

EL PASO COUNTY SHERIFF'S OFFICE



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COUNTY CLERK
EL PASO COUNTY, TEXAS

CIVIL SERVICE COMMISSION

SPECIAL MEETING MINUTES

1:30 P.M. MONDAY, JULY 29, 2019

SHERIFF'S HEADQUARTERS

3850 JUSTICE ROAD

SHERIFF'S CONFERENCE ROOM

EL PASO, TEXAS 79938

Chair
Fermin Acosta Jr.

Commissioner
Maria Elvira Williams
Bertha A. Gallardo

OPEN MEETING

The meeting was called to order at 1:30 pm. Members present were Chair Acosta, Commissioner Williams and Commissioner Gallardo. County personnel present were Marilyn Mungerson and Holly Lytle from the County Attorney's Office; Ludy Velo and Suky Gomez, from the Human Resources Department; Bill Ellis from the Sheriff's Office. Natalia Chaparro from the Human Resources Department walked in at 1:38 pm.

PUBLIC COMMENT

No public comment.

APPROVE – CONSENT AGENDA

JULY 29, 2019

MOTION #1 (ITEM #1)

Approve the minutes of the Regular Meeting for the Sheriff's Civil Service Commission on April 8, 2019.

On this day, on motion of Commissioner Williams, seconded by Commissioner Gallardo, it is the order of the Commission to approve item one. The motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo

NO – None

ABSENT: None

REGULAR AGENDA

JULY 29, 2019

MOTION #2 (ITEM #2)

Discuss and take appropriate action regarding the El Paso County Sheriff's Office Civil Service Board Annual Report for 2018.

On this day, on motion of Commissioner Gallardo, seconded by Commissioner Williams, it is the order of the Commission to approve the El Paso County Sheriff's Office Civil Service Board Annual Report for 2018. Suky Gomez from Human Resources provided a brief description of the annual report. No other comments or concerns were addressed by the commission, the motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

JULY 29, 2019

MOTION #3 (ITEM #3)

Discuss and take appropriate action to approve recommended changes to Chapter 2, Section 4 *Employment – Employment Probationary Period*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

On this day, on motion of Commissioner Williams, seconded by Commissioner Gallardo, it is the order of the Commission to approve recommended changes to Chapter 2, Section 4 *Employment – Employment Probationary Period*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations. Ludy Velo from Human Resources provided a synopsis on the addition of Section D which describes the probationary period for Civilians (6 months), Civilians under Communications Department (1 year) and Collective Bargaining employees (1 year). Chair Acosta asked, "Has the probationary period changed from training period." Holly Lytle, County Attorney's Office briefly explained, it has always been "probationary period" and employees cannot appeal a decision to terminate during the probationary period. No other comments or concerns were addressed by the commission, the motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

JULY 29, 2019

MOTION #4 (ITEM #4)

Discuss and take appropriate action to approve recommended changes to Chapter 2, Section 5 *Employment – Exempt Employees*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

On this day, on motion of Chair Acosta, seconded by Commissioner Williams, it is the order of the Commission to approve recommended changes to Chapter 2, Section 5 *Employment – Exempt Employees*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations. After Ludy Velo from Human Resources provided a synopsis and changes made to policy with minor changes on eleven positions that are exempt from the provisions from El Paso County Sheriff's Civil Service due to restructuring with current divisions, current job titles or ranks. No other comments or concerns were addressed by the commission, the motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

JULY 29, 2019

MOTION #5 (ITEM #5)

Discuss and take appropriate action to approve recommended changes to Chapter 3, Section 3 *Compensation – Overpayments, Underpayments and Repayment*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

On this day, on motion of Commissioner Gallardo, seconded by Commissioner Williams, it is the order of the Commission to approve recommended changes to Chapter 3, Section 3 *Compensation – Overpayments, Underpayments and Repayment*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations. Ludy Velo from Human Resources provided a synopsis and explained that this policy is a new policy and has been practiced by the County, but was not under the Civil Service Rules. This policy describes how HR and Payroll will process overpayments and underpayments, and how the Sheriff's Office and the employee will be notified. Chair Acosta asked, "Is this the way it has been done." Ms. Velo explained how payroll makes the minor changes with overpayments and underpayments and it's based on how the supervisor approved the time card by adjusting them on the next payroll. Holly Lytle, County Attorney's Office replied "the answer is yes" and briefly explained the process in practice and how the Auditors' Office has handled the overpayments by coordinating with the employee to repay under a payment plan. It has been in practice for over a year. Commissioner Gallardo asked, "So this is just a formal revision." Holly Lytle, County Attorney's Office replied, "yes, it's been in practice and was reviewed by Patsy, County Attorney's Office." Ludy Velo from the Human Resources also noted a minor correction under Overpayment Procedure 3.3.05 E (1) by adding the word "from" after one-time deduction. No other comments or concerns were addressed by the commission, the motion carried by majority vote of the commission

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

JULY 29, 2019

MOTION #6 (ITEM #6)

Discuss and take appropriate action to approve recommended changes to Chapter 11, Section 2 *Promotional Procedures – Promotion to Detective, Sergeant, Lieutenant*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

On this day, on motion of Commissioner Williams, seconded by Commissioner Gallardo, it is the order of the Commission to approve recommended changes to Chapter 11, Section 2 *Promotional Procedures – Promotion of Licensed Peace Officers and Jailers*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations. Ludy Velo from Human Resources provided a synopsis and explained policy by removing the job title of Detective, Sergeant, and Lieutenant. Chair Acosta asked, "So there's no actual employees under Detective, Sergeant, and Lieutenants at this time." Holly Lytle, County Attorney's Office briefly explained, HR noticed that Floor Control Officer was not included under this so it was recommended to change the title to simplify it rather than adding all titles. It's simpler to say any promotions either as a jailer or Peace Officer in any of those categories have to go under the Collective Bargaining Agreement. Commissioner Williams asked, "When somebody is submitting for a promotion under the job description what does it read." Holly Lytle, County Attorney's further explained the licenses required under each position, which is merely a simple kind of language to point that the contract has the promotion system for jailers and for Peace Officers. Commissioner Gallardo asked, "So it's global until you get down to exactly what the individual is applying for." Holly Lytle from County Attorney's further explained, just modifying the language that was there by simplifying it. Peace Officers can apply for Peace Officer promotions and jailers can only apply for Detention Officer promotions and the job descriptions contained what license they required. No other comments or concerns were addressed by the commission, the motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

JULY 29, 2019

MOTION #7 (ITEM #7)

Discuss and take appropriate action to approve recommended changes to Chapter 11, Section 3 *Promotional Procedures – Selection to Deputy Sheriff*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

On this day, on motion of Commissioner Gallardo, seconded by Commissioner Williams, it is the order of the Commission to approve recommended changes to Chapter 11, Section 3 *Promotional Procedures – Selection to Deputy Sheriff*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations. Ludy Velo from Human Resources provided a synopsis and explained the significant change for this policy include: having two current annual performance evaluations on file with the Human Resources that meets or exceeds standards under number nine. Commissioner Williams asked, "What is the meaning of current."

Ludy Velo from Human Resources explained, previous year and the current year depending on their seniority date. Commissioner Gallardo recommended the following language to be added: "the most current two-year evaluations." Holly Lytle, County Attorney's Office recommended language to be added: "have annual performance evaluations for the previous two years." No other comments or concerns were addressed by the commission, the motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

JULY 29, 2019

MOTION #8 (ITEM #8)

Discuss and take appropriate action to approve recommended changes to Chapter 11, Section 4 *Promotional Procedures – Promotion of Non-Uniformed Personnel*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

On this day, on motion of Commissioner Gallardo, seconded by Commissioner Williams, it is the order of the Commission to approve recommended changes to Chapter 11, Section 4 *Promotional Procedures – Promotion of Non-Uniformed Personnel*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations. Ludy Velo from Human Resources provided a synopsis and explained policy has always been in place and now is being revised as part of our cleanup project and adopting the County policy so that language matches and by adding the minimum increase of 3.78%. Chair Acosta asked, "Is it a good idea to have a minimum of 3.78%." Holly Lytle, County Attorney's office, explained that it is County policy and briefly explained the process. Commissioner Gallardo asked, "Holly, so the County or the Sheriff's Office don't have salary ranges depending on the position." Holly Lytle, County Attorney's office replied, "We do" and briefly explained the process on the promotions and their pay according to the pay scale. Scales are all set up and will not cost the County more money by adding this. Chair Acosta stated, "I disagree with the explanation provided by Holly Lytle but I agree with the recommendations based on the information given". Commissioner Williams stated, "My only concern is that it's in policy and specifically states 3.78% and once it is in policy, you have to abide by it." Commissioner Williams further asked, "What happens if there's no money." Holly Lytle, County Attorney's Office replied, "then you won't promote them" and further explained that the savings would come from elsewhere by not giving steps, cola increases, etc. Even if you don't approve it, it's still the County policy to pay and we have to abide by it. Holly Lytle further explained the savings and provided an example of how the most high-end employee leaves and it's replaced with a younger employee with a lower salary and step. Chair Acosta states, "Well that's true in that example, but I still have a problem with it." Commissioner Gallardo stated, "Usually that's how it happens, the most senior person exits with the most expensive salary range and experienced and a lesser experience comes in with a lesser salary." Chair Acosta stated, "I'm sure Commissioners Court embedded it with that example." No other comments or concerns were addressed by the commission, the motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

MEETING ADJOURNED

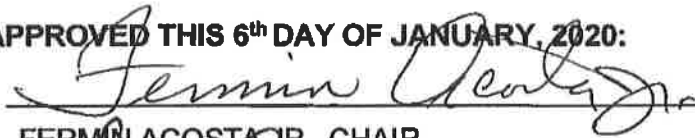
JULY 29, 2019

MOTION #9 (ITEM #9)

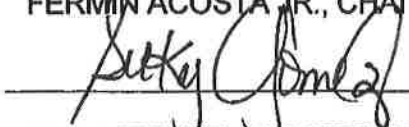
On this day, there being no further business to discuss, Chair Acosta moved to adjourn the meeting at 2:03 p.m., seconded by Commissioner . The motion carried by majority vote of the commission.

VOTE: YES – Chair Acosta, Commissioner Williams, Commissioner Gallardo
NO – None
ABSENT: None

EXAMINED AND APPROVED THIS 6th DAY OF JANUARY, 2020:



FERMIN ACOSTA JR., CHAIR



SUKY GOMEZ, RECORDING SECRETARY