



Date: August 5, 2020
To: Civil Service Commission
From: Sheree Valdoria, Personnel Analyst
Subject: **REQUEST FOR PROVISIONAL APPOINTMENT OF SURVEY TECHNICIANS - ELVIA CUELLAR DIAZ, NOE HUIZAR AND MIKE REYES**

On July 22, 2020, the Civil Service Department received correspondence from the Harbor Department requesting the approval of their provisional appointees, Elvia Cuellar Diaz, Noe Huizar, and Mike Reyes to the classification of Survey Technician in accordance to Article V, Section 43 of the Civil Service Rules and Regulations and Policy 1.02 of the Civil Service Policies and Procedures.

Article V, Section 43 states that "When no priority or eligible list exists for a classification, which has been requisitioned and should no priority or eligible lists exist for comparable or allied classifications suitable for alternate list certification, the Commission may, after review, certify the names of individuals it considers to be qualified for provisional appointment to the classification."

Facts for Consideration

- On June 3, 2020, the Civil Service Commission approved a Request for Provisional Appointment for Survey Technician from the Harbor Department.
- As stated in their original request, the Department posted the bulletin for the provisional Survey Technician for two weeks and screened applicants to determine if they met the minimum qualifications for the classification. After interviewing applicants, the Department selected three provisional Survey Technicians: Ms. Cuellar Diaz, Mr. Huizar, and Mr. Reyes.
- On July 22, 2020, the Civil Service Department received the names of the three provisional Survey Technician selected by the Harbor Department along with their applications.
- Staff has reviewed the provisional applications for Ms. Cuellar Diaz, Mr. Huizar and Mr. Reyes and determined that all three applicants meet the minimum requirements for the Survey Technician classification.
- Staff has contacted Ms. Cuellar Diaz, Mr. Huizar and Mr. Reyes to inform them that the provisional appointment is temporary, and they have no guarantee of permanent appointment into this classification.

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- Additionally, the three provisional appointees are aware that they must apply and compete in the Civil Service Examination process and be placed on the eligible list in order to be considered for the permanent position.
- Staff verified that the Civil Service Department received the requisition, HD20-014P on May 29, 2020, to fill the provisional vacancies for Survey Technician.

Recommendation:

- Staff recommends approval of the Survey Technician provisional appointees, Ms. Cuellar Diaz, Mr. Huizar and Mr. Reyes, for the Harbor Department in accordance with Article V, Section 43 of the Civil Service Rules and Regulations and Policy 1.02 of the Civil Service Policies and Procedures.
- Staff notified the Harbor Department and the three provisional appointees that this request will be placed on the Civil Service Commission Agenda on August 5, 2020.



Civil Service Department

Request for Provisional Appointment Form

PURPOSE:

To establish a process for the review and authorization of provisional appointments to classified positions.

RELEVANT RULES AND REGULATIONS/POLICY:

Civil Service Rules and Regulations Section 43 and [Civil Service Policy Section 1.02](#):

“When no priority or eligible list exists for a classification, which has been requisitioned and should no priority or eligible lists exist for comparable or allied classifications suitable for alternate list certification, the Commission may, after review, certify the names of individuals it considers to be qualified for provisional appointment to the classification. All provisional appointments shall be temporary and shall be valid only until a priority or eligible list becomes available for certification for the classification and is forwarded to the user department. However, no provisional appointment shall be valid beyond a 150 day period unless approved by the Commission.” (*Civil Service Rules and Regulations Section 43*)

“Extensions of provisional appointments may be approved by the Civil Service Commission, if an eligible list has not been established after the allotted 150 days. When an eligible list for the classification, in which the provisional employee is serving, is established the provisional appointee shall be removed from provisional status within a thirty day period.” (*Civil Service Policy Section 1.02*)

PROCESS:

- Requesting department should contact Civil Service Deputy Director to determine if the request is needed.
- Requesting department completes Provisional Request Form.
 - Electronic version of the form is submitted to Human Resources for initial approval.
 - The requesting department completes Section I of this form. Civil Service completes Section II of this form.
- Provisional Request Form emailed to Civil Service Department Executive Assistant.
- Provisional Request will be placed on the agenda for the upcoming Commission meeting.
- At Commission meeting, department presents the need for a provisional appointment including: the recruitment bulletin/job flyer and recruitment plan.
- Commission Approves/Denies request.
- If approved, department conducts provisional recruitment as planned.
 - Provisional recruitments must be completed through Neogov (bulletin posting, job application, supplemental questions, and/or required proofs or certifications).
 - In creating your provisional bulletin, please reference past exam’s recruitment bulletins and include the provisional disclaimer language* below.
- **ONCE PROVISIONAL IS SELECTED, DEPARTMENT MUST CONTACT CIVIL SERVICE ANALYST AND SUBMIT THE FOLLOWING FOR ANALYST TO VERIFY MINIMUM QUALIFICATIONS ARE MET:**
 - Provisional appointee’s application, a signed [Provisional Appointment Statement of Conditions](#), and any required documents i.e. proof of license, education, certificate, etc.
 - NOTE: Please submit the above documents for each appointee separately.
- Civil Service will notify the candidate of the conditions of the provisional appointment.
- Once provisional appointee is hired, department completes HR1.
- Once HR1 is received by Civil Service, the provisional item will be placed on the Consent Calendar for approval.

Human Resources Approval

Director or Designee:

Date:

Effective Date: 10/10/2018

SECTION I. REQUESTING DEPARTMENT COMPLETES THIS SECTION:

DATE: May 26, 2020 **DEPARTMENT:** Harbor Department

POSITION: Survey Technician **REQUISITION NUMBER:** HD20-014

TYPE OF PROVISIONAL REQUEST: Provisional Appointment.

NUMBER OF VACANCIES: 3

In the space below, please include an explanation of a clear operational necessity to fill the position or a clear detriment to the City if the position is not filled quickly.

The three provisional positions are essential to the daily business functions and the operation in the Survey Division. The three vacancies are negatively impacting operations resulting in delays, backlogs and projects that are under staffed. These three critical positions present are an immediate need and we respectfully request filling these vacancies with provisional appointments.

RECRUITMENT PLAN/STRATEGY

☒ Are you recruiting: ☐ Internal Candidates ☐ External Candidates ☒ Both

☒ How are you advertising for the position? (i.e. job flyers, governmentjobs.com, etc.)

Job Flyers, NEOGov

☐ What is the length of your recruitment?

2 weeks

☐ What exam process will be administered? (i.e. interview or other testing)

Only those candidates who meet the minimum qualifications and whose experience closely matches the Department's needs may be invited for an interview.

☒ Did you include a provisional language disclaimer* on your provisional recruitment bulletin?

(*Disclaimer language to include in the beginning of your provisional bulletin: "This is a provisional opportunity. All provisional appointments are temporary and valid until a priority or eligible list becomes available for the classification. Provisional appointments are valid for 150 days unless extended and approved by Civil Service Commission. If you want to be considered for this position permanently, you must go through the Civil Service examination process. If you are not selected to fill the position on a permanent basis, your provisional appointment will be terminated. For City Employees: if you hold permanent status in another classification, you will be reinstated back to the position you held before the provisional appointment.")

In the space below include the Provisional Recruitment bulletin. Include: 1.) Job duties 2.) Minimum qualifications 3.) Provisional supplemental questions 4.) Copy of most recent job bulletin (attachment or copy and paste)

See Attachment

FOR PROVISIONAL APPOINTMENT – PROMOTIONAL

NOTE: Employees in the "feeder" classifications for the promotional opportunity should be given equal and fair opportunity to demonstrate their abilities to function in the promotional position.



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Does a promotional list exist? ☐ YES ☒ NO

The date the vacancy occurred and circumstances surrounding vacancy.

One (1) vacancy since May 10, 2019, the separation of Paul Carlos. The personnel requisition HD 19-149 is for one classified employee; this position was never filled

Two (2) vacancy since November 13, 2019, for the promotions of Chris Sanatar and Ricardo Garcia de Jesus: The personnel requisition HD 20-014 is for two classified employees (no list) is in the system.

How the position, if left unfilled, would create a clear and substantial loss of revenue, a substantial curtailment of City services or create a City hazard. These positions are crucial in providing service to the survey division's operation. Currently there is a vacancy of three positions that has resulted in delays, backlogs and projects that are under staffed

Were other alternatives used for filling the vacancy? (For example: rotation, use of higher class pay, etc.) The Department has many vacancies and heavy workload, which makes it unfeasible to rotate other staff members.

SECTION II. CIVIL SERVICE COMPLETES THIS SECTION:

- ☒ A valid requisition to fill the subject vacancy was received by the Civil Service Department for the classification in question. ☒ YES ☐ NO
- ☒ Include requisition number and date received by Civil Service: **HD 20-014; 12/20/19**
- ☒ No existing promotional, priority or eligible list exists for this classification. **NONE**
- ☒ If there is an eligible list, when does it expire? **NONE**
- ☒ Is any other department impacted? If yes, which department? **NO**
- ☒ Provide notice to requesting department to attend Civil Service Commission Meeting.

Once the provisional appointee has been identified by the department, Civil Service will:

- ☒ Date initial provisional request was approved by Civil Service Commission: **June 3, 2020**
- ☒ Verify that the provisional appointee meets the minimum qualifications by reviewing the following items: provisional appointee's application; a signed Provisional Appointment Statement of Conditions; proof of license, education, certificate, etc. **DATE COMPLETED: July 29, 2020**
- ☒ Provisional appointee(s) selected by the Department: **July 22, 2020**
- ☒ Provide notice to the employee that the request is scheduled to be on the Civil Service Commission agenda. Notify the candidate of attendance options and of the terms and conditions of the provisional appointment. **DATE COMPLETED: July 29, 2020**

- ☒ Provide notice to the department that the request is scheduled to be on the Civil Service Commission agenda. (If the candidate does not meet the minimum qualifications, Civil Service will notify the department.) **Candidates meet the minimum qualifications.**
- ☒ Civil Service Analyst will submit the verified form and other documents to Administrative Support Services and the Executive Assistant.
- ☒ Civil Service Analyst Verification (First and Last Name): **Sheree Valdoria**
- ☒ Survey Technician Provisionals appointees: **Elvia Cuellar, Mike Reyes, Noe Huizar**



Date: June 3, 2020
To: Civil Service Commission
From: Sheree Valdoria, Personnel Analyst
Subject: **REQUEST FOR PROVISIONAL APPOINTMENT FOR SURVEY TECHNICIAN**

On May 26, 2020, the Civil Service Department received correspondence from the Harbor Department requesting the Civil Service Commission approval of the Request for Provisional Appointment of three (3) Survey Technicians. Staff recommends approval of this request in accordance with Article V, Section 43 of the Civil Service Rules and Regulations and Section 1.02 of the Civil Service Commission Policies and Procedures.

Facts for Consideration

- The Harbor Department has five (5) budgeted Survey Technician positions. There are three (3) Survey Technician vacancies due to the promotion of Survey Technicians to Senior Survey Technicians and the separation of a Survey Technician who left the department.
- The three vacancies have been detrimental to the operations of the Survey Division and have negatively impacted operations resulting in delays and backlogs on projects that have been under staffed. The provisional appointments would ensure that essential business functions and operations are completed daily.
- The Survey Division at the Harbor Department have been organized into four groups and each group has one to two Survey Technicians. Currently, the two Survey Technicians have been rotating among the groups based on need and outside consultants have been hired to supplement the rest of the groups, which can be costly.
- The Harbor Department will open recruitment for the provisional appointments for two (2) weeks to both internal and external applicants.
- The Department will screen and interview applicants who meet the minimum qualifications posted on the provisional bulletin for Survey Technician.
- Staff has reviewed the recruitment plan and draft bulletin for the provisional appointment.

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- Civil Service Department has received requisition HD 20-014P for this provisional request on May 29, 2020.
- There is no eligible list or priority list for this position and staff plans to start the recruitment for Survey Technician on July 2020.

Recommendation:

- If Commission approves this request, the Harbor Department will begin their recruitment process for the provisional appointment. Once they made their selections for the three provisional appointments, the names of the provisional appointees and their applications will be sent for Commission approval.
- Staff recommends approval of the Request for Provisional Appointment for three Survey Technicians from the Harbor Department, in accordance with Article V, Section 43 of the Civil Service Rules and Regulations and Section 1.02 of the Civil Service Commission Policies and Procedures.
- Representatives from the Harbor Department will be available to answer any questions from the Commission.