

Commissioners

*Tricia Tomlinson, Chair
Ann Marie Silvestri, Vice Chair
Monica Colondres
Karen Cunningham*

**County Attorney to the
Commission**

*Ramaah Sadasivam,
Deputy County Attorney*

Human Resources Department

*Rocio Kiryczun,
Director of Human Resources*

455 County Center
Redwood City, CA 94063
650-363-4333
www.smcgov.org



**Civil Service Commission
2023 Annual Report**

This page intentionally left blank

I. Introduction

The Civil Service Commission (“Commission”), mandated by the County Charter, oversees the County’s Merit System to ensure the selection and retention of employees in the classified service based on merit and fitness. The Commission Rules provide for:

- Standardization and classification of all positions
- Examination of candidates
- Establishment of eligible lists
- Certification of eligible candidates
- Length of probationary periods
- Temporary appointments in the absence of an eligible list
- Criteria and procedures for demotion, reduction in force, and reemployment
- Criteria and procedures for suspension, dismissal and other disciplinary action
- The hiring of unemployed persons under programs designed to relieve unemployment and their suspension, disciplining or removal
- The manner in which employees of an agency absorbed by the County may become County employees and the rights, if any, which shall accrue to them for their service with the agency
- Hearing appeals. Employees in the classified service may appeal any action pursuant to Commission Rule XIV *et seq.*

The Commission hears matters pertaining to dismissals, demotions, suspensions, below standard performance evaluations, applicant recruitment process, and examination process; reviews requests for extension of eligible lists; and allocates new or revised job classifications to an appropriate bargaining unit for employee/employer relation purposes.

The Commission is comprised of five Commissioners, appointed by the Board of Supervisors, to serve four-year terms. The Commission is supported by the County’s Human Resources Department. The Director of Human Resources serves as the executive officer for the Commission.

The purpose of the Civil Service Commission Annual Report is to provide an overview of the San Mateo County Civil Service Commission’s activities throughout the calendar year, and to comply with San Mateo County Board of Supervisors Resolution No. 069276, section 20. The report contains a summary of the Civil Service Commission appeals process, statistics on Commission hearings and outcomes, and observations and recommendations of the Commission.

The County currently has 5,959 positions for the 2023-24 fiscal year. Below is a chart of the total number of regular, budgeted positions over the last five fiscal years.

FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
5,756	5,782	5,799	5,871	5,959

II. Appeal Process

The appeal process commences with the filing of a petition for hearing. When a matter is granted a hearing, the Commission determines whether the matter will be heard by the Commission, by a board composed of one or more members of the Commission, or by a hearing officer appointed by the Commission for that purpose.

Parties to the hearing are entitled to be represented by counsel or a representative of their choice, subpoena and cross-examine witnesses, and present other evidence to the Commission, hearing board, or hearing officer as deemed pertinent to the matter at hand.

In any hearing on an appeal from a dismissal, demotion, or suspension, the burden of proof is on the appointing authority (usually the Department), and in all other types of hearings, the burden of proof is on the petitioner. In a hearing before the Commission, the Commission will make written findings of fact and render its final decision.

Revisions and Additions to the Appeals Process:

In 2013 the Commission adopted a guideline on a trial basis of establishing time limits on presentation of hearing evidence and arguments. The purpose of this pilot project guideline was to determine whether it might reduce the length, and evidentiary and argument redundancy, of appeal hearings. Commissioners had raised concerns that they are provided materials in advance for some hearings, but not by all parties, and that often the parties then spend a great deal of time at the hearing presenting the same materials as had been provided in advance. Another concern raised was that of multiple witnesses being called to make the same point repeatedly, causing redundancy in the evidence presented.

Since that time, time limits (to be managed by the Chair) are discussed and proposed for each side when the hearing is set. In addition, all parties are strongly encouraged to provide materials, including proposed findings of fact and decision in advance of the hearing to best utilize the hearing for the opportunity for the Commission/Hearing Officer(s) to ask questions that will enable them to make informed decisions.

Summary of 2023 Appeals:

In 2023, the Civil Service Commission received three (3) petitions for hearings (two dismissals and one reclassification matter). The Commission granted hearings for two (2) of these matters. In addition, there was a petition for a hearing that was granted in late 2022 and heard by the Commission in early 2023.

For these three (3) matters, two (2) cases were upheld, and one (1) case is pending.

2023 Petitions for Hearing*			
Department	Disciplinary	Other	Total
Health System	--	1	1
Information Services Department	1	--	1
Sheriff's Office	1	--	1
Total	2	1	3

*Only departments that had appeals during 2023 are listed above.

Five Year Glance (2019-2023):

During the last five calendar years, there were 22 petitions for appeals. Of these, 20 (91% of all petitions filed) were granted a hearing.

The average number of petitions for hearings per year during the last five years has been four (4). Of the 20 appeals that were granted hearings, in seven (7) cases (35%) the discipline imposed by the appointing authority was upheld by the Commission and in three (3) cases (15%) the discipline imposed was modified by the Commission. In addition, nine (9) appeals (45%) were withdrawn prior to hearing and one (1) matter (5%) is pending a hearing.

POST-HEARING DECISIONS BY DEPARTMENTS WITH APPEALS, 2019-2023*																							
Department	Department Upheld					Department Modified					Department Not Sustained					Withdrawn					Pending	5 YEAR TOTAL	
	2019	2020	2021	2022	2023	2019	2020	2021	2022	2023	2019	2020	2021	2022	2023	2019	2020	2021	2022	2023	2023		
Assessor-County Clerk-Recorder																1							1
County Health	1	2														1	1		1				6
Human Services			1														1						2
Information Services Department					1																		1
Probation		1					1																2
Public Works					1		1												2				4
Sheriff's Office						1										1	1					1	4
Total	1	3	1	--	2	1	2	--	--	--	--	--	--	--	--	3	3	2	1	--	1	20	

*Only departments that had appeals during the last five years are listed above. **Includes withdrawn and pending appeals. *** An appeal received in late 2022 was heard in early 2023.

Total Decisions by Year**				
2019	2020	2021	2022	2023
5	8	3	1	3

III. Other Commission Activity

The Commission held eight (8) regular meetings during 2023.

New Classifications:

The Commission approved twenty-one (21) new classifications in 2023:

New Classifications	Bargaining Unit	Probation Period
Assistant County Chief Financial Officer	Unrepresented Management	2080
Assistant Director of Emergency Management	Unrepresented Management	2080
Building Plans Examiner I/II	AFSCME: Planning	2080-Level I, 1040-Level II
Care Management Specialist I	AFSCME – Human Services	1560
Care Management Specialist II	AFSCME – Human Services	1040
Care Management Specialist III	AFSCME – Human Services	1040
Children’s Services Program Manager I	Unrepresented Management	2080
Children’s Services Program Manager II	Unrepresented Management	2080
Clinical Services Manager-Community Health	Unrepresented Management	2080
Electronic Health Record Analyst I	SEIU: Accounting & Admin Services	2080
Electronic Health Record Analyst II	SEIU: Accounting & Admin Services	1040
Electronic Health Record Analyst III	SEIU: Accounting & Admin Services	1040
Electronic Health Record Supervisor	SEIU: Accounting & Admin Services	1040
Environmental Services Manager	Unrepresented Management	2080
IS Application Support Analyst I – Confidential	Unrepresented Confidential	1040
IS Application Support Analyst II – Confidential	Unrepresented Confidential	1040
IS Application Support Analyst III – Confidential	Unrepresented Confidential	1040
Overpayments and Collections Analyst I	AFSCME: Human Services	1040
Overpayments and Collections Analyst II	AFSCME: Human Services	1040
Peer Support Specialist I/II	AFSCME: Human Services	2080-Level I, 1040 Level II
Sheriff’s Director of Communications	Unrepresented Management	2080

The Commission reviews and approves all new classification descriptions, their bargaining unit assignments and probationary hour requirements to ensure the selection and retention of

employees in the classified service on the basis of merit and fitness. As defined in the County Charter, the Commission shall prescribe rules that provide for the standardization and classification of all positions in the classified service. It is uncommon for Human Resources to submit new classifications that have not been vetted through the process and through the labor organizations (if represented) and therefore it is rare that the Commission would disapprove a new classification; however, it is possible for the Commission to instruct the Human Resources Department to conduct more research or provide more information.

Extension of Eligible Lists:

In 2023, the Commission approved the extension of twenty-four (24) eligibility lists as follows:

- Administrative Assistant II – 2 months
- Administrative Assistant II – Confidential – 3 months
- Appraiser I/II – 3 months
- Child Support Technician-Spanish Speaking – 2 months
- Clinical Nurse-Infection Preventionist – 6 months
- Clinics Manager – 2 months
- Communicable Disease Investigator – 9 months
- Deputy Probation Officer I/II – 2 months
- Environmental Health Specialist I/II/III-Consumer Protection Programs – 5 months
- Health Services Manager I – 5 months
- Information Technology Manager – 2 months
- Intelligence Analyst-Sheriff's Office – 4 months
- Legal Office Assistant I/II – 4 months
- Library Branch Manager – 1 month
- Medical Office Assistant – 4 months
- Paralegal-Confidential – 3 months
- Planner III – 3 months
- Pretrial Specialist – Probation Department – 3 months
- Probation Services Manager I – 4 months
- Probation Services Manager I – 5 months
- Public Health Nurse-Pediatric Home Visiting Program – 2 months
- Sheriff's Captain – 4 months
- Social Worker III – 5 months
- Telephone Operator – 5 months

Extension of eligible lists is crucial in expediting the hiring and selection process. By extending the eligible list, a need for new recruitment when a viable list of candidates is available is eliminated, thereby saving both time and resources. It also ensures that qualified candidates

who have successfully participated in the examination process are provided an extended opportunity to be considered for County employment. During 2023, a total of seventeen (17) individuals were hired as a result of extending these eligible lists.

IV. 2024 Workplan/Priorities

- A. Schedule and hold appeal hearings as soon as practicable.
- B. Remain alert to opportunities to improve the Commission's procedures and Rules.