



COUNTY OF EL PASO

CIVIL SERVICE COMMISSION
500 E. SAN ANTONIO, RM. 302
EL PASO, TEXAS 79901
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Chairman
Rafael Adame

Commissioners
Dr. Paula Mitchell
Susanna Visconti

MINUTES OF JULY 1, 2008

COMMISSIONERS PRESENT: RALPH ADAME, CHAIRMAN
SUSANNA VISCONTI, COMMISSIONER
PAULA MITCHELL, COMMISSIONER

OTHERS PRESENT: BETSY C. KELLER, H.R. DIRECTOR
LIZA REYES, ASSISTANT H.R. DIRECTOR
ESTELA SALGADO, HUMAN RESOURCES
GABRIEL HERRERA, HUMAN RESOURCES
HOLLY LYTLE, COUNTY ATTORNEY'S OFFICE

The El Paso County Civil Service Commission met in Commissioners Court Room and was called to order at 3:00 p.m. by Ralph Adame, Chairman.

CONSENT AGENDA

MOTION #1

ITEM #1 APPROVED CONSENT AGENDA ITEMS.

It was moved by Chairman Adame, and seconded by Commissioner Visconti, to approve the following Consent Agenda item:

1. Approval of Minutes of the regularly scheduled meeting of June 3, 2008.
2. Approval on the requests from an employee listed in the back up to be a recipient of donated vacation leave.

(a) Isabel Rivas, Law Library Assistant, County Law Library

REGULAR AGENDA

MOTION #2 APPROVED.

ITEM #3

Discuss and take appropriate action to amend Rule 2.00 (i) as follows: (Betsy C. Keller, Human Resources Director)

2.00

Not Covered Employees: The following employees are excluded from the provisions of the civil service system:

(i) ~~All Court Coordinators (Texas Government Code 74.101)~~ ***All District Court, Statutory County Court at Law, and Statutory Probate Court Coordinators (Texas Government Code §74.101)***

ACTION: It was moved by Commissioner Visconti and seconded by Chairman Adame to amend Rule 2.00 of the El Paso County Civil Service Rules and Regulations book as submitted by Betsy C. Keller, Human Resources Director, to read as follows:

(i) ~~All Court Coordinators (Texas Government Code 74.101)~~ ***All District Court, Statutory County Court at Law, and Statutory Probate Court Coordinators (Texas Government Code §74.101)***

VOTE: YES - Adame, Visconti, Mitchell

NO - None

MOTION CARRIED.

MOTION #3 AMEND RULES 2.58 AND 2.59.

ITEM #4

Discuss and take appropriate action on the Flexible Scheduling policy for the County of El Paso. (Betsy C. Keller, Human Resources Director)

ACTION: It was moved by Commissioner Mitchell and seconded by Commissioner Visconti to amend WORK HOURS SCHEDULING section: Rules 2.58 and 2.59 of the El Paso County Civil Service Rules and Regulations book pertaining to the "Flex Scheduling Policy" as recommended by Betsy C. Keller, Human Resources Director and reviewed by Holly Lytle, County Attorney's office, to read as follows:

WORKING HOURS SCHEDULING

2.58

Office hours for employees of El Paso County shall generally be based on an eight hour work day, Monday through Friday, to be determined by the Elected Official/Department Head who shall also determine the time allocation for lunch periods. However, a department director may establish flexible work schedules.

Flexible Schedules/Flex Time. This Policy establishes a flexible work schedule and flexible working hours program including a compressed workweek for County employees.

A. County offices must be sufficiently staffed at all times during regular office hours.

B. Flexible schedules must comply with basic public sector public accountability rules that require employees to be paid only for time worked or accrued leave taken.

C. The use of a flexible schedule and/or flexing working hours must be approved in advance by the respective department head or elected official.

D. Like the normal work schedule, all work performed before or after regular office hours must be productive and beneficial to the mission of the department.

E. Flexible, compressed, or modified work schedules may be approved by department heads, if:

(1) The work schedule is established in writing;

(2) The work schedule does not result in the accrual of comp (compensatory) time or overtime by the participating employee; and

(3) The proposed work schedule is approved by the HR Director.

F. A compressed workweek is a full-time weekly work schedule completed in less than five days. An example is working 4 ten hour days.

G. A modified work schedule shifts daily work hours from the traditional 8 a.m. to 5 p.m. day. Examples include working 7 a.m. to 4:30 p.m. and 9 a.m. -6 p.m.

H. In order to maintain budget, an employee will not be permitted to work a compressed workweek during any week that contains a County observed holiday.

I. Scheduling of work is a management right. Flexible schedules are subject at all times to revocation or alteration by the department head or elected official to meet staffing needs, to achieve performance initiatives, or failure by the participating employee to work the necessary hours for flexing.

J. Any leave time taken will be based on the hours the employee was scheduled to work. For example, an employee working 4 ten-hour work days takes a day off for vacation. They would utilize ten hours of accrued vacation leave.

2.59

The work day will generally include two breaks not to exceed fifteen (15) minutes each; one during the first part of the work day, the second one in the second half of the work day. Break periods are not mandatory and may not be accrued. The lunch period is time in addition to the scheduled work day.

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VOTE: YES - Adame, Visconti, Mitchell

NO - None

MOTION CARRIED.

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MOTION #4 POSTPONED-TRAINING POLICY.

ITEM #5

Discuss and take appropriate action on the Training policy for the County of El Paso. (Betsy C. Keller, Human Resources Director)

ACTION: It was moved by Commissioner Mitchell and seconded by Commissioner Visconti to postpone the Training Policy until August 5, 2008, so that the Human Resources Department, and County Attorney's office may consider additional changes. Once the item is approved, it would be considered as a creation of a new rule under the Civil Service Rules and Regulations book.

VOTE: YES - Adame, Visconti, Mitchell

NO - None

MOTION CARRIED

GRIEVANCES

EXECUTIVE SESSION:

On this day, it was announced that the Civil Service Commission would enter into Executive Session to discuss grievance Item #9 pursuant to Texas Government code 551.071 and 551.074 at 3:50 p.m. Furthermore, it was requested that Item #10 pertaining to Victoria Hernandez, County Tax Office, be discussed in open session as requested by Mr. Bill Arballo, grievant's representative.

MEETING RECONVENED

On this day the Civil Service Commission reconvened into regular open session following closed session at 3:55 p.m.

MEETING RECONVENED

On this day the Civil Service Commission reconvened into closed session to deliberate at 6:20 p.m.

MEETING RECONVENED

On this day the Civil Service Commission reconvened into regular open session following closed session at 6:32 p.m.

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MOTION #6 POSTPONED.

ITEM #9

Take appropriate action a grievance filed/dated 05/09/08 and 04/25/08 regarding Leticia Napoles, Administrative Assistant, Intermediate, Justice Peace #5, pertaining to **Termination, Retaliation, Rules 7.09 (A-E), 7.14, 7.17, 2.31, Appendix F: Discrimination-Sexual Harassment Policy- A.1-6 (B) (C: 1-4) D.3 & 5.; Appealing disciplinary report of 04/07/08; and three (3) days suspension.** (Monica Teran, Judge, Justice Peace #5 – Kitty Schild, Sr. Trial Attorney) **(Postponed from June 3, 2008)**

ACTION: It was moved by Commissioner Visconti and seconded by Commissioner Mitchell, to postpone a grievance filed/dated 05/09/08 and 04/25/08 regarding Leticia Napoles, Administrative Assistant, Intermediate, Justice Peace #5, pertaining to **Termination, Retaliation, Rules 7.09 (A-E), 7.14, 7.17, 2.31, Appendix F: Discrimination-Sexual Harassment Policy- A.1-6 (B) (C: 1-4) D.3 & 5.; Appealing disciplinary report of 04/07/08; and three (3) days suspension,** as requested by the grievant. The grievance will be heard on September 2, 2008 at 3:00 p.m.

VOTE: YES - Adame, Visconti, Mitchell

NO - None

MOTION CARRIED.

MOTION #7 DENIED.

ITEM #10

Take appropriate action a grievance filed/dated April 15, 2008 regarding Victoria Hernandez, Vehicle Title Clerk, Intermediate, County Tax office, pertaining to a **one (1) DAY SUSPENSION & RULE 7.09 (C) & (D).** (Victor Flores, County Tax Assessor Collector – Kitty Schild, Sr. Trial Attorney – Bill Arballo, AFSCME Representative) **(Postponed from June 3, 2008)**

ACTION: It was moved by Commissioner Visconti and seconded by Commissioner Mitchell that the grievance filed/dated April 15, 2008 regarding Victoria Hernandez, Vehicle Title Clerk, County Tax Office, pertaining to **One (1) day suspension & Rule 7.09 (C) & (D)** be denied.

VOTE: YES - Adame, Visconti, Mitchell

NO - None

MOTION CARRIED.

MOTION #5 POSTPONED.
ITEM #11

Take appropriate action on a grievance filed/dated October 10, 2007 regarding Jennifer Candelas, Collections Specialist, County Clerk's office, pertaining to **Rule 7.21, 2.31. 2.20 & Discrimination** (Delia Briones, County Clerk - Kitty Schild, Assistant County Attorney – Yvette Riddick, Representative) (Postponed from March 4, 2008)

ACTION: It was moved by Commissioner Mitchell and seconded by Commissioner Visconti to postpone a grievance filed/dated October 10, 2007 regarding Jennifer Candelas, Collections Specialist, County Clerk's office, pertaining to Rule 7.21, 2.31. 2.20 & Discrimination. The grievance was postponed by the commission, due to time constraints and will be scheduled for August 5, 2008 at 3:00 p.m.

VOTE: YES - Adame, Visconti, Mitchell

NO - None

MOTION CARRIED.

MEETING ADJOURNED

On this day, there being no further business to discuss, Chairman Adame moved to adjourn the meeting, seconded by Commissioner Visconti at 6:35 p.m.



RAFAEL ADAME, CHAIRMAN

ESTELA SALGADO, RECORDING SECRETARY

VOTE: YES - Adame, Visconti, Mitchell

NO - None

MOTION CARRIED.

cc: Honorable Judge Anthony Cobos