

# CIVIL SERVICE COMMISSION

## MINUTES

Thursday – April 25, 2013 – 5:30 p.m.

Reno City Hall – Room 709

One East First Street, Reno, Nevada

### MEMBERS

Jeannie Atkinson, Chair  
Bertha Mullins, Vice Chair  
Tray Abney  
Maureen Cole  
Milven Hooper  
Paul Lane  
Jenny Martinez  
Ric Bailey, Chief Examiner

#### 1. CALL TO ORDER/ROLL CALL

Chair Atkinson called the meeting to order at 5:34 p.m. A quorum was established.

**MEMBERS PRESENT:** Tray Abney, Jeannie Atkinson, Maureen Cole, Milven Hooper and Paul Lane.

**MEMBERS ABSENT:** Jenny Martinez.

**MEMBERS EXCUSED:** Bertha Mullins.

**ALSO PRESENT:** Ric Bailey – Chief Examiner; Brandon Cassinelli – RPD; Robert Larson – RPD; Jo Ann Malugani – Civil Service Technician; Tracy Chase – Chief Deputy City Attorney; Renée Ruņģis – Director of Human Resources and Fred Turnier – CD.

2. **PUBLIC COMMENT** – This item is for either public comment on any action item or for general public comment and is limited to no more than **three (3) minutes** for each commentator.

None.

#### 3. APPROVAL OF AGENDA (For Possible Action)

*It was moved by Commissioner Abney, seconded by Commissioner Cole, to approve the April 25, 2013 agenda as written. The motion carried: Chair Atkinson, Commissioners Abney, Cole, Hooper and Lane assenting; Commissioner Martinez absent and Vice Chair Mullins excused.*

#### 4. LIAISON REPORT

None.

5. **MINUTES** – *Approval of the March 28, 2013 regular meeting minutes. (For Possible Action)*

*It was moved by Commissioner Hooper, seconded by Commissioner Lane, to approve the March 28, 2013 minutes as submitted. The motion carried: Chair Atkinson, Commissioners Abney, Hooper and Lane assenting; Commissioner Cole abstaining; Commissioner Martinez absent and Vice Chair Mullins excused.*

## **6. CONSENT AGENDA**

Chair Atkinson stated that it has been requested that Item 6.A. be considered separately.

- A. Request to approve revised minimum qualifications for Police Sergeant. (For Possible Action)
- B. Request to approve leave of absence per Rule XIII Section 4. from Brandon Cassinelli. (For Possible Action)
- C. Request to be placed on the re-employment list for Tree Maintenance Worker from Robert Lawson. (For Possible Action)
- D. Request to be placed on the re-employment list for Irrigation Systems Technician (12 month position) from Daniel Ledwig. (For Possible Action)
- E. Request to be placed on the re-employment list for Information Systems Tech II from Lynn Smith. (For Possible Action)
- F. Request to be placed on the re-employment list for Public Arts Specialist from Stacey Spain. (For Possible Action)
- G. Request for one-year extension to be placed on the re-employment list for Recreation Program Coordinator from Rosalba Tibaduiza. (For Possible Action)
- H. Request to be placed on the re-employment list for Parks Maintenance Worker from Norman Tomlin. (For Possible Action)
- I. Request to be placed on the re-employment list for Parks Maintenance Worker from Trey Watts. (For Possible Action)

***It was moved by Commissioner Hooper, seconded by Commissioner Abney, to approve Consent Agenda Items B, C, D, E, F, G, H and I as submitted. The motion carried: Chair Atkinson, Commissioners Abney, Cole, Hooper and Lane assenting; Commissioner Martinez absent and Vice Chair Mullins excused.***

Item 6.A. Request to approve revised minimum qualifications for Police Sergeant (For Possible Action)

Commissioner Hooper stated he sees where the education/training requirements are graduation from high school or GED. He asked Lieutenant Larson if there was a reason why Associates Arts Degree and BA are not included. In other words, additional education would be acceptable (not required). Commissioner Hooper asked that the department consider that.

Lieutenant Larson: Part of my job is Internal Affairs and Training. One of the things I want to set up (being the Lieutenant in Training) is an educational path for Officers to become Sergeants – maybe not as qualifications, but a roadway. We don't have that in place now and that is one of my goals.

Commissioner Hooper: If you include it without being a qualification, just as an extra, a potential Officer coming in or applying for the job would see that a high school diploma or GED is required, but it is desired to have an AA or BA degree.

Commissioner Hooper had some comments/questions regarding the experience requirements.

Chief Examiner Bailey clarified that the five years experience will begin after the probationary period. We have to calculate seniority points and in that check we make sure that the Officer has the five years post confirmation.

Commissioner Hooper: It appears that previously that experience from other departments (agencies) was considered and that seems to have been eliminated in the new qualifications. Is there a particular reason for that?

Lieutenant Larson: We were getting people testing that were not ready. I can speak from personal experience. I was one of those that tested as soon as I was able to, bringing experience over from another agency. Every agency does things differently. To really get to know what our agency does and then to supervise people – not having that experience is a detriment to everybody. We thought that we would have much better leaders if we put something like this in place. So for me it worked out. I didn't make it the first time. Two years down the road I was much better off.

Commissioner Hooper: So you feel that internally a person within the department that has been hired would likely be successful if they gained five to six years experience within this department.

Lieutenant Larson: Absolutely, and it gives us a chance as Command Staff to get a better evaluation of that person and to help them down that road to success.

Commissioner Abney: My main question what was why the change from three to five (years).

Lieutenant Larson: I came from a jail setting. Only having one year probation and one year being on the department before testing, I didn't have that knowledge. To only be on the streets that year and half and then to be a leader that quickly, it didn't work for me.

Commissioner Hooper: I would like to see this come back to us with the consideration on the education end of it. I certainly can see passing this tonight if there is a time constraint.

Lieutenant Larson: There is a time constraint. We went completely through our last list. We are currently one slot down and we have no list to draw from so there is a little sense of urgency.

Commissioner Cole: If we added "a minimum" of graduation from high school or GED that would indicate that would be the floor, but anything above that would be acceptable.

Commissioner Hooper: I would like to still see that on there.

Lieutenant Larson: Just for clarification – you would like to see a minimum requirement of high school graduation or GED and an AA or BA preferable, but not necessarily a requirement of the position.

Chief Examiner Bailey: When we talk about college degree work, it usually comes with a clarification of major to indicate the job relatedness. One thought is (if the Chief and the Commission are okay with it) perhaps we could use a bonus point option up to two points for that advanced education. We don't interfere with the MQ's, but we do send a message that if you have

obtained these levels of education then we will add those education bonus points to a passing grade. We have already done that previously with Police Lieutenant. It was a one-time only thing.

Commissioner Hooper: Those are good ideas, but I am going to go forward for a vote. I would just ask that all the things that were discussed tonight be considered by the Chief and the Chief Examiner. The whole goal is to improve the department and to have people out there on the street have as many tools as possible to protect themselves and the citizens of the City of Reno.

Chair Atkinson: One of the concerns that I have when you change the MQ's is that we do it far enough in advance that current incumbents who desire to compete get notice so they can actually put the time in and acquire whatever skill set, accreditation or degree they need. What I would like is to have the department look at a degree requirement to determine whether or not it is a good MQ for the Sergeant level. If so, bring it back after the current recruitment so that it is in place for the next round which is two years out.

Chief Examiner Bailey: If we did put the bonus points in now, your point is well taken, because the candidates would say they didn't know.

Commissioner Lane: I was reading this as a minimum requirement (threshold) floor. Obviously, I think the corporate or City culture – the motivation to always have that improvement added we should encourage that at all times. I am also of the opinion that education and experience will play out when it comes to the testing and interviews. To have the point recognized later on and perhaps make a two year AA degree as part of a future requirement for Sergeant makes a lot of sense to me.

***It was moved by Commissioner Hooper, seconded by Commissioner Lane, to approve Consent Agenda Item A as submitted. The motion carried: Chair Atkinson, Commissioners Abney, Cole, Hooper and Lane assenting; Commissioner Martinez absent and Vice Chair Mullins excused.***

Chair Atkinson stated that we can schedule this for three months out to look at amending the MQ's for future recruitments.

Chief Deputy City Attorney Tracy Chase stated that would appropriately go under Item 8. Identification of Future Agenda Items.

## **7. REGULAR AGENDA**

***7-A. Report from Renée Ruņģis, Director of Human Resources, per Rule VII, Section 12. (e) roster of temporary employees and non-civil service part-time employees.***

Renée Ruņģis, Director of Human Resources, stated she is fully aware that this report is due at the end of each quarter, but with their workload and reduced staffing they have not been able to get it together. Hopefully, after they implement the ADP payroll and benefits, which is supposed to go live in July, they can get back on track.

Renée Ruņģis: The reports address the Commission's concern about the filling of temporary and part-time positions and what departments they are in. Some of the hours and timing that some of

these people started, you'll note that many of them have been working for the City off and on for several years. They don't necessarily work the same number of hours each quarter. Some of them come and go. They are not to be filling or performing tasks that would normally be filled/performed by a full-time employee or a regular employee of the City. That is the distinction.

Commissioner Abney: Is the start date for the specific employee or the job?

Renée Ruņģis: Right, this specific person.

Commissioner Abney: So you have had people that have been Interns for decades it looks like.

Renée Ruņģis: Correct, and the title Public Service Intern is generic for positions that we have in different departments. It is a title that the City has been using for many years. Perhaps we may want to look at changing it because it's not necessarily an Intern in the true sense of the word.

Chair Atkinson: I want to back up a couple of steps because it might be important for our two new members. Basically, there is a difference between part time and temporary. You can be a regular employee who performs work in an ongoing fashion on a part time basis. You can also be a temporary employee who performs work on an intermittent basis. Part time is a descriptive that applies to both temporary and regular appointments.

It is important for us to consider what the Charter says today that any individual who works less than 18 hours per week is not a civil service employee. The City has full freedom to hire someone who works 18 hours or less and to work them in that kind of a schedule forever. It is outside of our scope; however, when the position begins to work more than 18 hours a week (234 hours a quarter) it falls into Civil Service capacity. The next decision you have to make is it a regular position, has it gone through a competitive process and is it just working on a part time basis in which case that's not an issue. All of these individuals that are listed have not gone through a competitive process. So when I looked at this, I looked at it from a perspective of do any of these individuals listed exceed 234 hours per quarter which is the 18 hour cutoff. The minute they exceed 234 hours per quarter, then I have to look and see is their appointment longer than six months. If it is longer than six months, then it is in violation of our rules and something needs to happen. That person needs to come off of payroll and things need to get corrected at the operations level. The one exception to that is the Commission in 2000 (approximately) made a distinction for Parks & Recreation (PRCS) because the PRCS department has a number of different seasonal style programs (golf, swimming, youth programs, that kind of thing) where they hire students out of the schools and bring them in and they work with students, in part to the extent that they can, while the program is up and running. We made a decision that we would allow 1056 hours in any fiscal year. That would be a PRCS seasonal hire and would not need to go through a competitive process.

Renée Ruņģis: It's 1039 or 1560. There are approximately thirty-eight 1560 employees. They are listed on here.

Chair Atkinson: Let's take PRCS and set it aside. When you look at any other department you are looking at is the individual working more than 234 hours in a quarter and if so, have they exceeded a six month window. In which case then the department is operating outside what the rules permit and correction needs to happen.

Chief Deputy City Attorney Tracy Chase: I just want to point out (I don't know if it is on the list or not.) there is an exemption for persons whose position half or more of the money is provided by another source. Like grant funded positions. I don't know whether grant funded positions are on this list.

Chair Atkinson: They could be so I'll add that for clarification. So the Charter says 18 hours or less – not civil service. The Charter also says if they are funded 50% or more (grant funding), they are not civil service. Typically you are not going to find a grant funded position in the temporary list. When I look at the list I'm looking at are they exceeding 234 hours a quarter and have they been on the payroll more than six months.

Chair Atkinson pointed out some of the employees on the report that exceeded 234 hours in a quarter and whose start day was greater than six months.

Renée Ruņģis, Director of Human Resources, pointed out that some of these individuals were retirees and are back as temporaries. The report may show their original start date.

Chair Atkinson: To work with this we really need the temporary start date. In the first quarter Laurel Pedrick exceeded the 234 hours. Basically, if you want to keep her on you have to keep her under 234 hours and then it falls into that 18 hour exception and then you have the freedom to keep her as on call employee as long as you want. Once you go over 234 then you get into violation of the competitive standards that the Charter requires and that we enforce.

Fred Turnier: I am here to listen and learn.

Chair Atkinson reviewed other individuals on the report.

Chair Atkinson: I am going to go to Police. Lindze Ashworth shows a start date of July 2012. She is over six months. During that time in the second quarter she exceeded 18 hours. She is at 236 so if you want to keep her as a temporary employee she has to stay under 234 hours or she has to come off payroll and come into the competitive process. Or, you can hire her as a temporary for six months (regardless of hours) and make sure she goes out at end of six months.

The next one is Kimberly Coleman who is also in Police. She has an 8/02 (start date) so I am presuming that may be one of those prior employees. In the last two quarters of the three quarters listed she grossly exceeds the 234 so you have an illegal appointment.

Lieutenant Larson: She used to be a Police Officer.

Chair Atkinson: At this point in time she is shown as a temporary and I don't know when she may have started.

Chief Examiner Bailey: She has been a temp, I believe, before this particular record.

Chair Atkinson: Okay, this record shows nine months so I am assuming that she is exceeding the six months. She also exceeds the 18 hours per week so from my perspective I think it is an illegal appointment.

There was discussion on the 1560 PRCS employees. There was a question regarding what program Norah Lloyd was in and if it was seasonal.

Chair Atkinson stated that she is trying to flag the things that appear at least on face to violate the rules and create illegal appointments. What I am looking for is to have someone actually go through these and come back and say we looked at that (this is the program he/she is in – he/she is under 1560 appointment) and give this Commission an opportunity to say “yes” this is consistent with what our rules allow. Or if not, there has been some kind of corrective action taken so that we are both walking kind of on the same understanding about temporary appointments.

Chair Atkinson reviewed other individuals as well.

Chair Atkinson: Renée, could we ask you to look into that and bring information back to the Commission so that we can either correct where there may be illegal appointments or modify our understanding of what the use is.

Chief Examiner Bailey will be meeting with Fred Turnier tomorrow regarding temps and he asked Mr. Turnier if some of his questions were being clarified tonight.

Fred Turnier: I think so, but it sounds like clarification for the entire program is occurring right now. I imagine what comes out of this tonight will be the basis on how we move forward.

Commissioner Atkinson asked Renée if she could bring it back in June.

Renée stated she will have to get more information from the departments and maybe she will have department representatives attend because they would be more familiar with what duties these employees perform.

Chair Atkinson: That would be helpful because my concern is to ensure that when we have temporary appointments that they not exceed the six months in that twelve month window or not exceed the 1560 hours that are allotted (I realize there is a subset to that 1560.) so that those appointments don't violate the concept of competitive appointment. Basically that the City is operating in accordance with the Charter and our rules and that we are overseeing it in a fashion consistent with the Charter and our rules.

Commissioner Cole stated that she would be interested in seeing the 4<sup>th</sup> quarter if we could get that information – obviously after June.

Chair Atkinson: If we do 4<sup>th</sup> quarter, we delay until July and that is fine with me.

Renée Ruņģis, Director of Human Resources: The only caveat is because of timing and getting in the agenda packet for the deadline, it is difficult sometimes for the departments to get the end of quarter information by the next month. In other words it might be August before we could get the end of the 4<sup>th</sup> quarter information.

Chair Atkinson stated we could do it in two pieces.

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***It was moved by Chair Atkinson, seconded by Commissioner Hooper, that the City of Reno go back, take a look at those individuals (temporary employees) whose work history exceeds 18 hours in a week and whose appointment status is greater than six months and come back to this Commission with a report as to whether or not that is an appointment that needs to be ended or whether there is other information that would place that appointment under a different category and doing that looking at the array of data that is before us in this report. In other words, I don't want them to go out and do a complete audit of the City. I just want to start working from this report, start checking off the ones that we need to look at and then deciding whether or not they are beyond their temporary period and need to be eliminated or there's other explanation or different status. The motion carried: Chair Atkinson, Commissioners Abney, Cole, Hooper and Lane assenting; Commissioner Martinez absent and Vice Chair Mullins excused.***

## **8. IDENTIFICATION OF FUTURE AGENDA ITEMS**

1. June meeting: Renee bring back review of temporary appointments.
2. July meeting: Performance review for Chief Examiner Bailey.
3. August meeting: Bring back Police Sergeant MQ's including education requirement.
4. August meeting: Renee – temporary report including the 4<sup>th</sup> quarter.

## **9. SET NEXT MEETING DATE (For Possible Action)**

The next regular meeting of the Civil Service Commission is Thursday, May 23, 2013 at 5:30 p.m.

**10. PUBLIC COMMENT** – This is for general public comment limited to items that do not appear on the agenda and is limited to no more than **three (3) minutes** for each commentator. Pursuant to NRS 241.020, no action may be taken upon a matter raised under this item until the matter has been specifically included on an agenda.

None.

## **11. ADJOURNMENT (For Possible Action)**

Chair Atkinson adjourned the meeting at 6:23 p.m.

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Jeannie Atkinson, Chair

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Date