

1 **DATE:** May 16, 2012

2 **TO:** Civil Service Commission

3 **FROM:** Mario R. Beas, Executive Director

4 **SUBJECT: REQUEST FOR EXCEPTION TO CIVIL SERVICE RULES AND**  
 5 **REGULATIONS – ARTICLE VIII, SECTION 115(3) – REQUESTING**  
 6 **EXCEPTION TO ARTICLE II, SECTION 7 OF THE CIVIL SERVICE**  
 7 **RULES AND REGULATIONS – QUALIFICATIONS AND**  
 8 **REQUIREMENTS FOR PERSONNEL ASSISTANT, LIMITING**  
 9 **APPLICATIONS TO CITY EMPLOYEES AND LAID OFF EMPLOYEES**

10 As provided by Civil Service Rules and Regulations, Article VIII, Section 115 (3) –  
 11 Exceptions to Rules May be Authorized, staff is recommending the Civil Service  
 12 Commission consider an exception to Article II, Section 7 of the Civil Service Rules and  
 13 Regulations – Qualifications and Requirements for the upcoming examination of the  
 14 Personnel Assistant classification. Specifically, staff is recommending that the  
 15 Commission approve the selection process for Personnel Assistant as an open-  
 16 competitive examination restricted to: 1) current City employees, 2) former classified  
 17 City employees who were terminated due to layoff after January 1, 2009, 3) former  
 18 classified City employees on an active Civil Service priority list, and 4) former  
 19 unclassified City employees, identified by the Human Resources Department as  
 20 terminated by the City's recent reduction in force after January 1, 2009. Only those  
 21 applicants meeting the minimum qualifications, as stated in the job opportunity bulletin,  
 22 will be invited to participate in the examination process.

23 **Background Information**

24 The classification for Personnel Assistant is used in the Department of Human  
 25 Resources. Currently, there are two vacancies in the Department of Human Resources,  
 Employee Benefits and Personnel Operations Division.

Historically, the examination for this classification has been conducted as an open-competitive process. A review of the examination history covering the last examination in 2007 administration reflects a candidate pool of 199 applications with a 1 candidate selected from the last Personnel Assistant eligible list. Personnel Assistant is a classification that has generated interest from City employees as well as from applicants outside the City. For many City employees, both permanent and non-career, this may represent an opportunity for career advancement.

### **Policy Requirements**

As per Civil Service Commission Policy 1.80, the following information is provided:

#### Purpose of the Request:

To provide the Department of Human Resources, an eligible list of qualified City employees to fill the vacancy in the Personnel Assistant classification while meeting the City Manager's restrictions to select City employees to fill impacted vacancies.

#### Applicable Section of the Rules and Regulations:

Civil Service Rules and Regulations, Article II, Section 7 – Qualifications and Requirements, that specifies the Commission establish qualifications and minimum requirements needed to compete in examinations for classified employment.

#### How the Best Interests of the City will be served by the Exception to the Rule:

Staff is proposing that the examination be conducted as an open-competitive examination with the application pool restricted to current City employees and former City employees affected by layoff. The minimum requirements to file would include 1) current City employees, 2) former classified City employees who were terminated due to layoff after January 1, 2009, 3) former classified City employees on an active Civil Service priority list, and 4) former unclassified City employees, identified by the Human Resources Department as terminated by the City's reduction in force after January 1, 2009. Applicants would also need to meet experience and all other minimum

1 requirements. Staff believes this option is in the best interest of the City as the  
2 exception to the Rules and Regulations will:

- 3 • maintain an examination process based on merit principles,
- 4 • generate an eligible list of qualified employees,
- 5 • provide career opportunities to City employees and to former City
- 6 employees affected by layoff,
- 7 • limit the expenditure of City resources necessary to conduct an examination
- 8 for large numbers of outside candidates, and
- 9 • eliminate requests for exceptions to Section 115 to bypass candidates on
- 10 the eligible list in order to reach internal candidates, and
- 11 • assist with opportunities for employees impacted by layoffs.

12  
13 Why the City's Best Interests are Not Being Served by the Current Civil Service Rules  
14 and Regulations?

15 Current Civil Service Rules and Regulations require an examination to be conducted  
16 either: 1) as an open-competitive examination, potentially bringing large numbers of  
17 outside candidates into the process, or 2) as a promotional examination that would limit  
18 the application pool to permanent City employees in specified classifications.

19  
20 Staff does not recommend that this be conducted as a promotional examination with  
21 requirements of seniority, ranking of the eligible list, and restrictions to classified  
22 employees, but rather as an open-competitive examination restricted to: 1) current City  
23 employees, 2) former classified City employees who were terminated due to layoff after  
24 January 1, 2009, 3) former classified City employees on an active Civil Service priority  
25 list, and 4) former unclassified City employees, identified by the Human Resources  
Department as terminated by the City's recent reduction in force after January 1, 2009.

Promotional examinations are most effective when there is a clear relationship between the skills acquired in a classification and those needed in the higher-level classification and there are a sufficient number of City employees meeting the promotional requirements. In regards to Personnel Assistant, although there are qualified applicants within the City, Personnel Assistant is a classification requiring human resource-related functions such as employee benefits, human resources automated systems, and ADA/Equal Employment experience and there is a limited promotional career path to Personnel Assistant because it's specific experience requirement for this classification. Therefore, staff recommends that candidates with human resource-related qualifying experience within the City or with similar experience outside of the City be allowed to compete for permanent positions as Personnel Assistant. Non-career employees also would have an opportunity to compete for permanent employment as a Personnel Assistant.

### **Summary**

In conclusion, considering the City's continued financial challenges and the City Manager's desire to hire City employees, it is recommended that the Commission approve the exception to Article II, Section 7 of the Civil Service Rules and Regulations and approve the selection process for Personnel Assistant as an open-competitive examination, but limit the candidate pool to current City employees and former City employees affected by layoff after January 1, 2009. The Department of Human Resources agreed with staff's recommendation to change the Personnel Assistant Requirements to File. Staff is available to answer questions from Commission concerning this matter.

EXCEPTION TO THE RULES (EO: 5/16/12)