



Memorandum

Date: October 13, 2021

To: Civil Service Commission

From: Shellie I. Goings, Personnel Analyst

Subject: **APPEAL DISQUALIFICATION FROM EXAMINATION PROCESS –
MACAMON TYREE**

Correspondence has been received from Mr. Macamon Tyree, Senior Combination Building Inspector, Development Services, protesting the disqualification of his application for Principal Construction Inspector. Mr. Macamon was not accepted into the examination process due to not meeting the minimum qualifications outlined in the job opportunity bulletin. Mr. Macamon is appealing his disposition and requesting that the Civil Service Commission reconsider his application and grant an opportunity to compete in the Principal Construction Inspector examination process. Facts are presented below for your consideration.

Facts for Consideration:

- On August 8, 2021, the Civil Service Commission approved the job opportunity bulletin for Principal Construction Inspector (PCI). The job opportunity was conducted as a promotional examination and open for filing from August 6, 2021 through August 20, 2021. With a one-week extension, officially closing on August 27, 2021.
- After the closing of the filing period, 17 applications were received and evaluated by applying the same minimum qualification screening standards for all applicants.
- As a result of the screening of applications, 2 applicants were not accepted into the process. Currently, 15 candidates have met the minimum qualifications and will move forward with the examination process.
- Civil Service staff was diligent in applying the same standards to all candidates. The 2 candidates that did not meet the minimum qualifications, were disqualified due to not having 2 years seniority in the classification of Construction Inspector as noted on the job bulletin.

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The minimum requirements for Principal Construction Inspector are:

- Open to current City employees with at least 2 (two) years or more seniority in the Construction Inspector classification; and a total of 4 (four) or more years, paid full time experience equivalent to a Construction Inspector classification, supervising the construction of and/or performing the inspection of major public works, port-related, or utility-related projects which required a good knowledge of contract administration and compliance.
- Ability to supervise and monitor the work of Construction Inspectors contractors and related personnel.
- Ability to effectively communicate both orally and in writing.
- Willingness to work weekends, holidays, and irregular hours as necessary.
- A valid motor vehicle operator's license and a current DMV driving record is required and must be submitted to the hiring department at the time of selection.

Mr. Macamon filed his application and supplemental questionnaire on August 20, 2021. On September 9, 2021, Mr. Macamon was notified that, based upon the information he submitted, his application was not accepted due to insufficient experience related to the qualifications listed on the job opportunity bulletin.

On September 10, 2021, Mr. Macamon corresponded with Civil Service staff regarding an explanation as to why his application was not accepted. Civil Service staff explained that he did not meet the minimum qualifications per the job opportunity bulletin, specifically, Mr. Macamon has only 1 year in the classification of Construction Inspector, which was indicated in the job history application for the position of Principal Construction Inspector. Due to only having 1 year of the required experienced 2 years' experience necessary in the seniority of Construction Inspector, Mr. Macamon did not meet the qualifications for the position.

On September 14, 2021, another Civil Service staff member reviewed Mr. Macamon qualifications for the position of Principal Construction Inspector. The staff member also concluded that Mr. Macamon did not meet the minimum qualification outlined in the job bulletin.

On September 16, 2021, Mr. Macamon contacted Civil Service Staff to inquire about submitting an appeal to staff's decision. Staff provided Mr. Macamon with contact information for the Civil Service Executive Director.



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On September 28, 2021, Mr. Macamon, emailed Christina Winting, Civil Service Executive Director to formally submit an appeal regarding his application.

This request falls under Article II, Section 6 (2) of the Civil Service Rules and Regulations, regarding disqualification of applicants, which states, "The Commission may refuse to examine, or after an examination, may remove from any eligible list, disqualify, and/or refuse to certify any person who (2) does not meet the minimum requirements to file as stated in applicable examination announcements."

In accordance to Article II, Section 6 (2) of the Civil Service Rules and Regulations, Staff recommends denial of Mr. Macamon's request to compete in the examination process.

Mr. Macamon has been informed that this request is on today's agenda.



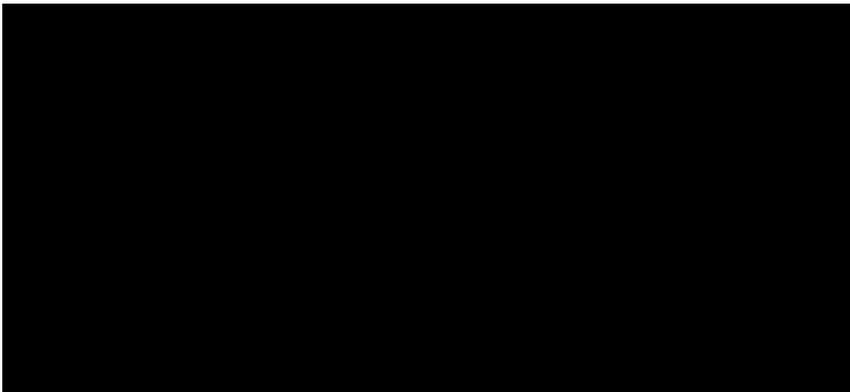
Christine Winting
Executive Director of Civil Service
City of Long Beach, CA
411 W Ocean Blvd 4th Floor
Long Beach, CA 90802

Dear Christine Winting:

I wish to respectfully appeal the decision on my eligibility for the Public Works Principal Construction Inspector position as I feel my rejection is based on a technicality. Would you please place me on the agenda for the October 13th Civil Service Commission meeting. Thank you in advance for your time and assistance.

Best regards,

Macamon Tyree
Senior Combination Building Inspector





City of Long Beach Employment Opportunity

PRINCIPAL CONSTRUCTION INSPECTOR

Job Number: K03NN-21

SALARY: \$3,034.64 - \$4,126.64 Biweekly

OPENING DATE: 08/06/21

CLOSING DATE: 08/20/21 04:30 PM

DESCRIPTION:



Accepting online applications only. Apply online 24 hours a day, August 6, 2021 through 4:30 pm, Friday, August 20, 2021.

Current vacancies in the Public Works and Energy Resources Department. Other departments that use this classification include Harbor and Water.

PROMOTIONAL OPPORTUNITY: This is a promotional job opportunity as defined in the Civil Service Rules and Regulations Article I, Section 4(19)(b) and Article II, Section 7. This job opportunity is limited to current, permanent, City of Long Beach employees. Non-career employees are not eligible for this job opportunity. Seniority Credit, in accordance with Article III, Section 14 of the Civil Service Rules and Regulations, will be added to the final total scores of those who successfully qualify in all phases of the examination. For examination purposes, seniority credit will be based upon whole months of classified service completed as of the last day of filing.

EXAMPLES OF DUTIES:

Under direction, performs duties as a first-line supervisor of engineering construction activities in the City's public works, utilities, or port-related programs; assigns, trains, supervises and evaluates subordinate personnel; assists with contract administration and compliance; inspects major or complex projects while in progress and upon completion; approves final inspections and recommends acceptance of completed projects as having been constructed in accordance with plans, contracts and specifications; assists in the formulation and estimation of change orders; recommends that progress and final payments be made to contractors; assists in drafting specifications and expediting construction work; acts as a lead inspector or as liaison between Field Construction Inspectors, contractors, Construction Services Officer and/or the Chief Construction Inspector, Division Engineer, Superintendent or Bureau Manager; assists with preparation of project budgets; ensures proper maintenance of such records as may be required by city policy and funding agencies; acts on behalf of the Chief Construction Inspector Division,

Engineer, Superintendent or Bureau Manager during his/her absence; may ensure compliance with all federal, state and local regulations as they apply to natural gas, water and sewer pipelines; may ensure compliance of ADAAA codes and/or inspect major thoroughfare construction including street, curb, gutter, sidewalk, ADAAA improvements; may oversee provision of utility services to residents and customers; may participate in federal pipeline safety inspections; may oversee pipeline damage prevention program; may direct construction-related office engineering services; may oversee public works permit issuance; may review both City and private contractor plans relating to construction within the public right-of-way; may supervise CIP bidding processes; and performs other related duties as required.

REQUIREMENTS TO FILE:

Open to current City employees with at least 2 (two) years or more seniority in the Construction Inspector classification; and a total of 4 (four) or more years, paid full time experience equivalent to a Construction Inspector classification, supervising the construction of and/or performing the inspection of major public works, port-related, or utility-related projects which required a good knowledge of contract administration and compliance.

KNOWLEDGE, SKILLS, AND ABILITIES

- Ability to supervise and monitor the work of Construction Inspectors contractors and related personnel.
- Ability to effectively communicate both orally and in writing.
- Willingness to work weekends, holidays, and irregular hours as necessary.

A valid motor vehicle operator's license and a current DMV driving record is required and must be submitted to the hiring department at the time of selection.

For positions in the Energy Resources Department, an applicant 1) must obtain U.S. Department of Transportation Natural Gas Pipeline Operator Qualification Certification for Pipeline Inspection prior to completion of the probation period; AND 2) candidates will be required to participate in random drug testing in accordance with Pipeline and Hazardous Materials Safety Administration (PHMSA) regulation 49 CFR Part 199 and Department of Transportation (DOT) regulation 49 CFR Part 40.

DESIRABLE QUALIFICATIONS:

The following are desirable qualifications for some positions:

- Current Water Distribution Operator Certificate from the State Water Resources Control Board;
- Current Water Treatment Operator Certificate from the State Water Resources Control Board;
- Current Wastewater Collection System Maintenance Certificate from the California Water Environment Association;
- Current Cross-Connection Control Program Specialist Certificate from the American Water Works Association;
- Current Operator Qualification per 49 CFR Part 192, Subpart N;
- Experience with minimum federal safety standards for transportation of natural gas by pipeline;
- Registration as an ICC certified Deputy Inspector with the City of Long Beach in the fields of pile driving, reinforced concrete, prestressed concrete, masonry, structural steel and welding;
- Education from an accredited college or university with major coursework in construction technology, civil or construction management;

