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**MINUTES FOR A SPECIAL MEETING OF THE CIVIL SERVICE COMMISSION  
HELD AT 5:15 P.M., TUESDAY, MARCH 21, 2006  
CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA – 2<sup>ND</sup> FLOOR  
CITY HALL, EL PASO, TEXAS 79901**

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**Committee Members Present: Andrew Peña – Chair; William J. Ellis; Kenneth Gezelius; Valerie Scott**

The meeting convened at 5:30 p.m. with the entire committee present (4 committee members).

**AGENDA**

**Discussion and Action on employee concerns regarding new classifications and compensation for positions within the Executive Compensation Plan and the Professional/ Managerial Compensation Plan pursuant to the Classification and Compensation Study completed by the Human Resources Department.**

Chair Peña introduced the Committee panel and told the audience the he wanted to give all the appellants enough time to present their respective cases, then Human Resources would make their findings and then the floor would be open for questions from the panel.

Discussion on Research Assistant specification:

Richard Chavez told the Committee that he believed the job specification for Crime Analyst, minus the supervisory duties, more accurately encompassed the duties now performed by Departmental Research Assistants in his department, he didn't feel the proposed specification for Research Assistant reflected accurate specifications. He reviewed the documents presented in his appeal plus an additional document he presented to the Commission and gave detail of his duties as follows: Preparation and development of analytical data relevant to crime trends, patterns and perpetrators-study, track and analyze daily crime data from police reports and other internal data sources. Keep updated on crime activity and related trends such as gang activity in the city and surrounding areas. Evaluate and report upon major crime activities, patterns and trends at local, regional, state, national and bi-national levels. Design and develop crime analysis techniques and methodologies. Disseminate collected analytical data related to crime series, trends, patterns and suspect information to enhance proactive and reactive law enforcement capabilities. Respond to user requests regarding a variety of police data and information. Produce crime bulletins, crime pattern data, and suspect profile information reports. Provide research, technical and analytical support to Police administration, investigations and patrol operations. Maintain and update activity files, such as probation and parole data for investigative review. Development, evaluate, monitor, update and maintain computer databases. Prepare accurate, clear and concise reports. Establish and evaluate research priorities, standards and methods for the production of criminal analytical reports. Direct the development and distribution of various statistical and analytical reports. Initiate action plans to evaluate and improve research processes and the efficient production of accurate and timely reports. Prepare maps and regular ad hoc reports and bulletins for predictive analysis. Establish and evaluate priorities pertinent to crime analysis functions. Perform miscellaneous duties as required such as advise supervisor in a timely manner of situations or issues that have or could lead to deviation from expected results and recommend appropriate solutions or options. Participate in long or short term planning, budget development and administration for are of responsibility. Represent the department at various meetings and interact with other in the department and representatives of other law enforcement agencies. Exchange information, coordinate efforts or present reports with narrative, statistical data, charts, maps or other graphics to convey detailed research findings and recommendations in summary format.

Commissioner Ellis asked if the Research Assistant position was being contemplated for other departments in the City outside of the Police Department.

Jim Sienkiewicz with Human Resources said yes.

Commissioner Ellis asked Mr. Chavez if there were duties in the Research Assistant job description that were inconsistent with his duties in the Police Department.

Mr. Chavez pointed out some of the duties he believed he performed.

Mr. Sienkiewicz agreed that for their department the data that they develop and report on is specific to the department. However, other departments do the same kind of thing for their departments. He believed they needed to look at it in a more general focus in the kinds of things that are being done and are the foundation of knowledge, abilities and skills being applied. Mr. Sienkiewicz said that when the meeting was held with these employees he asked them if there was something that could be added to the specification to better describe their duties and nobody commented.

Chair Peña asked the rest of the appellants for this position to present information that is relevant and that Mr. Chavez hasn't brought up, or information that will shed more light on this issue.

Brian Heller provided a listing of the goals and objectives from his division to the Committee and said he worked in the elderly and domestic abuse prevention unit of the EPPD. Mr. Heller said he was placed directly in charge of the Elderly Abuse Program in addition to his crime analysis functions. He believed his job description as a Research Assistant was not classified properly. He also believed that the Crime Analyst specification covered his duties more accurately. Mr. Heller commented that when they met with Mr. Sienkiewicz he asked them if they had any objections to the knowledge, skills and abilities on the specification, which they didn't because they are all applicable. What they were referring to were the listings under the job specifications and they presented the duties under the Crime Analyst as opposed to what is listed in the Research Assistant.

Chair Peña asked if he supervised.

Mr. Heller said yes, he said he utilized case managers that worked in the domestic abuse prevention unit and went into detail on his duties.

Discussion.

Isaac Mendez said that the only thing he wanted to add that was different than what had already been stated was that at the regional command they were autonomous from the Crime Analysts from headquarters and answered directly to command staff. He said that if the Crime Analysts were to cease to exist the Research Assistants would not be affected because they are the crime analysts in their regional command. He understood the generalization of job descriptions but said that the discrepancy was that the tasks that they are evaluated by and expected to perform is so big that it warrants him coming here before the Commission tonight for them to evaluate the situation.

Mr. Sienkiewicz said one of the specifications of the Crime Analyst is that its responsibility is department-wide. He reminded the Committee that he outlined the differences in his memo to them. He said there was more to it in terms of responsibility than just the supervisory standpoint.

Sharon Nelson said she was a Departmental Research Assistant who worked in the Crime Analysis division. Ms. Nelson distributed a packet of information to the committee and said she hoped to touch on what she believed was different information from the other appellants. She said that Departmental Research Assistants who work in Crime Analysis hold a unique position within the Police Department that requires special talents and skills that go beyond the scope of the generalized Research Assistant and should not be covered by the same blanket generalization. She believed that in order to accomplish their job additional extensive training is needed to include a higher level of proficiency in Excel, Access and statistical methods. She went into great detail on her duties.

Mr. Sienkiewicz stated that this job is an entry-level professional/managerial job. A person who met the minimum required could be hired and would expect to get training in whatever you need training in your department to come up to full proficiency or attain a competent level and that would be true for any employee.

He said that when they do these studies they don't look at how well an individual does their job but rather what the job requires, what do supervisors and department heads expect of that job, how is that job designed, how do they get their work done in that job, etc., its about the job. If somebody is working out of job class they need to know that in order to do the study accurately.

Ana Sanchez, Human Resources, gave the Commission a little history on the originally study which was done in 2000-2001. She said the employees had turned in a PDQ and then the consultant came back with a recommendation that some were appropriately classified and some weren't. She explained that the Police Department submitted updated PDQs on this position in 2005. The consultant again said they were appropriately classified. She said the incumbents were asked to submit any significant changes from May 2005 until present that they believed would merit a classification change.

Chair Peña asked how much time the incumbents had to complete the PDQ and then to submit amendments.

Stuart Ed said the Research Assistants were sent an email on February 23<sup>rd</sup> announcing the meeting on February 27<sup>th</sup>, he said they were given more than 1 day to prepare their documentation.

MOTION TO ACCEPT THE PROPOSED RESEARCH ASSISTANT SPECIFICATION MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

Commissioner Ellis requested a correction to Mr. Sienkiewicz' memo on page 4, under Recommendation, on the sixth line of the paragraph, the word "not" should be inserted between the words "did" and "infringe."

Discussion on Budget & Services Coordinator:

Graciela Sanchez told the Commission that in her capacity at the Library she was more than a coordinator, she was one of the administrators. She stated that she had different functions which included overseeing the budget year-round, facility management for all of their facilities city-wide which included maintenance, security, janitorial, construction, new equipment, etc. on a daily basis. She continued with her duties, which included grant administration and reporting. Ms. Sanchez went into great detail on her experience and her duties. Ms. Sanchez noted that her job was compared to the Police Budget Coordinator position and it was stated that her budget was not as big as the Police budget, which she agreed with. However, she told the Commission that she performed all the duties written on the Police Budget Coordinator specification, plus much more. She also told the Commission that she has the responsibility of being left in charge of the entire Library system when the Director has needed to leave her in charge. She believed that if somebody was hired with the minimum qualifications as proposed, would not be able to perform her job.

Mr. Sienkiewicz told the Commissioners to look at the typical duties portion of the job description where he pointed out referred to many of the duties that Ms. Sanchez said she was performing. He believed the defining measurement between this job and the Police job was definitely the size of the budget. He said the budget for the Library was 7 million dollars, while the budget for Police was over 100 million.

Linda Thomas presented an organizational chart for the Police coordinator position to the Commission.

Carol Brey-Casiano, Library Director, explained that the library served over 1 million visitors per year and that they will soon have a total of twelve facilities. She said she didn't know to what extent the Police coordinator performed but as far as Library is concerned, Grace Sanchez was doing a great deal more than just managing contracts. She was heavily involved in an enormous project to move all the furniture, books and other equipment out of the main library (65,000 square feet) into storage, and will also be coordinating the move back into the 110,000 square foot new facility. The Library has a network of 500 computers and Grace is also responsible for the operation and maintenance of this system. Ms. Brey-Casiano agreed that the missions of the two departments were very different but the responsibility Ms. Sanchez had was a great one and her position is critical to the library and she is considered one of their top administrators at this time.

Discussion.

MOTION TO RECOMMEND TO MR. SIENKIEWICZ TO REVIEW THE JOB SPECIFICATION FOR BUDGET & SERVICES COORDINATOR TO DETERMINE IF IT NEEDS TO BE REVISED IN ANY WAY; ALSO RECOMMEND THAT THE GRADE BE RAISED TO 129 AND THAT THE MINIMUM QUALIFICATIONS BE RAISED TO 3 YEARS; ALSO THAT THE WORD "OR" BE CHANGED TO "AND" IN THE PHRASE "EXPERIENCE IN BUDGET OR FISCAL ANALYSIS OR ADMINISTRATION." IN THE MINIMUM QUALIFICATIONS, MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SCOTT AND PASSED BY A VOTE OF 2 TO 1.

AYES: Commissioners Ellis, Scott

NAY: Commissioner Gezelius

Discussion on Human Resources Manager:

Armando Peña handed out some documents to the Commission. He told the Commission that the information on the reclassification has not been made public and this concerned him not only for himself but for other employees. He said he had been told that he didn't have any standing and said that Rule 4.4 allows an appeal process to the employees during one of these reclassifications. Mr. Peña said he filed open records request for a list with the new positions and the compensation but the response given to him by the City was that it could not be given to him and that the City was seeking an opinion from the Attorney General.

Commissioner Ellis commented it might be a professional stall tactic.

Elaine Hengen, Assistant City Attorney, commented that the City did not violate the law.

Mr. Peña reviewed the documentation presented to the Committee. He detailed the duties he was referring to, for example giving employees and Department Heads advice and direction. He said he was asking to be given the tools to perform his job properly, and that was to be placed in the EX series pay scales so that he would at least be in the same series as the people he was giving advice to, and not below them. He gave the committee an example: He said that just this afternoon an employee who is a higher level manager than he is comes to him on the verge of tears and says he has an employee who has threatened to kill him twice. Mr. Peña asked if he had talked to his director. The employee said he had and that his director had told him to come talk to him (Mr. Peña). He asked the committee how he could do his job if one of the highest executives in the city was sending his managers to him. He said he needed the ability to be able to tell the director what needed to be done. He said that historically he used to be able to go talk directly to the Chief Administrative Officer about these types of problems. He mentioned that his division handles employee disciplines also, therefore, he worked very closely with department directors. He said he had spoken to Ms. Wilson who had said they might bring discipline back to the City Attorney's office in the future. He didn't mind handling the disciplines, he just wanted the tools to be able to handle those properly.

Ana Sanchez, HR Analyst, stated that Mr. Peña did counsel department directors on discipline but there is one aspect he doesn't do and that is to attend pre-termination hearings, negotiating the recommendation for the City, etc. She asked the committee that whatever action they take on this position to please make it to the other two incumbents in the position.

Commissioner Ellis wondered if that was an appropriate delegation of responsibility to a layman instead of an attorney since there is a lot of advising.

Assistant City Attorney Lupe Cuellar stated that prior to this HR was handling the investigation of EEOC complaints. One of the decisions that Ms. Elizondo made was for EEOC investigations to be handled by the City Attorney's office and for HR to assist the other departments with disciplines. She said that the final determination on the discipline is made by one of the attorneys at the City Attorney's office.

Elaine Hengen, Assistant City Attorney, didn't believe it was ever the intent of the City Attorney's Office to require Mr. Peña to give legal advice or require him to perform duties that should be performed by attorneys.

Discussion.

MOTION TO ACCEPT THE RECOMMENDED JOB DESCRIPTION FOR HUMAN RESOURCES MANAGER MADE BY COMMISSIONER GEZELIUS, SECONDED BY COMMISSIONER SCOTT AND UNANIMOUSLY PASSED.

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMITTEE, A MOTION TO ADJOURN WAS MADE BY COMMISSIONER GEZELIUS, SECONDED BY COMMISSIONER ELLIS AND UNANIMOUSLY PASSED.

THE MEETING ADJOURNED AT 7:50 P.M.



ANDREW PEÑA, C.S.C. COMMITTEE CHAIR



LINDA BALL THOMAS, C.S.C. SECRETARY

04-13-06

DATE APPROVED