



CIVIL SERVICE DEPT. - RCVD.

Date: November 4, 2015
To: Civil Service Commission
From: PF Russ Ficker, Personnel Officer, Department of Public Works

Subject: REQUEST FOR TEMPORARY REASSIGNMENT FOR REHABILITATION AND/OR RETRAINING OF EFREN VIRGEN, REFUSE OPERATOR I TO CUSTOMER SERVICE REPRESENTATIVE I

The Department of Public Works is requesting the temporary reassignment for rehabilitation and/or retraining of Efren Virgen, Refuse Operator I, Environmental Services Bureau, to the position of Customer Service Representative I, Environmental Services Bureau, for the purpose of training and development in accordance with Article VI, Section 63(5) of the Civil Service Rules and Regulations.

Mr. Virgen was hired as a Refuse Operator I Non-Career on June 24, 2008. He promoted to Refuse Operator I February 23, 2013 and attained permanent status in the classification on August 29, 2013. Mr. Virgen was injured in a non-occupational accident February 21, 2015. On September 15, 2015, Mr. Virgen was released back to work with medical restrictions that prohibit him from performing the essential functions of his position as a Refuse Operator. In accordance with the Fair Employment and Housing Act (FEHA), the Department engaged Mr. Virgen in the interactive process and sought alternate employment opportunities which could accommodate his medical restrictions. The Department identified the Customer Service Representative position in the Environmental Services Bureau Call Center as a position in which Mr. Virgen could likely be successful after retraining.

Mr. Virgen was advised that the reassignment for rehabilitation and/or retraining is temporary and does not guarantee permanent placement in the Customer Service Representative position. Upon satisfactory completion of a six-month training period the Department would seek Civil Service Commission approval of Mr. Virgen's permanent appointment to the position. Furthermore, Mr. Virgen was advised that during the reassignment he would not accrue any status in the Customer Service Representative classification and his salary will remain that of his current classification.

If you have any questions, please contact me at (562) 570-4686.

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|---------------------------------|-----------------|
| Human Resources Approval | |
| <i>CA Stafford</i> | <i>11/30/15</i> |
| Director or Designee | Date |

1 **DATE:** November 4, 2015
2 **TO:** Civil Service Commission
3 **FROM:** Donna de Araujo, Personnel Analyst 
4 **SUBJECT: REQUEST FOR TEMPORARY REASSIGNMENT FOR**
5 **REHABILITATION AND/OR RETRAINING – EFREN VIRGEN, REFUSE**
6 **OPERATOR I TO CUSTOMER SERVICE REPRESENTATIVE I**

7 Correspondence has been received from Russ Ficker, Personnel Officer, Department
8 of Public Works, requesting Civil Service Commission approval to temporarily reassign
9 Efren Virgen, Refuse Operator I, Environmental Services Bureau, to the position of
10 Customer Service Representative I, for the purpose of rehabilitation and/or retraining.
11 Staff has reviewed this request and recommends Commission approval in accordance
12 with Article VI, Section 63(5) of the Civil Service Rules and Regulations.

13 **Facts for Consideration:**

- 14 • Efren Virgen was hired, June 24, 2008, as a Refuse Operator I Non-Career. He
15 successfully competed in the 2011 Refuse Operator examination and was
16 subsequently promoted to Refuse Operator I, February 23, 2013. Mr. Virgen
17 attained permanent status as a Refuse Operator I, August 29, 2013.
- 18 • Mr. Virgen was injured in a non-occupational accident February 21, 2015. On
19 September 15, 2015, Mr. Virgen was released back to work with medical
20 restrictions that prohibited him from performing the essential functions of his
21 position as a Refuse Operator I.
- 22 • Mr. Virgen participated in the interactive process, and based on medical
23 documentation and information gathered during these meetings, was offered a
24 position as a Customer Service Representative I in the Environmental Services
25 Bureau Call Center of the Public Works Department.

- 1 • On October 28, 2015, after a leave of absence, Mr. Virgen accepted the offer of
2 alternative work as a Customer Service Representative I with the Environmental
3 Services Bureau Call Center.
- 4 • Dr. Mitra Kamali, Occupation Health Services, has determined that Mr. Virgen can
5 physically perform the duties of a Customer Service Representative I. Beverly
6 Nieves, Citywide Return to Work Coordinator has concurred with the determination.
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- 8 • Article VI, Section 67(5) of the Civil Service Rules and Regulations states an
9 employee may be temporarily reassigned to another classification for rehabilitation
10 and/or retraining when they have been declared permanently incapable of
11 performing the duties of their classification or it has been deemed advisable by the
12 City Health Officer that they no longer be assigned such duties.
- 13 • Requisition PW14-056 has been received in the Civil Service Department and is
14 available to accommodate Mr. Virgen's temporary reassignment to the position of
15 Customer Service Representative I.
- 16 • The Training Plan Outline submitted by the Public Works Department describes the
17 goals and objectives, training methods, and criteria necessary to measure the
18 satisfactory completion of the employee's assignment.
- 19 • If Mr. Virgen successfully completes the six-month/1,044 hours training period, the
20 Department will submit a request to the Commission for permanent assignment to
21 the position of Customer Service Representative I.
- 22 • By his signature, Mr. Virgen indicates his agreement for temporary reassignment
23 for rehabilitation and/or retraining for the position of Customer Service
24 Representative I.
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1 Mr. Virgen and representatives from the Public Works Department and the City's
2 Return to Work Program have been notified that this request is on today's agenda.

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4 REQUEST FOR TEMPORARY REASSIGNMENT VIRGEN 11-4-15

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