



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
Carol Garcia*

MINUTES OF FEBRUARY 2, 2010


COMMISSIONERS PRESENT: PAULA MITCHELL, CHAIRPERSON
CAROL GARCIA, COMMISSIONER
TRINI MUNOZ, COMMISSIONER

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

ABSENT: BETSY C. KELLER, HUMAN RESOURCES

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, HR Supervisor.

PUBLIC COMMENT

On this day, the following persons appeared before the Civil Service Commission to offer public comment.

Victor Ramirez, County employee, spoke regarding child care services to County employees as part of the county employee benefits.

Humberto Ornelas, County employee, spoke regarding County employees, receiving pay for ½ of unused sick leave at the time of separation from duty.

Keith Kilden, County employee, spoke regarding child care services for County employees as part of the county employee benefits.

CONSENT AGENDA

MOTION #1

ITEM #1 Discuss and take appropriate action on minutes of the Civil Service Commission regularly scheduled meeting of January 5, 2010. (Betsy C. Keller, Human Resources Director)

ACTION: It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to approve the minutes of the regularly scheduled meeting of January 5, 2010 as submitted by Betsy C. Keller, Human Resources Director.

VOTE: YES - Mitchell, Garcia, Muñoz

Absent – None

MOTION CARRIED.

MOTION #1

ITEM #2 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 Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to approve the requests from employees listed in the back up to be recipients of donated vacation leave as submitted by Betsy C. Keller, Human Resources Director.

VOTE: YES - Mitchell, Garcia, Muñoz

Absent – None

MOTION CARRIED.

REGULAR AGENDA

MOTION #2

ITEM #3 Discuss and take appropriate action on a newly created job description of **Human Resources Supervisor** for the HR Department. (Elsie West, Personnel Manager)

ACTION: It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to approve a newly created job description of Human Resources Supervisor for the HR Department as submitted by Elsie West, Personnel Manager.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

MOTION #3

ITEM #4 Discuss and take appropriate action on the newly created job description of **Infrastructure Project Coordinator** for the Road & Bridge Department. (Elsie West, Personnel Manager)

ACTION: It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to approve the newly created job description of Infrastructure Project Coordinator for the Road & Bridge Department as submitted by Elsie West, Personnel Manager.

VOTE: YES - Mitchell, Garcia, Muñoz

Absent – None

MOTION CARRIED.

MOTION #4

ITEM #5 Discuss and take appropriate action on the newly created job description of **Office Specialist, Intermediate, for multiple departments.** (Elsie West, Personnel Manager)

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ACTION: It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to approve the newly created job description of Office Specialist, Intermediate, for multiple departments as submitted by Elsie West, Personnel Manager.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

NO ACTION TAKEN.

ITEM #6 Discuss and take appropriate action on the adoption of a Civil Service Rule allowing covered employees to seek public office without having to resign their position. (Trini Muñoz, Commissioner)

No action was taken on the adoption of a Civil Service Rule allowing covered employees to seek public office without having to resign their position.

Christina Sanchez, County Attorney's Office recommended that the Commission submit input to the Human Resources Office, on drafting a rule as requested by Trini Muñoz, Commissioner.

NO ACTION TAKEN.

ITEM #7 Discuss and take appropriate action to adopt a Rule that hearings on ethics violations by covered employees, must first be heard by the Civil Service Commission. (Trini Muñoz, Commissioner)

ACTION: No action was taken on the adoption of a Rule that hearings on ethics violations by covered employees must, first be heard by the Civil Service Commission as requested by Trini Muñoz, Commissioner.

NO ACTION TAKEN.

ITEM #8 Discuss and take appropriate action to adopt a Rule that any rule approved by the Ethic Commission that affects covered employees, must first be approved by the Civil Service Commission. (Trini Muñoz, Commissioner)

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ACTION: No action was taken on the adoption of any Rule approved by the Ethic Commission that affects covered employees, must first be approved by the Civil Service Commission as requested by Trini Muñoz, Commissioner.

Paula Mitchell, Chairperson, stated that the El Paso County Ethics Commission informs the Civil Service Commission of any updates on actions and adoption of rules processed by the El Paso County Ethics Commission.

NO ACTION TAKEN.

ITEM #9 Discuss and take appropriate action to adopt a Civil Service Rule granting subpoena power to the Civil Service Commissioners. (Trini Muñoz, Commissioner)

ACTION: No action was taken to adopt a Civil Service Rule granting subpoena power to the Civil Service Commissioners as requested by Trini Muñoz, Commissioner.

MOTION #5

ITEM #10 Discuss and take appropriate action on providing Child Care Services to County employees as part of the county employee benefits. (Trini Muñoz, Commissioner)

ACTION: It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to instruct Commissioner Muñoz, to look for the best practices on providing child care services to County employees as part of the county employee benefits and to coordinate with the Human Resources Office on this matter. They will report back to the Commission on this issue.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

MOTION #6

ITEM #11 Discuss and take appropriate action on supporting a call from County employees for the County to pay ½ of unused sick leave at the time of separation from duty. (Trini Muñoz, Commissioner)

ACTION: It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to approve the recommendation by the Civil Service Commission that Commissioners' Court discuss a proposal on paying ½ of the accrual sick leave to County employees at time of separation from duty, as requested by Trini Muñoz, Commissioner.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

GRIEVANCES

EXECUTIVE SESSION: PURSUANT TO TEXAS GOVERNMENT CODE § 551.074

On this day, the Civil Service Commission discussed Item #16 in open session due to a settlement agreement reached by Rose M. Porras, District Clerk's Office and County Attorney's Office on withdrawal of the grievance.

On this day, the Civil Service Commission discussed Item #17 in open session due to withdrawal of the grievance.

On this day, the Civil Service Commission discussed Item #19 in open session due to dismissal of the grievance.

On this day, the Civil Service Commission recessed at 4:03 p.m.

On this day, the Civil Service Commission went back into Executive Session at 4:08 p.m.

On this day, the Civil Service Commission recessed at 5:15 p.m.

On this day, the Civil Service Commission went back into Executive Session at 6:37 p.m.

On this day, the Civil Service Commission went into Closed Session to deliberate at 7:17 p.m.

The Civil Service Commission would go into open session to take official action.

MOTION 8

ITEM #14 Take appropriate action on a jurisdiction issue on grievance filed/dated January 6, 2010 regarding Rodney Treat, Deputy Constable, in reference to a vacancy and RIF's process for the Office of Constable Pct. #2. (Rodney Treat – Jim Jopling, Cleat Attorney)

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ACTION: It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, that the board does have jurisdiction to hear the grievance filed/dated January 6, 2010 regarding Rodney Treat, Deputy Constable, in reference to a vacancy and RIF's process for the Office of Constable Pct. #2. The item will be heard on March 2, 2010.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

MOTION #10

ITEM #15 Take appropriate action on a jurisdiction issue on grievance filed/dated January 6, 2010 regarding Alfredo Nava Jr., Deputy Constable, Constable Pct. #6. (Alfredo Nava Jr. – Miles J. McNeal, Cleat Attorney)

ACTION: It was moved by a, Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, that the board does have jurisdiction on a grievance filed/dated January 6, 2010 regarding Alfredo Nava Jr., Deputy Constable, Constable Pct. #6.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

MOTION #7 WITHDRAWAL DUE TO SETTLEMENT AGREEMENT REACHED.

ITEM #20 Take appropriate action on a grievance filed/dated October 6, 2009, regarding Rose M. Porrás, Office Specialist, Intermediate, District Clerk's Office pertaining to **Termination and Rule 7.09 A & D.** (Gilbert Sanchez, District Clerk – Janet Monteros, Sr. Trial Attorney – Theresa Caballero, Attorney at Law) (Postponed from 12/01/2009) (Postponed from 01/05/2009)

ACTION: It was moved by Carol Garcia, Commissioner and seconded by Paula Mitchell, Chairperson to accept withdrawal of grievance filed/dated October 6, 2009, regarding Rose M. Porrás, Office Specialist, Intermediate, District Clerk's Office pertaining to Termination and Rule 7.09 A & D due to a settlement agreement reached by Ms. Porrás and County Attorney's Office.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

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MOTION 9 WITHDRAWAL

ITEM #21 Take appropriate action on a grievance filed/dated October 14, 2009 regarding Rodney Treat, Deputy Constable, Constable Pct. #5 pertaining to Termination-Age Discrimination & Rules 2.21, 2.39, & 2.43. (Manny Lopez, Constable Pct. #5 – Janet Monteros, Sr. Trial Attorney – Jim Jopling, Cleat Attorney) (Postponed from 01/05/2010)

ACTION: It was moved by Carol Garcia, Commissioner, and seconded by Paula Mitchell, Chairperson, to withdraw a grievance filed/dated October 14, 2009 regarding Rodney Treat, Deputy Constable, Constable Pct. #5 pertaining to Termination-Age Discrimination & Rules 2.21, 2.39, & 2.43 as stated by Mr. Jim Jopling, Cleat Attorney, and requested by grievant, Mr. Rodney Treat.

VOTE: YES - Mitchell, Garcia

No: Muñoz

MOTION CARRIED.

MOTION #11

ITEM #22 Take appropriate action on a grievance filed/dated October 22, 2009, regarding Alfredo Nava Jr., Deputy Constable, Constable Pct. #6 pertaining to **Termination & Rules 2.37 – 2.44.** (Jesus Gustavo Ramirez, Constable, Pct. #6 – Janet Monteros, Sr. Trial Attorney – Miles J. McNeal, Cleat Attorney)

ACTION: FIRST MOTION:

It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, to find in favor of the grievant, Alfredo Nava Jr., on a grievance filed/dated October 22, 2009, regarding Alfredo Nava Jr., Deputy Constable, Constable Pct. #6 pertaining to Termination & Rules 2.37 – 2.44.

ACTION: SECOND MOTION:

It was moved by Trini Muñoz, Commissioner, and seconded by Carol Garcia, Commissioner, that Alfredo Nava Jr., be re-instated with no loss of benefits, recommended back pay and that any salary earned by Mr. Nava on outside employment be reduced by the County.

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

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MOTION #12

ITEM #23 Take appropriate action on a grievance filed/dated December 4, 2009, regarding Paul Sanchez, Office Specialist, Senior, JP#6, pertaining to **Termination & Rules 2.20, 2.51, 2.53, 4.06.** (Ruben Lujan, Justice Peace #6 Place 1, – Rosendo Torres, Sr. Trial Attorney)

ACTION: It was moved by Carol Garcia, Commissioner, and seconded by Trini Muñoz, Commissioner, to dismiss a grievance filed/dated December 4, 2009, regarding Paul Sanchez, Office Specialist, Senior, JP#6, pertaining to Termination & Rules 2.20, 2.51, 2.53, 4.06, due to the fact that the grievant was not present at the hearing.

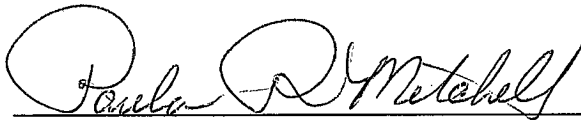
VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

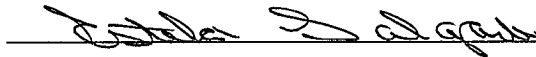
MOTION CARRIED.

MEETING ADJOURNED

On this day, there being no further business to discuss, Commissioner Trini Muñoz, and seconded by Commissioner, Carol Garcia moved to adjourn the meeting, at 7:20 p.m.



PAULA MITCHELL, CHAIRPERSON



ESTELA SALGADO, RECORDING SECRETARY

VOTE: YES - Mitchell, Garcia, Muñoz

NO: None

MOTION CARRIED.

cc: Anthony Cobos, County Judge