

Memorandum



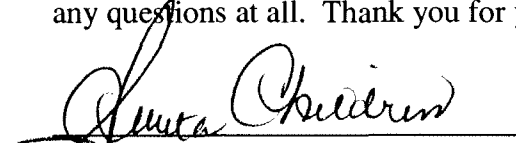
DATE March 5, 2013

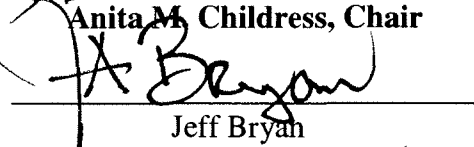
TO Mayor Mike Rawlings and
Members of the City Council

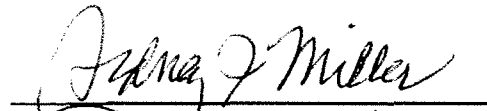
SUBJECT FY 11/12 Annual Report

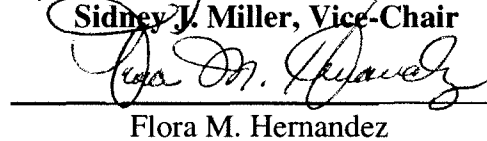
HAND DELIVERED

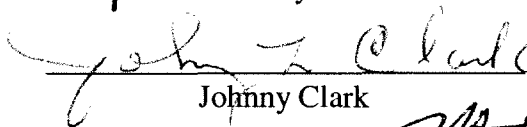
Enclosed please find the Civil Service Board's Annual Report for fiscal year 2011-2012. This is a summary of the many activities, initiatives, and accomplishments during this time. We hope that you will contact us if you have any questions at all. Thank you for your ongoing support.

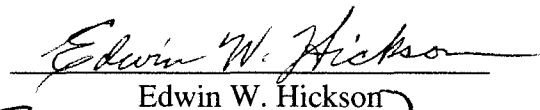

Anita M. Childress, Chair

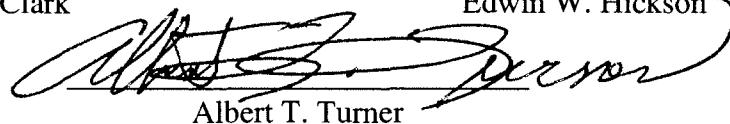

Jeff Bryan



Sidney J. Miller, Vice-Chair


Flora M. Hernandez


Johnny Clark


Edwin W. Hickson


Albert T. Turner



Patricia Marsolais, PHR, IPMA-CP, CBM, CSSBB, CLSSS
Secretary
Civil Service Board

- c: Members of the Civil Service Board
Mary K. Suhm, City Manager
A. C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Craig D. Kinton, CPA, City Auditor
Thomas P. Perkins Jr., City Attorney
Rosa A. Rios, City Secretary
Judge Daniel F. Solis, Judiciary
Members of the Civil Service Adjunct Panel
Administrative Law Judges
Janice S. Moss, Executive Assistant City Attorney
Stephanie Pegues Cooper, Assistant to the City Manager

**ANNUAL REPORT TO THE CITY COUNCIL
BY THE
CIVIL SERVICE BOARD**

**FOR THE TERM
October 1, 2011 – September 30, 2012**

Members of the Civil Service Board

Anita M. Childress, Chair (Appointed 1/25/2012)

Sidney J. Miller, Vice-Chair

George L. Allen, Jr., Acting Chair (Resigned 5/4/2012)

Jeff Bryan (Appointed 10/3/2012)

Johnny Clark

Flora Hernandez (Appointed to full Board 12/7/2011)

Edwin W. Hickson

Albert Turner

Patricia Marsolais
PHR, IPMA-CP, CBM, CSSBB, CLSSS
Secretary to the Civil Service Board

CIVIL SERVICE BOARD

MISSION STATEMENT

As authorized by Chapter XVI of the City Charter, the Civil Service Board is empowered to adopt, amend and enforce a code of rules and regulations subject to Council ratification to ensure employment and promotion based on merit and fitness for approximately 90% of the positions in the City work force. The Board regulates the design of personnel selection methods to ensure fairness and effectiveness in selection of applicants for City employment. The Board provides an objective forum through which employees and applicants can appeal charges of discrimination and misinterpretation or misapplication of Civil Service rules. The Board, serving with the members of the Civil Service Adjunct Panel, administers the Trial Board hearing system to provide due process for those employees who are terminated or demoted. Staff provides assistance to Administrative Law Judges in hearings under their jurisdiction.

OBJECTIVES

- The citizens of Dallas deserve employees of the City who are competent to perform the duties of their positions without regard to political influence.
- Employees of the City and applicants for City employment deserve to be considered for employment and promotion based only on their individual merit and fitness without regard to race/national origin, age, religion, gender, marital status, sexual orientation, disability, political opinions or affiliations. Physical impairments should be considered in employment only as they may affect the performance of the essential duties of the position sought.
- Employees must be treated with dignity and fairness in discipline, termination, reduction in force, promotion, transfer and assignment.

SUMMARY OF ACTIVITIES

A. REHIRE ELIGIBILITY APPEAL HEARINGS

Rehire eligibility appeal hearings are conducted by the Civil Service Board to consider a former employee's request to reapply for City jobs. The Board takes into account the reasons the former employee was unsuccessful in his/her previous employment with the City, assesses the person's work/education record in the two or more years since they have been gone from City service and discusses the changes the former employee has made so that the same past behavior or circumstances will not be repeated. The conversation with the former employee is thorough and insightful providing the Board with a basis to make an informed decision to grant or deny the request. Efforts to refine and update the current rehire eligibility process are underway.

The Civil Service Board considered 12 rehire eligibility appeals for former City employees. This is a 71 percent increase over FY 2010-2011.

B. NOTABLE STAFF ACTIVITIES

Throughout the year the Civil Service Department staff works on a multitude of projects in different areas of focus such as examination and recruitment for about 90 percent of the City workforce when positions open up, administration of promotional and entry-level examinations, development and validation of new tests, coordination of hearings for discharged/demoted employees and carrying out special projects as directed by the Board or at the request of the City Manager. For example, staff partnered with the Police Department on a task force for several months to recruit and test applicants for the 911 call-taker position due to the severe shortage of call-takers. The results were very positive in that the shortage was eliminated. This is an ongoing initiative. Police and Fire entry-level and promotional testing have been restarted and accelerated with the re-staffing of the Analysis, Development and Validation Unit after all Senior Analysts in that Division were eliminated in a 2009 Reduction-in-force.

Recruitment

- Staff processed 1,509 requisitions to fill promotional and open positions. Processing requisitions involves checking the requisition for completeness, determining if there is an existing list of eligible candidates, determining if and how the positions should be advertised (open or promotional).
- Staff evaluated 62,785 applications for employment.
- Staff participated in several job fairs for the Police and Fire Departments.
- A total of 1,662 positions were filled as a result of recruiting activities.

B. NOTABLE STAFF ACTIVITIES (Continues)

Testing

- Staff conducted 26 separate administrations of the Police Officer Trainee examination.
- Staff traveled with the Police Department to assist in recruiting efforts by administering the Police Officer Trainee exam in Jacksonville, Mississippi.
- Staff administered the Fire Rescue Officer Trainee examination to 745 applicants.
- Staff administered the Candidate Physical Abilities Test (CPAT) to 427 Fire Rescue Officer Trainee candidates who passed the written examination.
- Staff developed and administered the Police Sergeant written examination to 218 candidates.
- Staff administered three alternate Police Sergeant promotional written examinations.
- Staff developed and administered the Police Sergeant assessment center to 146 candidates. An assessment center consists of a standardized evaluation of behaviors such as problem solving, customer service, conflict resolution, management and supervisory skills, leadership, etc. that cannot be measured with a written multiple-choice examination.
- Staff developed and administered the promotional written examination for the Fire Prevention Section Chief, Captain and Lieutenant ranks.
- Staff administered a total of 4,049 written examinations (2,204 uniform; 1,845 civilian).

Job Analyses

- Staff completed a job analysis for the Police Dispatch position using the CritiCall test software validation wizard. The CritiCall test software is a product of the Biddle Consulting Group used to test applicants for Fire Dispatch, Police Dispatch and 9-1-1 positions.

Reduction-In-Force (RIF)

- Staff provided assistance to over 22 at-risk employees (from the Parks, Human Resources, Police, Housing, and Public Works Departments). Staff processed over 189 RIF employee applications during August-September 2012.

Training

- Staff participated in the City University's Fundamentals of Supervision Training
- Staff conducted Neogov Department User Training

Miscellaneous

- Two of the five positions eliminated through the Reduction in Force for FY 09-10 were restored.
- Staff responded to numerous open records requests as well as interrogatories and production requests.
- Staff participated on the Clean Healthy Environment and Public Safety budgeting Key Focus area teams for the fiscal year 12-13 budget.
- Staff developed and is continuing to refine procedures/guidelines/checklists for numerous test and recruitment processes used by the department.
- Staff participated in the following activities:
 - Job Fairs - Police and Fire Departments
 - Staff traveled with the Police Department to assist in recruiting efforts by administering the Police Officer Trainee exam onsite two times this fiscal year.
 - City University- Fundamentals of Supervision Training
 - Neogov Department User Training

C. TRIAL BOARD/ADMINISTRATIVE LAW JUDGE APPEALS

Employees who have been demoted or discharged and have pursued all available hearing opportunities at levels defined in the Personnel and Civil Service Rules may request a final administrative hearing before an Administrative Law Judge (ALJ) or a Trial Board that is comprised of one Civil Service Board member as Chair and two Adjunct Panel Members. ALJs and Trial Board members are City Council appointees. An ALJ or Trial Board is empowered to hear testimony and evidence from both the City and employee about the employee's demotion or discharge. It is a quasi-judicial process that results in a decision by the hearing officer or panel as to whether the discipline is sustained or modified.

- Members of the Civil Service Board and Adjunct Panel were assigned to six Trial Boards resulting in four terminations being sustained and two appeals withdrawn.
- Administrative Law Judges were assigned to eleven hearings resulting in seven terminations being sustained, one settlement, one dismissal and two withdrawals.

D. BOARD ACTIVITIES

Throughout the fiscal year the Civil Service Board addresses numerous and varied issues from rehire eligibility appeals to complex public safety rule changes. The Board receives monthly reports and briefings from staff on department test development, requisition/application processing, 911 recruitment progress, administrative appeal summaries/status, and other matters that arise. The Chair has been very proactive in clearing the docket of discharge/demotion cases that were on hold due to pending criminal charges. Civil Service Board and Adjunct Panel members are City Council appointees.

D. BOARD ACTIVITIES (Continues)

Grievances

- The Board heard a discrimination grievance appeal of Dallas Water Utilities Office Assistant II-D Carolyn Williams in which she claimed that the Civil Service Department violated Section 34-39 (b) of the City of Dallas Personnel Rules Fair Employment Practices when it did not qualify her for a Project Coordinator eligibility list. The Civil Service Department was represented by Assistant City Attorney Jason McClain. The grievant represented herself. After considering what the grievant had to say and the Assistant City Attorney on the Department's behalf, the Board voted unanimously to deny the grievance based on the fact that there was no evidence of any discrimination against Ms. Williams.

Board Governance

- The Board monitored the recruitment process for appointment of the Administrative Law Judge Panel slated to serve the January 1, 2012 to December 31, 2013 term.
- Attorney Anita Alessandra Childress was appointed by Mayor Mike Rawlings to be the Board Chair. Ms. Childress expressed her delight at having the opportunity to work with the Board, staff, and City Attorney's Office.
- Board Member Sidney Miller was unanimously elected by the other members to be its Vice-Chair.
- The Secretary briefed the Board regularly on the development of the Fiscal Year 2012-2013 department budget.
- Staff briefed the Board on the NEOGOV Workforce Management System the City uses to advertise and recruit for open positions. It is a multi-functional tracking system that replaced a paper-based procedure in 2007.

Rules, Policies, Procedures

- At the direction of the Chair the Board undertook a comprehensive review of the rehire eligibility appeal process. The conditions and requirements under which a former City employee can reapply for employment opportunities available in City departments had not been revisited for a long time. It is the Board's intent to work with the City Attorney's Office and staff on a way to revise and improve the process. The Chair announced the formation of a taskforce to study this matter. The Chair and Vice-Chair of the Board served on the taskforce.

D. BOARD ACTIVITIES (Continues)

- The Board received a briefing from City Secretary Rosa Rios on the procedures individuals must follow to be considered by the City Council for nominations and appointments to a Board or Commission. Ms. Rios advised that every week a report is submitted to the City Council advising them of existing vacancies. Understanding the Board's concerns about filling Adjunct Panel vacancies, the City Secretary's Office will ensure that periodic follow-ups are done directly with the Council. Ms. Rios indicated that the Civil Service Board is probably the first Board to ever express a concern about its vacancies.
- The Board considered and approved Interim Fire Chief Louie Bright's request to allow individuals the ability to serve in higher positions for more than six months while there is no eligibility list to appoint from. The Fire-Rescue Department will submit a list periodically indicating individuals who are past 180 days or will be past 180 days in a higher position. This list will be posted on a Board agenda so that people who have concerns can attend the meeting and discuss them with the Board.
- The Board was briefed by Fire Chief Louie Bright on proposed changes to the Code of Rules and Regulations of the Civil Service Board to Rule XXIV, Requirements for Trainee Fire and Rescue Officer and Trainee Fire Prevention Officer Sections 1 A (1), 1 A (8), 1 (B) 1 and 1 (B) 6. The objective of the changes was to provide additional opportunities for military personnel who are separated from service and to increase college hour requirements for entry-level Fire Operations personnel. Before proceeding further on the proposed changes, the Chair requested information on applicant flow data and information on types of military discharge.

Civil Service Board's Annual Report

Summary of Activities

PERFORMANCE MEASURES

	2011 – 2012	2012 - 2013
	Actual	Estimated
<u>Application Processing</u>		
# of Applicants Processed	62,785	60,000
# of Applicants Tested	4,049	3,500
# Positions Filled (permanent)	1,662	1,500

	2011 – 2012	2012 - 2013
	Actual	Estimated
<u>Uniform and Civilian Services</u>		
# of Assessment Centers	1 [^]	5 [^]
# of Civilian Written Examinations*	0	0
# of Uniformed Written Examinations	5 [^]	7 [^]
# of Job Analyses** Completed	1	3
Total Test Development Projects	7	15
Miscellaneous Projects***	1	1
# of Fire Physical Ability Tests****	427	450

[^]The number of uniform written examinations and assessment centers may increase as officers return from temporary military service and take a comparable examination based on the Uniformed Services Employment and Reemployment Rights Act (USERRA).

*Existing examinations will be entered/finalized in the new test development software ParTest.

**A job analysis is a process used to identify the essential skills, knowledge, abilities and personal characteristics of jobs. This information is then used as a basis for developing job related selection instruments as required by federal and other statutes.

***Staffing efforts will also focus on departmental records retention and organization and establishing standard operating procedures. Staff also addressed testing issues/schedules for all of the uniform promotional ranks for FY11-12.

****The physical ability test includes tasks that evaluate several different aspects of a candidate's physical ability such as agility, strength, coordination, balance and stamina. These tests are administered at an off-site facility arranged by the Fire Department to candidates who have passed the written examination.

**Civil Service Board
Fiscal Year Activity Report
October 1, 2011 – September 30, 2012**

**Trial Board Appeals
(These include demotion or discharge appeals)**

<u>Civil Service Board Members</u>	<u>Hearings Assigned</u>
Anita M. Childress, Chair (Appointed 1/25/2012)	1
Sidney Miller, Vice Chair	2
George L. Allen, Jr., Vice Chair (Resigned 5/4/2012)	0
Johnny Clark	0
Flora M. Hernandez (Appointed to full Board 12/7/2011)	1
Edwin Hickson	1
Albert Turner	1

**Civil Service Adjunct Panel
Trial Board Activity
October 1, 2011 – September 30, 2012
Trial Board Appeals
(These include demotion/discharge appeals)**

<u>Adjunct Panel</u>	<u>Appointed By</u>	<u>Hearings Assigned</u>
Patricia Lee Gurson	Jasso	2 hearings
Flora Hernandez (Moved to full Board 12/7/2011)	Margolin	0 hearings
Johnny Jefferson (Resigned 10/16/2012)	Davis	2 hearings
Virgil Lang	Allen	2 hearings
Michael Nicholais (Resigned 4/18/2012)	Hill	1 hearing
Michael Przekwas (Appointed 2/15/2012)	Medrano	3 hearings
Calvin Robinson	Atkins	2 hearings

**Administrative Law Judge
Appeal Activity
October 1, 2011 – September 30, 2012
(These include demotion or discharge appeals)**

<u>Administrative Law Judge</u>	<u>Contract Term</u>	<u>Hearings Assigned</u>
Willie Crowder	January, 2012 - December, 2013	5 hearings completed
Jean B. Crutchfield	January, 2012 – December, 2013	2 hearings completed
Douglas Lapidus	January, 2012 – December, 2013	4 hearings completed