



EL PASO COUNTY DEPARTMENT OF HUMAN RESOURCES

Civil Service Coverage and Exclusions

Adopted Date: December 15, 2014

Revised Date: July 27, 2020

I. Applicability

The Civil Service Rules apply to the covered positions and covered employees of all departments as those terms are defined by applicable state law and as defined in these Rules & Regulations. A budgeted County employment position will carry a presumption of being a covered position, unless qualification for Civil Service status is precluded by state law or excluded in these Rules & Regulations. Similarly, an employee holding a covered position will carry a presumption of being covered, unless coverage is excluded or restricted in accordance with the terms and conditions recognized in these Rules & Regulations. These rules do not apply to employees of the Juvenile Probation Department as they are not employees of the County of El Paso and pursuant to previous Civil Service Commission Order.

II. Exceptions to Coverage

The following employees/positions are not covered under the Civil Service Rules:

A. Positions Not Covered Per Specific Statutes:

1. Employees of the County Attorney's office and District Attorney's Office;
2. The Official Shorthand Reporter of a court;
3. An elected or appointed officer under the constitution or laws of the State;
4. Any appointed, non-elected judge, master, or magistrate;
5. County Auditor;
6. Employees of the El Paso County Auditor's Office;
7. Bailiffs and Grand Jury Bailiffs;
8. District and County Court Coordinators;
9. Medical Examiner;
10. District and County Court Administrators;
11. Purchasing Agent;
12. Attorneys; and
13. Doctors, Dentists, Pharmacists, Psychiatrist, and Psychologists.

B. Positions Not covered per Civil Service Rule:

1. Chief Administrator;
2. Department Heads;
3. Assistant County Purchasing Agent;
4. Attorneys;
5. Executive Administrative Coordinator (County Administration);
6. Office Admin./Support Manager (Council of Judges);
7. Operations Manager (DRO);
8. Clinical Services Manager (DRO);
9. Employees of the County Judge and County Commissioners;
10. Justice of the Peace Court Coordinators;
11. Justice of the Peace Administrative Specialists, Seniors;
12. Chief Deputy Tax Assessor (Tax Office);
13. Chief Deputy County Clerk (County Clerk);
14. Office Admin./Support Manager (County Clerk);
15. Chief Deputy District Clerk (District Clerk);
16. Office Admin./Support Manager (District Clerk);
17. Accounting Office Manager (District Clerk);
18. Admin Services Manager (District Clerk);
19. IT Manager (ITD);
20. Deputy Technology Officer (ITD);
21. Assistant Elections Administrator (Elections);
22. VA Program Manager (Community Services);
23. Law Library Manager (DRO);
24. Community Service Program Manager (Community Services);
25. Office Admin/Support Manager (Public Defender);
26. Senior Deputy Human Resources Officer (Human Resources);

27. Deputy Human Resources Officer (Human Resources);
28. HR Manager (Human Resources);
29. Contract Administrator (HR);
30. Chief of Operations (Medical Examiner);
31. Chief Aide;
32. Governmental Affairs Manager;
33. Temporary employees; and
34. Seasonal employees.

- C. Additionally, other positions can be declared sensitive by Commissioners Court and thereafter excluded from Civil Service coverage by the Commission through the procedures outlined herein. Complete listings of these positions will be maintained by the HR Department and are available as Attachment A to this Policy.
- D. Exemption to provisions – any position paid through a grant or contract is covered by Civil Service rules with the exception of the ability to grieve a reduction in force that occurs due to a reduction or loss of funding from the grant or contract.

III. Procedure to Remove Sensitive Positions from Civil Service Coverage Sensitive and Excluded Positions Not Otherwise Exempted

A Department Head, Elected or Appointed, may seek to declare a position sensitive and then have the position excluded from Civil Service coverage. This requires the following two-step process:

- A. Commissioners Court may declare a specific position in an office or department sensitive. Therefore, the department head must first provide to Commissioners Court a request to designate a specific position sensitive on the prescribed form along with supporting written justification based on the applicable criteria as outlined below. The designation of a specific position does not apply to all like-titled positions within the department or the County.
- B. If approved by Commissioners Court, the department head must then present their request to the Civil Service Commission for approval to exclude the specific sensitive position from Civil Service coverage, citing the applicable criteria as outlined below. The exemption of a specific position does not apply to all like-titled positions within the department or the County.

IV. Criteria for Declaring a Position Sensitive and/or Excluded

- A. Commissioners Court and Civil Service Commission have adopted the following criteria to be considered in determining whether a position should be declared sensitive and/or excluded. It is not a requirement that all or even a majority of the criteria apply to the position being considered:
 1. The position reports directly to a Department Head and meets at least one of the other criteria outlined herein;

2. The position acts autonomously and operates on a regular basis with a minimum of supervision, based on direction from the Department Head;
 3. The position has significant independent discretionary supervisory authority within a department;
 4. The position develops policy, exercises extraordinary discretion, and makes decisions on vital departmental operations on a continual basis; and/or
 5. The positions reports directly to a Department Head and is held to a higher level of trust and confidentiality because the position handles and is entrusted with confidential information sensitive to the department's business operations.
- B. Once a position is declared sensitive and excluded from coverage, it retains this status unless brought back before the Civil Service Commission for consideration of changed duties or loses its status as sensitive as declared by Commissioners Court.
- C. Internal Operating Procedure: The Chief Human Resources Officer is authorized to administratively dismiss an appeal if, within the four corners of the appeal documents, it is apparent that the employee is not a covered employee as enumerated above. Such dismissal shall be final; provided, however, that the Chief Human Resources Officer or his designee shall report all administrative dismissals to the Civil Service commission as part of an HR report to the Civil Service Commissions at its next meeting.