



## COUNTY OF EL PASO

CIVIL SERVICE COMMISSION  
500 E. SAN ANTONIO, RM. 302  
EL PASO, TEXAS 79901  
(915) 546-2218  
FAX (915) 546-8126

*Chairperson*  
*Paula Mitchell*

*Commissioners*  
*Trini Munoz*  
*Susanna Visconti*

### MINUTES OF JUNE 2, 2009

COMMISSIONERS PRESENT:  PAULA MITCHELL, CHAIRPERSON  
SUSANNA VISCONTI, COMMISSIONER  
TRINI MUNOZ, COMMISSIONER

OTHERS PRESENT: LIZA REYES, HUMAN RESOURCES  
ESTELA SALGADO, HUMAN RESOURCES  
CHRISTINA SANCHEZ, COUNTY ATTORNEY'S OFFICE  
ART PROVENGHI, COUNTY ATTORNEY'S OFFICE

ABSENT: BETSY KELLER, HUMAN RESOURCE DIRECTOR

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The El Paso County Civil Service Commission met in Commissioners Court Room and was called to order at 3:00 p.m. by Estela Salgado, Employment/CS Specialist.

**DUE TO TECHNICAL DIFFICULTIES, ITEMS #1, #2, #3 AND  
PART OF #4 WAS NOT RECORDED.**

### CONSENT AGENDA

ITEM #1  
MOTION #1 POSTPONED.

Discuss and take appropriate action to approve the minutes for the regularly scheduled meeting of April 7, 2009 and May 5, 2009. (Betsy C. Keller, Human Resources Director).

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**ACTION:** It was moved by Susanna Visconti, Commissioner and seconded by Trini Munoz, Commissioner, to approve the minutes for the regularly scheduled meetings of April 7, 2009 and May 5, 2009.

VOTE: YES - Visconti, Mitchell, Munoz

ABSENT: None

MOTION CARRIED.

**ITEM #2**

**MOTION #1 APPROVED.**

Discuss and take appropriate action on the requests from employees listed in the back-up to be recipients of donated vacation leave. (Betsy C. Keller, Human Resources Director).

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

VOTE: YES - Visconti, Mitchell, Munoz

ABSENT: None

MOTION CARRIED.

**REGULAR AGENDA**

**ITEM #3**

**MOTION #2 APPROVED.**

Discuss and take appropriate action on motion for back pay and loss of wages for Rosaura Loera, from Civil Service Commission ruling dated May 5, 2009. (Rosaura Loera, District Clerk's Office – Don Minton, Attorney at Law, - Janet I. Monteros, Sr. Trial Attorney).

**ACTION:** It was moved by Susanna Visconti, Commissioner, and seconded by Trini Munoz, Commissioner, to recommend back pay and all benefits including the full value of her wages, insurance sick leave, seniority, vacation, and *retirement from the date of termination until the date Ms. Rosaura Loera is re-instated by the County.*

Ralph Girvin, Unit/Division Chief, was representing the department due to the fact that Janet I. Monteros, Sr. Trial Attorney, was not able to attend the meeting. Christina Sanchez, County Attorney's Office, recused herself as the legal advisor for this item; Art Provenghi provided legal advice to the Civil Service Commission.

VOTE: YES - Visconti, Mitchell, Munoz

ABSENT: None

MOTION CARRIED.

ITEM #4

**MOTION #3 DENIED.**

Discuss and take appropriate action on request of Jennifer Candelas regarding payment of back pay from Civil Service Commission ruling dated August 5, 2008 (Jennifer Candelas, County Clerk's Office – Yvette Riddick, Representative, - Janet I. Monteros, Sr. Trial Attorney)

**ACTION: FIRST MOTION:**

It was moved by Commissioner Trini Munoz to postpone for one month the item pertaining to Jennifer Candelas regarding payment of back pay from Civil Service Commission ruling dated August 5, 2008.

VOTE: YES - Munoz

NO: Mitchell, Visconti

MOTION FAILS FOR A LACK OF A SECOND.

The Commission announced that the item would be tabled for a later time during the Civil Service meeting in order for Ms. Candelas to contact her representative.

**SECOND MOTION:**

It was moved by Commissioner Susanna Visconti and seconded by Paula Mitchell, Chairperson, to deny the request on Jennifer Candelas regarding payment of back pay from Civil Service Commission ruling dated August 5, 2008, due to the fact that the board had no jurisdiction.

Ralph Girvin, Unit/Division Chief, was representing the department due to the fact that Janet I. Monteros, Sr. Trial Attorney, was not able to attend the meeting.

VOTE: YES - Visconti, Mitchell

No: Munoz

MOTION CARRIED.

GRIEVANCE

On this day, the recording secretary announced that the Civil Service Commission would recess into executive session to discuss the following items pursuant to Texas Government Code § 551.074 at 3:30 p.m. The Court would reconvene to take official action.

On this day, the Civil Service Commission discussed Item #8 in open session due to postponement of the grievance.

On this day, the Civil Service Commission recessed at 6:05 p.m. On this day the Civil Service Commission went back into Executive Session at 6:12 p.m.

On this day, it was announced that the Civil Service Commission would be closed for deliberation at 6:28 p.m.

The Civil Service Commission entered into Open Session at 6:45 p.m.

**ITEM #7**

**MOTION #5 UPHOLD GRIEVANCE AND TERMINATION DENIED.**

Take appropriate action on a grievance filed/dated March 2, 2009 regarding Alfonso Frias, Deputy Constable, Constable Pct. #4 pertaining to Termination, written warnings of 02/23/09, 02/25/09, and Rules 6.01, 6.02, 6.08, 6.10, 2.51, 2.53, 7.09, (a) & (d). (Luis Aguilar, Constable, Constable Pct. #4 – Javier Saucedo, Sr. Trial Attorney – Jim Jopling, Attorney at Law)

**ACTION:** It was moved by Susanna Visconti, Commissioner and seconded by Trini Munoz, Commissioner, to uphold the grievance filed/dated March 2, 2009 regarding Alfonso Frias, Deputy Constable, Constable Pct. #4, pertaining to Termination – written warnings of 02/23/09, 02/25/09 & Rules 6.01, 6.02, 6.08, 6.10, 2.51, 2.53, 7.09 (a), & (d). Furthermore, the Commission ruled that Mr. Alfonso Frias be re-instated to the same position or a comparable position with back pay and benefits from the time of termination to his date of hire at his new position. This item will be put on Commissioners' Court agenda for final action.

VOTE: YES – Visconti, Mitchell Munoz

ABSENT: None

MOTION CARRIED.

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**ITEM #8**

**MOTION #5 GRIEVANCE POSTPONED.**

Take appropriate action on a grievance filed/dated April 10, 2009 regarding Vanessa Flores, Office Specialist, 065<sup>th</sup> District Court, pertaining to Termination, Harassment, Hostile Environment and Rules 2.51, 4.21, 5.01, and 7.05. (Yahara Gutierrez, 065<sup>th</sup> District Judge, Richard Aisna, Juvenile Court Referee, - Kitty Schild, Sr. Trial Attorney)

**ACTION:** It was moved by Susanna Visconti, Commissioner, and seconded by Paula Mitchell, Chairperson, to postpone a grievance filed/dated April 10, 2009 regarding Vanessa Flores, Office Specialist, 065<sup>th</sup> District Court, pertaining to Termination, Harassment, Hostile Environment and Rules 2.51, 4.21, 5.01, and 7.05. Ralph Girvin, Unit/Division Chief, was representing the department due to the fact that Kitty Schild, Sr. Trial Attorney, was not able to attend the meeting.

VOTE: YES – Visconti, Mitchell, Munoz

ABSENT: None

MOTION CARRIED.

**MEETING ADJOURNED**

On this day, there being no further business to discuss, Commissioner Trini Munoz moved to adjourn the meeting, seconded by Chairperson, Paula Mitchell at 6:50 p.m.

VOTE: YES – Visconti, Mitchell, Munoz

ABSENT: None

MOTION CARRIED.



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PAULA MITCHELL, CHAIRPERSON



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ESTELA SALGADO, RECORDING SECRETARY

cc: Anthony Cobos, County Judge