



## COMMISSIONERS' COURT AGENDA ITEM

**Meeting Date:** 02/22/2010

**Prepared by:** Betsy Keller, HR Director

### **Description:**

Approve the committee's recommendation on Request #2010-017 to approve waiving the hiring freeze for one Project Coordinator position for the District Clerk contingent upon the position being funded \$9,130 from DISTCLKRMP and \$22,722 from DISTCLERK and the position being filled internally and the subsequent vacancy of Account Clerk being left vacant. Also, approve the funding distribution as proposed: \$9,130 from DISTCLKRMP and \$22,722 from DISTCLERK.

### **Background:**

The County of El Paso, responding to an anticipated budget shortfall, initiated a hiring freeze April 20, 2009. On April 27, 2009, Commissioners' Court adopted a hiring freeze policy detailing how the hiring freeze will be administered. On May 18, 2009, Commissioners' Court heard legal advice regarding applying the hiring freeze to positions in departments administered by elected officials. It was determined that the Court would also review requests for exception to the hiring freeze for cases in elected officials' departments when the committee's recommendation is to deny the exception. This is to insure the County has thoroughly reviewed whether denying the request will impede the elected official being able to carry out the core function of the office.

District Clerk Gilbert Sanchez submitted Request #2010-017 for a waiver for a Project Coordinator position which is assigned by Mr. Sanchez to be the custodian of records for his office and testifies to the courts to this issue. It was noted that another employee is being required to fill in this position currently. The committee met with Mr. Sanchez's representative, Bobby Simental, Chief Deputy, on February 12, 2010 and reviewed the duties of the position. The committee discussed with Mr. Simental that the duties performed by the position primarily deal with records so the salary could receive a greater supplement from the records management fund than it currently does (\$5,000). It was noted that the other Project Coordinator position is paid \$9,130 of its salary from records management. Mr. Simental did not see a problem with the position being paid this amount from the records management account. The committee asked Mr. Simental to discuss it with Mr. Sanchez and provided us the updated documentation after assuring his approval, which Mr. Simental did. Mr. Simental also made the committee aware that the department would fill the position internally and leave the subsequent vacant position (Account Clerk) open and will not request to fill the position.

### **Recommendation:**

Based on the information presented, the committee recommends approving waiving the freeze for one Project Coordinator position for the District Clerk contingent upon the position being funded \$9,130 from DISTCLKRMP and \$22,722 from DISTCLERK and the position being filled internally and the subsequent vacancy of Account Clerk being left vacant. Copies of the Amended Hiring Freeze Policy and the department's Exception Request are attached.



## COMMISSIONERS' COURT AGENDA ITEM

**Meeting Date:** 10/19/2009

**Prepared by:** Betsy Keller, HR Director

### **Description:**

Take appropriate action to amend the Hiring Freeze Administrative Policy which went into effect on 04/20/2009.

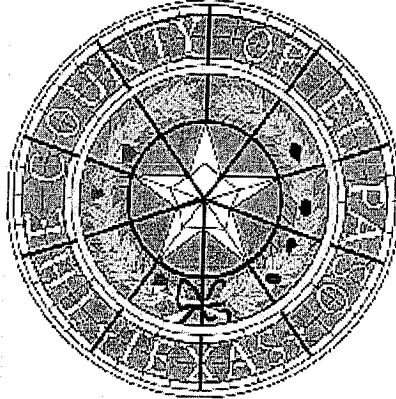
### **Background:**

The current County hiring freeze administrative policy was discussed during the budget hearings. It was discussed that certain amendments should be made. The amendments needed are:

- Adding bailiff, court coordinator, and court reporter positions to the list of automatically exempted positions since they are statutorily required;
- Adding Commissioner Veronica Escobar to the committee for reviewing requests to waive the hiring freeze;
- Changing the date in which departments need to insure leave requests have been accommodated by to September 30<sup>th</sup> of each year instead of September 30, 2009 since current maximum accrual levels of leave accounts still apply and since the policy will extend beyond Fiscal Year 2009.

A copy of the policy with the aforementioned changes included is attached.

## County of El Paso



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EL PASO COUNTY  
HUMAN RESOURCES

### Instructions to Request Exception from County-wide Hiring Freeze

On 04/20/2009, Commissioners' Court initiated a county-wide hiring freeze. An administrative policy was adopted by the Court on 04/27/2009 that provides for a process for requesting exceptions to the hiring freeze.

Requests for exceptions will be submitted through the Human Resources Department for review by a four member committee on the Exception Request Form (included below). The committee will meet as soon as reasonable after complete forms are presented to review the request. The committee will determine whether the position meets the criteria and whether the situation warrants the exception. The department representative may be asked to appear before the committee to further explain the request. The department will be notified of the committee's decision. If the committee approves the request, the item will be placed on the Commissioners' Court consent agenda by Human Resources for consideration and with the committee's recommendation to approve the request. The department needs to be at Commissioners' Court if and when the item comes up for discussion. If the exception is approved by Commissioners' Court, the form will reflect the approval. It must then be attached to any document related to the approval for hiring of the position such as the Vacancy Requisition and the new hire personnel action form (PAF).

If you have any questions, please contact the Human Resources Office at 546-2218.

# Request for Exception from County-wide Hiring Freeze

Reference Number: (HR will complete)

Date Requested:

2010 - 017 (formerly 2009-058)

Department:

Date Position Needed To Be Filled By:

District Clerk

## Submitted By:

Name:

Title:

Gilbert Sanchez

District Clerk

Telephone Number:

915-546-2029

## Exception Requested:

Position Title:

Full-time or Part-time:

Project Coordinator(Records Management)

Full-time

Length of Time Position Has Been Vacant:

Name of Last Person Who Filled the Position:

Will be vacant on Jan. 4, 2010

Rebeca Ostos

## Criteria Justifying Exception:

Please Check One:

Does this position perform functions that are critical to the health, welfare, and safety of the public?

Yes

No

If yes, please explain:

Does this position perform functions that are critical to revenue generation for the County?

Yes

No

If yes, please explain:

Does this position perform functions that are critical to the care and safety (direct care) for persons that are in legal custody of the County?

Yes

No

If yes, please explain:

Does this position perform functions that are part of a caseload staffing requirement established by statute, licensing, certification, or accreditation requirements?

Yes

No

If yes, please explain and refer to specific statute or requirement:

Does this position perform functions that would create a disruption to an essential County function if not filled?

Yes

No

If yes, please explain:

See below.

Does this position perform functions where there is a legal liability for failure to perform the service?

Yes

No

If yes, please explain:

This position maintains a digital inventory/control of all DC's office records, creates logs & disposes records after retention period is met in accordance with the Texas State Library & Archives Commission identified by department as custodian of records. Will split the salary to be \$9,130 from RMP and \$22,722 from District Clerk general account. Will leave accounting clerk position vacant once incumbent is moved to project coordinator.

Please explain how the responsibilities are being currently managed?

Why can they not continue to be managed this way?

By the current project coordinator

She will be resigning December 30, 2009

What are the consequences of not filling the position?

Records will not be destroyed in accordance w/ the TX State Library & Archives Commission

How much is saved by the position being unfilled for 1 year?

Are you willing to cut your operating budget to cover or offset this expense?

\$22,722

No

NOTE: IF THE REQUEST IS APPROVED BY COMMISSIONERS COURT, IT MUST BE ATTACHED TO ALL PERSONNEL DOCUMENTS RELATED TO THE FILLING OF THE POSITION (VACANCY REQUISITION, PAF, ETC.)

*[Handwritten Signature]*  
for Gilbert Sanchez

2-12-2010

Status:	<input type="checkbox"/> Approved by Committee	<input type="checkbox"/> Rejected by Committee	<input type="checkbox"/> Other: _____
	<input type="checkbox"/> Approved by Commissioners Court	Date: _____	
	<input type="checkbox"/> Rejected by Commissioners Court	Date: _____	