High is currently working with the temporary day labor service to establish standards for the program. Both the City and temporary staffing service would be evaluating the employee concurrently. At the end of a designated period a performance certificate would be issued if the performance standards have been met. The employee would present this to the City as a qualifier for hire. There are still many details to work out on the program but overall the Board felt it holds promise.

There was a lot of discussion on how HR arrived at the changes in the way felonies are categorized. Ms. Carroll and Mr. Belcher participated in many meetings with the police department and made a judgment call based on the penal code as to how to split the felonies into two categories- violent and nonviolent.

**AGENDA ITEM 3 – Update to the Civil Service Department's response to CPS HR Consulting Hiring Practices Report findings**

Examining and Recruitment Manager Pam McDonald reviewed the progress made in the past month on the CPS hiring process recommendations. In response to the Board's request she included a list of positions that have been posted on an open

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continuous basis. Vacancies listed as open continuous close when a good pool of candidates has been received and sent on to a department for consideration. This strategy is working out well practically and as a positive communication tool between Civil Service and departments. Ms. McDonald added that the department tries to forward names to the hiring departments at least once a week.

Ms. McDonald explained the supervisor and manager training initiative in great detail. In response to the Board's question about how employees are selected to participate, it is up to the management team in each department. Training is mandatory but who goes at what time is up to each department. There is a three year plan in place to train every manager and supervisor in the City. The chair requested Ms. McDonald include information on what the Civil Service Department does as part of this training.

Ms. McDonald gave an overview of the employee application submission training. Since all relevant information now has to be included on an employee's application as opposed to a combination of application and resume, the department is planning to hold refresher training classes for employees on NEOGOV and application completion. Employees will be able to register online for these classes in the same way they do for all Citywide training.

Staff is gradually converting more test plans to the autoscore format. As a job classification opens up in a department, the review format is transitioned to autoscore. Autoscore is still in the test mode. Every title that is autoscored is also manually checked for the accuracy of those who met the minimum qualifications. In one case only 66 percent of the people qualified through autoscore after a manual review. Statistics are being gathered on this process for positions autoscored from April through July. HR Director Molly Carroll indicated that there is a real desire on the part of departments for some sort of list banding. This is an issue that is being researched in light of current practices and past litigation.

The establishment of service level commitments in providing lists was discussed even if they are for vacancies that draw a small pool of applicants. Service level agreements are overall being looked into.

A discussion ensued on large numbers of candidates and how partial lists are used to get a department started in its review. If a vacancy draws over 100 applications a partial list based on the first 100 reviewed are sent to the department. The department is advised on the number of applications received and when they can expect to start receiving candidates to consider. Ms. Childress described this as a tangled situation that needs to be resolved so that departments receive a complete list to canvas. The issue of banding scores on lists was raised. This concept needs to be explored. The Chair requested it be placed on the June agenda.

#### **AGENDA ITEM 4 - Examination and Recruitment Division report**

Pam McDonald gave the report on the Examining and Recruitment Division activities. Ms. McDonald reported that she worked with the Validation team to put the test security agreement on the test booklet to help facilitate the registration process. The logistics of doing this was discussed. She also discussed the NEOGOV function that will allow candidate's information (name and ID number) to be printed on scantron answer sheets. NEOGOV will schedule a Webinar for the department on this feature. According to the Scantron Company, scores can be scanned directly into NEOGOV, thus alleviating the need to enter data to confirm scores. Ms. McDonald also talked about her staff's testing efforts for the Police Officer Trainee and 911 Call Taker Trainee positions. Her staff accompanied the Police Department to San Antonio for one recruiting trip.

#### **AGENDA ITEM 5-Test Development and Validation Division report**

Michelle Hanchard gave the report on the Test Development and Validation Division activities. Ms. Hanchard clarified information reported earlier. Firefighters that were recently hired were hired from the 2014 list which expires on May 31, 2015. The list established from the March 2015 test is effective after May 31, 2015.

Ms. Hanchard directed the Board's attention to the testing schedule and opportunities to observe the Fire Candidate Physical Ability Test (CPAT). She explained the CPAT process.

Ms. Hanchard reviewed the Senior Corporal test item statistics and the results of the challenge/review process with the Board. There was discussion regarding the difficulty of the examination.

Ms. Hanchard briefed the Board on efforts to incorporate technology into the testing process. She gave an update on the status of the BTR for video recording assessment centers. Ms. Hanchard provided a summary of the Validation Team's trip to Columbus, Ohio to observe the video recording of their assessment centers. There was discussion regarding the City of Columbus' testing process and the City of Dallas' testing process, retention records, the logistics of videotaping, and recording equipment.

Ms. Hanchard discussed the computer-based testing. The CritiCall upgrade has been installed. CIS Department IT Business Analyst Richard Etheridge provided a Charter and a project plan for the installation. The Validation Division, with the assistance of Richard Etheridge is in the process of testing the upgrade for 911 Call Taker Trainee, Customer Service Agent, and Police Dispatch examinations.

Ms. Hanchard mentioned that the Division was in the process of obtaining survey software to administer questionnaires online. Two job analysis projects are at the survey development and administration stage. Ms. Hanchard reviewed the current job analysis projects which included 911 Call Taker Trainee, Office Assistant B, Water Field Representative, and the Fire job analyses with Ergonomics and Applied Personnel Research. Ms. Hanchard provided the status of the Equipment Operator job analysis efforts. Ms. Hanchard mentioned that the analysts in the Examining and Recruitment Division were invited to participate in activities such as field observations and focus groups so they can also get a better understanding of the classifications they are responsible for.

Ms. Hanchard reported that steps one through three for the ISO 9001 certification had been completed. The Chair said that she and Flora Hernandez would like to know when the meetings are held and would like to receive a meeting invitation.

#### **AGENDA ITEM 6-Update on Fiscal Year 2014-15 budget expenditures and Fiscal Year 2015-16 budget development**

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Budget Analyst Savina Rikhilal gave the Board an update on current fiscal year expenditures. Ms. Rikhilal highlighted department vacancies, two on the validation team and one in examining and recruitment. Ms. Rikhilal added that despite these vacancies the department is not projected to be under budget on salaries because of cashouts for employees who have or plan to retire.

The Fiscal Year 2015-16 budget is still under development. The City Manager and Budget Office are working with the bids that were submitted and closing the funding gap at the start of the process. There was dialogue on the prudence of offering vacant positions to offset the five percent reduction request. The Secretary and Budget Analyst stressed that it was a choice between that strategy or cutting people from staff. The Secretary said she would always opt to cut positions that are vacant first.

**AGENDA ITEM 7-Update on 2014-15 Goals and Objectives**

Ms. Marsolais provided an update on the IA Pro System. The Plan is to use this system to track grievances as well as trial board and administrative law judge hearings. The department is in the process of taking a new request for a discharge hearing and entering information into the various components of the system. The process is not complete and the outcome (e.g., reminders, etc.) is unknown at this point. Ms. Marsolais noted that the system is really dedicated and customized for Internal Affairs investigations for the Dallas Police Department. She also noted that the Department of Human Resources is using some aspect of the system for the first part of grievances to track deadlines.

Ms. Marsolais distributed the Board calendar. She still needs to meet with Ms. Childress and Ms. Hernandez to finalize it.

Ms. Marsolais gave the status of the goal to keep the Civil Service Adjunct Panel staffed. She received an email from the Manager of Boards and Commissions, Jessie Salazar regarding details on the adjunct panel and its members' service over the past year. This information was forwarded to Mr. Salazar. Ms. Childress noted that the biennial Boards and Commissions briefing with new City Council members is scheduled for August 5, 2015 at 9:00 a.m. She would like someone to attend. Ms. Marsolais indicated that she had planned to attend.

The Civil Service Department submitted two names to Assistant City Manager Mark McDaniel for the six sigma green belt project. Pam followed up on the lack of information about this project and found out that the master black belt had quit. Ms. Marsolais will find out the new time frame for this project.

Ms. Marsolais reported that the City has a new software program to redesign the City's web site. The program is called SharePoint and each department will manage the content of its own web pages. Civil Service is working on its web pages. The Board members' pictures and biographical information will be added to the web site. An overview of the web site will be given at the next meeting.

Ms. Hanchard added that test-taking tips are being developed to include on the web site.

**AGENDA ITEM 8-Designate panel members for Trial Board hearings**

The Chair designated Johnny Clark to Chair the David Grubbs' Trial Board scheduled for August 19-20, 2015. Virgil Lang and Robert Murphy will serve as Adjunct Panel members.

**AGENDA ITEM 9- Department News**

There was no department news.

**AGENDA ITEM 10-Continue the grievance of Housing and Community Services Department Senior Contract Compliance Administrator Kojo Nkansah in which he claims that the Housing and Community Services Department discriminated against him when it made interim appointments for a Manager III position and a Manager II position**

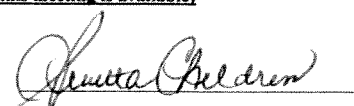
The Board continued the grievance hearing of Housing and Community Services Department Senior Contract Compliance Administrator Kojo Nkansah in which he claims that the Housing and Community Services Department discriminated against him when it made interim appointments for a Manager III position and a Manager II position. The City was represented by Assistant City Attorney Sarah Mendola with the assistance of Senior Assistant City Attorney Jennifer Huggard. Bernadette Mitchell, Interim Director of Housing and Community Services, represented the department. Mr. Nkansah represented himself. Mr. Nkansah reminded the Board that he had an objection regarding the subject of his grievance. He stated that his grievance was based on the lack of rational guidelines, policy and procedures for two interim appointments. The Chair asked for the rule that would govern Mr. Nkansah's issue. There was discussion regarding the subject of Mr. Nkansah's grievance, rule violations, and what the Board can hear. There was also dialogue on the motions Mr. Nkansah submitted. The Chair stated the Board will revisit this issue as soon as it has had an opportunity to look at the motions and the responses. She asserted that the ruling stands as it was before. Mr. Nkansah can proceed with producing evidence based on the two interim promotions but is free to elicit testimony demonstrating that there is no policy that governs the appointments. Mr. Nkansah resumed questioning his witnesses. After hearing from several witnesses, the Board recessed the hearing based upon time constraints. The grievance will be continued at a future hearing. The Chair reiterated that the number of witnesses needed to be reduced. Mr. Nkansah indicated that he had already reduced his witnesses. The Chair asked both parties to send amended witness lists to the Civil Service Department within 10 days after the meeting. Ms. Mendola noted that any witness list needs to be based on the witnesses already on the list. The Chair concurred.

There being no further business before the Board, the meeting was adjourned at 4:36 p.m.

**(A complete transcription of this meeting is available)**



ATTESTED



APPROVED