

Marilyn Hall

From: William Gwinn <bigwingwinn@gmail.com>
Sent: Tuesday, October 13, 2015 9:31 PM
To: Marilyn Hall
Cc: Lourdes Ferrer
Subject: Communication to CSC Regarding Motor Sweeper Operator

Dear Commissioners,

Thank you for allowing us an opportunity to voice our concerns regarding the open Motor Sweeper Operator position during the public forum at the last Civil Service Commission meeting held on October 7, 2015. We shared some critical dialogue in the brief encounter we had and we are hopeful that this topic will be added to the October 21st Civil Service Commission agenda for further discussion.

To familiarize you with the concerns we shared, we have worked for the City of Long Beach for several years as Parking Control Checkers for the Street Sweeping Division. During our years of employment we took the initiative and sought training to operate the motor sweeper machines. For the past two and a half years, we have frequently been pulled from our parking control duties to serve as reserve motor sweeper operators when the street sweeping department is short-handed due to various reasons (staff calling in sick, vacations, injuries, leaf season, etc.) For the past several months, we have served more time as motor sweeper operators than parking control checkers due to retirements and job promotions, hence, the need for hiring new motor sweeper operators.

One reason why we are concerned and felt the need to speak at the last Commission meeting is because the open Motor Sweeper Operator position requires applicants to possess a valid Class A or B commercial license. At the moment, we only possess Class B permits that we obtained months ago on our own time and money. We were under the assumption after speaking with various superiors in our department that the City would either bring in an outside firm or somebody that works for the City of Long Beach to help train us and obtain a commercial license. After months of inaction on their parts, we are in a very unfavorable and untimely predicament in regards to the October 23, 2015 application deadline of the position that we have been eyeing and training literally for years for.

Another concern of ours is that, all summer long, the Motor Sweeper Operator position posted on the City's website was outdated with information from a 2004 job description. Further inspection of the outdated description revealed that only a Class C license was required at the time of application and a Class A or B would have to be obtained within the first 6 months of being hired. Of course, when the position became available and updated, the description changed to require a Class A or B license at the time of application. It was later determined that the 2004 job description was posted by mistake. The inaccurate job description that was posted for months falsely misled us to believe that the commercial license training wasn't such a time-sensitive issue.

As was mentioned during the public talk session, the current motor sweeper machines do not require a Class A or B license to operate them and some of the current motor sweeper operators are not commercially licensed. Russ Ficker was asked at the last meeting to explain why the City was requiring a commercial license that was not even necessary to drive the current fleet of street sweepers. He cited that the City had purchased four new sweepers that would be delivered in the early part of 2016 that would require a CDL. The City currently has 20 street sweeper machines; replacing four of them next year would mean that 80% of the fleet would still not require a Class A or B license. Mr. Ficker also mentioned that motor sweeper operators are occasionally utilized

to drive debris-hauling, roll-off trucks that do require a CDL. This much is true, however, the street sweeping department employs two full-time roll-off truck drivers that serve only in this position. Motor sweeper operators only fill in on the roll-off truck when one of these drivers are absent from work and only if they possess a CDL. Less than 5 current motor sweeper operators have ever been asked to substitute as a roll-off truck driver. Thus, requiring a commercial license at the time of this current application deadline is not nearly as crucial as it sounds on the surface.

In the past, the City made CDL training readily available to its employees. At the meeting we attended last week, Mr. Ficker also stated that the City no longer has an in-house trainer, but instead, loans out its vehicles to employees who want to take the CDL test at the DMV. Mr. Ficker clarified this policy in a subsequent email that reads:

"The Department of Public Works committed to allowing employees the use of a Department vehicle when taking the driving portion of the Commercial Driver License exam if the exam were scheduled during the employee's regular work shift. This commitment was for employees required to obtain a Commercial Driver License as a condition of their employment and was not intended for employees who wished to obtain a Commercial Driver License to apply for personal reasons which includes applying for positions that require a Commercial Driver License."

As you can see from this excerpt, any help that we could receive in the CDL process by the City is unattainable since we are not currently required to have a CDL in our current classification as a parking control checker.

We are aware that there are plenty of applicants that will have their commercial licenses at the time of the deadline, but there are advantages to letting us apply as well. With our years serving as parking control checkers, following the same routes as the motor sweeper operators, and driving the street sweepers ourselves, we have proven over the past two years that we can do the job effectively and efficiently. We are very experienced operating and maintaining the current sweeper machines, know the routes inside and out, and know the logistics of the daily operations. We understand the level of service Long Beach residents expect since we interact with them everyday at work, whether we are driving the street sweeper or following it. Simply put, there is no learning curve for us to endure.

Since 2013 we have filled in as motor sweeper operators countless times. However, despite our aid, there are still days when routes go untouched because we are so understaffed. Not only does this irk the residents when the street in front of their homes doesn't get swept, but the City loses out on valuable revenue whether we want to admit it or not. Our versatility and passion for the job has at least minimized these effects of being understaffed for many months. We hope the hard work and dedication we have given towards the street sweeping department will be reciprocated in the application process.

It has also been established that those current motor sweeper operators that still do not possess a CDL will have to get it in the near future and that the City will provide them with the resources to do so. Thus, we see two very possible and reasonable solutions to this dilemma:

1) The Board can take no action.

Although this option would save a lot of headaches, very highly-qualified, hard-working, and passionate candidates would be eliminated immediately from the process.

OR

2) The Board can remove the Class A or B license requirement from the application process.

The logic here being, any new hires who don't possess a CDL could obtain theirs when the current motor

sweeper operators (who don't have CDL's either) are assisted by the City to get theirs. This way, everyone would have their CDL by the time the new motor sweeper machines are ready to be deployed.

We thank you from the bottom of our hearts for taking the time to hear our case. Whether this results for the better or worse for us, we are truly appreciative of your help. We look forward to seeing what happens next.

Sincerely,

Anthony Calderon
Thomas Daniel Gutierrez
William Gwinn

1 **DATE:** October 21, 2015
2 **TO:** Civil Service Commission
3 **FROM:** Lourdes Ferrer, Administrative Analyst
4 **SUBJECT: REQUEST TO PARTICIPATE IN EXAMINATION – MOTOR SWEEPER**
5 **OPERATOR**

6 Correspondence has been received from Messrs. Anthony Calderon, Thomas Daniel
7 Gutierrez, and William Gwinn, requesting the Civil Service Commission's approval to
8 participate in the Motor Sweeper Operator examination.

9 **Facts for Consideration:**

- 10 • As background, on October 7, 2015, the Civil Service Commission approved the
11 job opportunity bulletin for Motor Sweeper Operator. The bulletin was originally
12 posted on September 29, 2015 and is scheduled to close on October 23, 2015.
- 13 • To date, 210 applications have been filed for Motor Sweeper Operator; of that
14 number, 23 candidates are still in the screening process and may be invited to the
15 administration of the written examination.
- 16 • On October 2, 2015, Civil Service staff received communication from Public Works
17 Department Personnel Officer, Russ Ficker, indicating that members of the Public
18 Works Department staff had concerns regarding the requirements to file posted on
19 the job opportunity bulletin.
- 20 • On October 5, 2015, Civil Service staff received communication from Mr. William
21 Gwinn regarding the Motor Sweeper Operator requirements to file. Staff advised
22 Mr. Gwinn that his concern would be better addressed by Commission and advised
23 him to be present during the October 7, 2015, Commission meeting and at which
24 time he would be able to address the Commission during public comments.
- 25 • Prior to posting the Motor Sweeper Operator job opportunity, staff provided Subject
Matter Experts with the opportunity to review the draft job opportunity bulletin and

1 tentative examination timeline for the administration of this examination. Staff
2 made no changes to the job opportunity bulletin; therefore, all requirements to file
3 remained the same from the 2013 administration of the Motor Sweeper Operator
4 examination.

- 5 • The draft job opportunity bulletin for Motor Sweeper Operator was also provided to
6 the International Association of Machinists (IAM) and Human Resources
7 Department for their review.
- 8 • In their letter Messrs. Calderon, Gutierrez, and Gwinn indicate that information was
9 mistakenly posted online showing Motor Sweeper Operator information from the
10 2004 administration; the information they reference is from the Civil Service
11 Department "Job Descriptions" section which states the following: "The job
12 descriptions listed on this page may reflect the last job posting during that specified
13 recruitment period."
- 14 • The information in the "Job Descriptions" section is provided as a courtesy to
15 candidates to illustrate what previous requirements to file might have been;
16 however, there is no explicit guarantee that the requirements to file will not change
17 during the new administration of an examination. Prior to each examination
18 administration, staff reviews examination components with department Subject
19 Matter Experts to determine if changes must be made to the requirements to file,
20 desirable qualifications, examination components and weights, and/or examples of
21 duties. Therefore, changes to various components of the examination process
22 may be made at the recommendation of user departments and under the direction
23 of the Civil Service Department; these changes are reflected in the draft job
24 opportunity bulletins provided to the bargaining units or union and Human
25 Resources Department for review and subsequently presented to Commission for
approval.

1 • Changes to the Motor Sweeper Operator job opportunity bulletin were made
2 incrementally to the driver's license requirement between the 2004, 2007 and 2013
3 administrations:

4 1) 2004 – Requirements to File: Proof of a valid Class C motor vehicle
5 operator's license is required at time of appointment. A valid Class A or B
6 motor vehicle operator's license is desirable and will be required within six
7 months of appointment.

8 2) 2007 – Requirements to File: Proof of a valid motor vehicle operator's
9 license, including a current DMV driving record, is required at time of
10 appointment and must be presented to the hiring department at the time of
11 the selection interview. A valid Class A or B motor vehicle operator's
12 license will be required within six months of appointment. Desirable
13 Qualifications: A valid Class A or B motor vehicle operator's license.

14 3) 2013 – Requirements to File: A current valid Class A or B motor vehicle
15 operator's license. (proof required)*.

16 4) 2015 – Requirements to File: A current valid Class A or B motor vehicle
17 operator's license (proof required)*.

18 Changes to the Motor Sweeper Operator bulletins' Requirements to File sections were
19 approved by Commissioners in 2007 and 2013; the recommended changes were
20 highlighted on bulletins at the time of approval to reflect significant changes. Staff has
21 verified that current incumbent in the Motor Sweeper Operator classification hired
22 since 2007 now possess a Class A or B license as outlined in the requirements to file
23 sections.

24 The Civil Service Department cannot make a determination regarding the accuracy of
25 Messrs. Calderon, Gutierrez, and Gwinn's assumption that the Public Works

1 Department would provide access to: 1) an outside firm; or 2) an authorized Public
2 Works to facilitate the process to obtain Class a or B licenses. However, staff can
3 ascertain that the requirements to file for the Motor Sweeper Operator job opportunity
4 bulletin are consistent with the 2013 administration, at which time no complaints or
5 concerns were filed with the Civil Service Commission.

6 Regarding the Messrs. Calderon, Gutierrez, and Gwinn's communication, they request
7 the Commission amend the bulletin to remove Class A or Class B licenses from the
8 requirements to file; based on previous administrations in which staff met with subject
9 matters experts from the Public Works Department, the use of a Class A or B license
10 should be a requirement to file as the City moves towards the transition of new
11 equipment for the purposes of Motor Sweeper Operator job functions. Therefore,
12 eliminating the requirement would be in opposition to the strategic and incremental
13 changes made to the Motor Sweeper Operator job opportunity bulletin since 2004.

14 Staff recommends denial of Messrs. Calderon, Gutierrez, and Gwinn's request
15 because based on information provided in their own communication, they do not meet
16 the minimum requirements to file for the Motor Sweeper Operator examination. As
17 outlined in Article II Sec 6(2), of the Civil Service Rules and Regulations, The
18 Commission may refuse to examine, or after an examination, may remove from any
19 eligible list, disqualify, and/or refuse to certify any person who: "does not meet the
20 minimum requirements to file as stated in applicable examination announcements".
21

22 Messrs Calderon, Gutierrez, and Gwinn's have been informed that this request is on
23 today's agenda and the possibility of their participation in the examination process will
24 be pending Commission's approval. The Public Works Department has also been
25 made aware of this request.