

1 **DATE:** June 6, 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 BUYER, LIMITING APPLICATIONS TO CITY**  
9 **EMPLOYEES AND LAID OFF EMPLOYEES**

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

#### 20 **Background Information**

21 The classification for Buyer is used in the Department of Financial Management.  
22 Currently, there are two vacancies in the Department of Financial Management,  
23 Purchasing Division.

24  
25 Historically, the examination for this classification has been conducted as an open-  
competitive process. A review of examination history indicates that the last

1 examination was administered in 2008 that resulted in a qualified applicant pool of 46  
2 applicants and only one selection made from the Buyer eligible list. The Buyer  
3 classification has generated interest from City employees as well as from applicants  
4 outside the City. For many City employees, both permanent and non-career, this may  
5 represent an opportunity for career advancement.

## 6 **Policy Requirements**

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

### 8 Purpose of the Request:

9 To provide the Department of Financial Management an eligible list of qualified City  
10 employees to fill vacancies in the Buyer classification while meeting the City Manager's  
11 restrictions to select City employees to fill impacted vacancies.

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

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

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

17 Staff is proposing that the examination be conducted as an open-competitive  
18 examination with the application pool restricted to current City employees and former  
19 City employees affected by layoff. The minimum requirements to file would include 1)  
20 current City employees, 2) former classified City employees who were terminated due  
21 to layoff after January 1, 2009, 3) former classified City employees on an active Civil  
22 Service priority list, and 4) former unclassified City employees, identified by the Human  
23 Resources Department as terminated by the City's reduction in force after January 1,  
24 2009. Applicants would also need to meet experience and all other minimum  
25 requirements. Staff believes this option is in the best interest of the City as the  
exception to the Rules and Regulations will:

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

10

11 Why the City's Best Interests are Not Being Served by the Current Civil Service Rules

12 and Regulations?

13 Current Civil Service Rules and Regulations require an examination to be conducted

14 either: 1) as an open-competitive examination, potentially bringing large numbers of

15 outside candidates into the process, or 2) as a promotional examination that would limit

16 the application pool to permanent City employees in specified classifications.

17

18 Staff does not recommend that this be conducted as a promotional examination with

19 requirements of seniority, ranking of the eligible list, and restrictions to classified

20 employees, but rather as an open-competitive examination restricted to: 1) current City

21 employees, 2) former classified City employees who were terminated due to layoff after

22 January 1, 2009, 3) former classified City employees on an active Civil Service priority

23 list, and 4) former unclassified City employees, identified by the Human Resources

24 Department as terminated by the City's recent reduction in force after January 1, 2009.

25 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

1 and there are a sufficient number of City employees meeting the promotional  
2 requirements. In regards to Buyer, although there are qualified applicants within the  
3 City, Buyer is a classification that requires procurement related functions such as  
4 purchasing a wide variety of industrial and governmental equipment, supplies and  
5 materials for use rather than resale experience and there is a limited promotional  
6 career path to Buyer because of its specific experience requirement for this  
7 classification. Therefore, staff recommends that candidates with procurement related  
8 qualifying experience within the City or with similar experience outside of the City be  
9 allowed to compete for permanent positions as Buyer. Non-career employees also  
10 would have an opportunity to compete for permanent employment as a Buyer.

11  
12 **Summary**

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

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22  
23 EXCEPTION TO THE RULES (6/6/12)