



# COUNTY OF EL PASO

CIVIL SERVICE COMMISSION  
500 E. SAN ANTONIO, RM. 302  
EL PASO, TEXAS 79901  
(915) 546-2218

FAX (915) 546-8126

## MINUTES OF OCTOBER 07, 2008

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

OTHERS PRESENT: BETSY C. KELLER, HUMAN RESOURCES DIRECTOR  
ESTELA SALGADO, HUMAN RESOURCES  
HOLLY LYTLE, COUNTY ATTORNEY'S OFFICE  
CRISTINA SANCHEZ, COUNTY ATTORNEY'S OFFICE

ABSENT: LIZA REYES, H.R. ASSISTANT DIRECTOR

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The El Paso County Civil Service Commission met in Commissioners Court Room and was called to order at 3:05 p.m. by Ralph Adame, Chairman.

### CONSENT AGENDA

#### MOTION #1

#### ITEM #1 APPROVED CONSENT AGENDA ITEMS.

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

Approval of Minutes of the regularly scheduled meeting of September 2, 2008.

VOTE: YES-Adame, Mitchell, Visconti

NO: None

MOTION CARRIED.

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CIVIL SERVICE MINUTES  
OCTOBER 7, 2008  
ITEM #2  
**MOTION 2**

Discuss and take appropriate action on the requests from employees listed in the back-up to be recipients of donated vacation leave.

**ACTION:** It was moved by Commissioner Mitchell and seconded by Commissioner Visconti, to approve the requests from employees listed in the back-up to be recipients of donated vacation leave.

VOTE: YES - Adame, Mitchell, Visconti

NO: None

MOTION CARRIED.

**REGULAR AGENDA**

ITEM #3  
**MOTION #3**

Review and approve the proposed change to the Civil Service Rules and Regulations concerning Section 2.02 Definitions of Employees, Paragraph B Temporary Employees. (Betsy C. Keller, Human Resources Director)

**ACTION:** It was moved by Commissioner Mitchell and seconded by Commissioner Visconti to approve the proposed change to the Civil Service Rules and Regulations concerning Section 2.02 "Definitions of Employees", Paragraph B, Temporary Employees to read as follows:

**2.02**

**Definitions of Employees:** The following definitions of employees are for payroll as well as for Civil Service purposes:

a) Regular Employee: An individual hired by the County on a continuing basis.

b) Temporary Employee:

1. Seasonal employees, working less than 1200 hours per year for peak periods of time (e.g. lifeguards).
2. On call employees who are called in on a sporadic, unplanned basis to fill in for short term needs (e.g. visiting judges).
3. An individual hired by the County to perform a job for a limited period of time, not to exceed six (6) months (e.g. temporary staffing while an employee is out on FMLA or work comp. leave,.....)

**Deleted:** Continuation of employment of a temporary employee for more than six (6) months is prohibited, except when required by a specific grant, or unless specifically authorized by the El Paso County Commissioners Court on a case by case basis.

Temporary employees are not eligible for paid leave (e.g., vacation, sick leave), insurance or retirement benefits, unless specifically approved by the El Paso County Commissioners Court on a case by case basis.

- c) Full-time Employees: An employee who has a regularly assigned work schedule of thirty (30) hours per week or more, not including authorized leave with pay.
- d) Part-time Employee: An employee who has a regularly assigned work schedule of less than thirty (30) hours per week.
- e) Exempt Employees: Exempt employees are defined by the provisions of the Federal Fair Labor Standards Act (FLSA) and are compensated on a salary basis. Exempt employees have no legal right to receive overtime pay or compensatory time.
- f) Non-exempt Employees: Non-exempt employees are defined by the provisions of the FLSA and are compensated on an hourly basis. Non-exempt employees may not work in excess of 40 hours per week without compensation at time and one-half according to county overtime policy.

VOTE: YES-Adame, Mitchell, Visconti

NO: None

MOTION CARRIED.

**GRIEVANCE**

**EXECUTIVE SESSION:**

Estela Salgado left the courtroom at 4:50 p.m.

On this day, it was announced that the Civil Service Commission would remain in open session to discuss a grievance pertaining to Noel Pando, Heavy Equipment Operator, Road & Bridge, pursuant to Texas Government Code 551.071 and 551.074 at 3:14 p.m. at the request of Mr. Bill Arballo, AFSCME representative.

On this day, it was announced that the Civil Service Commission would recess at 4:55 p.m. and reconvened at 5:01 p.m. in Open Session.

On this day, it was announced that the Civil Service Commission would be in executive session at 7:45 p.m.

The Civil Service Commission entered into Open Session at 7:50 p.m.

**MOTION #4 DENY GRIEVANCE.**

**ITEM #4**

Take appropriate action on grievances filed/dated July 1, 2008 and August 13, 2008 regarding Noel Pando, Heavy Equipment Operator, Road & Bridges pertaining to Rules 1.00, 6.07, 7.09, ( A-B) 2.51, 6.04, & Termination. (Robert Rivera, Public Works Director, Road & Bridge Department – Manuel Romero, Sr. Trial Attorney – Bill Arballo, AFSCME representative.

**ACTION:** It was moved by Commissioner Visconti and seconded by Commissioner Mitchell to uphold the termination and deny the grievance filed/dated July 1, 2008 and August 13, 2008 regarding Noel Pando, Heavy Equipment Operator, Road & Bridges pertaining to Rules 1.00, 6.07, 7.09, ( A-B) 2.51, 6.04, & Termination.

VOTE: YES-Adame, Mitchell, Visconti

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 Mitchell at 7:57 p.m.

VOTE: YES – Adame, Visconti, Mitchell

NO: None

MOTION CARRIED.



RAFAEL ADAME, CHAIRMAN



ESTELA SALGADO/GABRIEL HERRERA, RECORDING SECRETARY

cc: Anthony Cobos, County Judge