



## COMMISSIONERS' COURT AGENDA ITEM

**Meeting Date:** 06/14/2010

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

### **Description:**

Approve the committee's recommendation on Request #2010-040 to approve waiving the hiring freeze for one GA/VA Specialist position for General Assistance/Veterans Assistance contingent upon the department meeting the 6 week waiting period.

### **Background:**

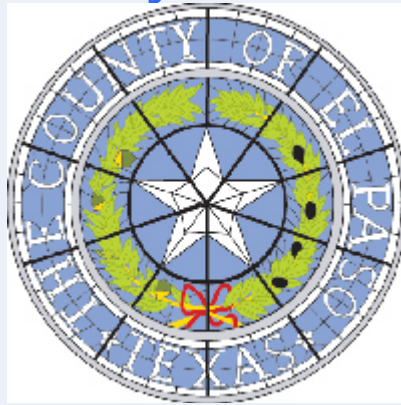
The County of El Paso, responding to an anticipated budget shortfall, initiated a hiring freeze April 20, 2009. On April 27, 2009, Commissioners' Court adopted a hiring freeze policy detailing how the hiring freeze will be administered. On May 18, 2009, Commissioners' Court heard legal advice regarding 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.

Department Head Rosemary Neill submitted Request #2010-040 for a waiver for a GA/VA Specialist position in the General Assistance/Veterans Assistance divisions of her department. The committee met with Ms. Neill on June 7, 2010 and reviewed the current staffing level of these divisions and the various locations. The funding the County has received to disperse and the need for staffing to disperse the funds were discussed. Without staff to assist in the administration of fund distribution, citizens of El Paso County may not be able to receive the full amount available. The committee reviewed the operational needs of the division and the cost of the position requested.

### **Recommendation:**

Based on the information presented, the committee recommends approving waiving the freeze for one GA/VA Specialist position for General Assistance/Veterans Assistance contingent upon the department meeting the 6 week waiting period. Copies of the Amended Hiring Freeze Policy and the department's Exception Request are attached.

## County of El Paso



### 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:

2010-040

May 11, 2010

Department:

Date Position Needed To Be Filled By:

Family and Community Services-GA/VA

June 21, 2010

### Submitted By:

Name:

Title:

Rosemary V. Neill

Director, Family and Community Services

Telephone Number:

915-834-8201

### Exception Requested:

Position Title:

Full-time or Part-time:

GA/VA Specialist

Full-time

Length of Time Position Has Been Vacant:

1 week

Name of Last Person Who Filled the Position:

Jacob Hinojosa

### 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:

This positions provides assistance to a dual population of General Assistance and Veteran Assistance clients. For GA it provides emergency aid to keep families or individuals housed. For VA it secures benefits to which the individual is entitled by virtue of military service.

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

☒ Yes

☐ No

If yes, please explain:

The County has a \$2.1 million grant to prevent homelessness and the GA/VA specialist screens applicants residing in the Northeast. The VA function is a statutory requirement. We combined GA and VA duties to maximize our human resources.

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:

Assistance keeps families housed with utilities in an emergency when income is disrupted. Veterans require support to navigate the lengthy VA eligibility process for benefits.

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

☒ Yes

☐ No

If yes, please explain:

The County has a contractual obligation to provide assistance through our homelessness prevention grant from the City. Failure to perform damages the County's ability to compete for future funding.

Please explain how the responsibilities are being currently managed?

Why can they not continue to be managed this way?

The GA/VA Manager covers the VA duties and current GA staff fill the GA gaps in the Northeast office.

The GA/VA program needs a full time manager. Splitting his time diminishes his ability to effectively manage these programs.

What are the consequences of not filling the position?

We can not meet homeless grant requirements and the remaining VA officer who is also our

GA/VA program manager can not effectively manage all VA duties without assistance.

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

\$27,458

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

We added to our budget through the HPRP grant and cut our budget \$200,000 plus 3%

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**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.)**

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: _____	

# **County of El Paso Hiring Freeze Policy**

**Effective 04/20/2009  
Amended 10/19/2009**

The County of El Paso, responding to an anticipated budget shortfall, initiated a hiring freeze April 20, 2009. Commissioners Court wants to assure minimal impact to services to citizens, while being fiscally responsible, so hereby implements the following amended policy.

## **Applicability of Hiring Freeze:**

The hiring freeze will apply to positions (including temporary positions) in all departments. Of those departments that the authority of the policy is in question, the Court asks for voluntary participation in the spirit of fiscal responsibility for the County budget and the community.

Certain positions are exempted from the hiring freeze: positions automatically exempted are those that are statutorily required where only 1 position exists in the department to perform the function to only include bailiff, court coordinator, and court reporter; positions covered under a collective bargaining agreement; positions 100% funded with special revenues (e.g. Roads & Bridges and Law Library); positions 100% funded with grant funds; and previously allocated seasonal positions necessary to meet minimum staffing requirements (e.g. lifeguards and parks maintenance workers).

## **Current vacancies:**

Positions currently vacant that do not meet the criteria to be exempt from the freeze where no offer of employment was extended prior to April 20, 2009 will remain vacant until such time as the freeze is lifted. Existing announcements should be updated to note the position will not be filled in the near future or cancelled unless the position meets the definition of an exempt position listed above.

## **Committee to Review Requests for Hiring Freeze/Personnel Exceptions:**

A five member committee organized by the Human Resources Director to review requests for exceptions from the hiring freeze and other personnel related exceptions during the time the freeze is in effect will be created.

Members of the committee will include representatives from the following:

- Commissioner Dan Haggerty
- Commissioner Veronica Escobar
- County Auditor's office
- County Attorney's office
- Human Resources Department

The committee will review requests for exception to the hiring freeze as soon as reasonable after requests are presented.

### **Guidelines for Requests for Exceptions:**

Requests for exceptions will be submitted to the committee through the HR department on the Exception Request Form. The request must address any of the following criteria if applicable:

- Position functions that are critical to the health, welfare, and safety of the public in general;
- Position functions that are critical to revenue generation for the County;
- Position functions that are critical to the care and safety (direct care) for persons that are in legal custody of the County or when a direct service is involved;
- Positions and functions that are part of a caseload staffing requirement that are typically established through statute, licensing, certification, or accreditation requirements;
- Position functions that would create a disruption to an essential County function if not filled;
- Positions and functions where there is a legal liability for failure to perform the service.
- How the current responsibilities are being managed;
- Why they cannot continue being managed in this way;
- The consequences of not filling the position;
- The cost impact of filling the position for the remainder of the FY09 and for FY10 (verified through the Auditor's office).

The committee will review whether the position meets the criteria described herein and if the situation warrants the exception. Exceptions approved by majority of the committee will be placed on the next available Commissioners' Court agenda for final approval.

### **Impacts of Freeze on Other Personnel:**

- As vacant positions and functions are not filled, workload increases may affect certain individuals that could result in the inability to take sufficient annual leave prior to the end of the fiscal year. Current maximum accrual levels of leave accounts still apply, and supervisors are expected to accommodate annual leave requests by September 30<sup>th</sup> each year to comply with these levels.

### **Impacts of Freeze on New or Existing Contracts:**

- Specifically departments should not be seeking to enter into new contracts or utilize existing contracts in order to make up for the impact of not being able to fill vacancies.
- Every contract will be reviewed by Commissioners' Court to make sure that departments are in compliance and are not seeking to circumvent the hiring freeze.