



COUNTY OF EL PASO

CHAIRMAN:
MARIO J. MARTINEZ

CIVIL SERVICE COMMISSION
500 E. SAN ANTONIO, RM. 302
EL PASO, TEXAS 79901
(915) 546-2218
FAX (915) 546-8126

COMMISSIONERS:
RICHARD YETTER
QUETA G. FIERRO

EL PASO COUNTY CIVIL SERVICE COMMISSION

MINUTES OF DECEMBER 06, 1994 REGULAR MEETING

COMMISSIONERS PRESENT: MARIO J. MARTINEZ, CHAIRPERSON *MJM*
RICHARD YETTER
QUETA G. FIERRO

OTHERS PRESENT: MARY JO LEE, PERSONNEL DIRECTOR
ESTELA SALGADO, RECORDING SECRETARY

The El Paso County Civil Service Commission was called to order by Richard Yetter, Commission member at 2:18 p.m., Tuesday, December 06, 1994 in the County Commissioners' Chambers, Room 303 of the El Paso County Courthouse.

MOTION #1

ITEM #1: APPROVED.

Discuss and take appropriate action on minutes of regular meeting of September 12, 1994 and minutes of regular meeting of December 06, 1994. (Mary Jo Lee, Interim Director)

ACTION: It was moved by Queta G. Fierro and seconded by Richard Yetter to accept the minutes of regular meeting of September 12, 1994 and minutes of regular meeting of December 06, 1994 submitted by Mary Jo Lee, Personnel Director.

MOTION CARRIED.

MOTION #2

ITEM #2 **APPROVED.**

Discuss and take appropriate action on Personnel's Departmental Activities of the month of October 1994. (Mary Jo Lee, Personnel Director)

ACTION: It was moved by Queta G. Fierro and seconded by Richard Yetter to approve the Personnel's Departmental Activities of the month of October 1994.

MOTION CARRIED.

MOTION #3

ITEM #3 **APPROVED.**

Discuss and take appropriate action with respect to Rule 2.75, concerning compensatory time for FLSA Exempt employees, whereby Exempt employees would receive compensatory time at the rate of time and one half for hours worked over 40 in a week. (AFSCME Local 59, Trini Munoz)

ACTION: It was moved by Richard Yetter and seconded by Queta G. Fierro to order Department Heads and Elected Officials to abide by Rule 2.75 of the Civil Service Rules and Regulations in which employees who are eligible to earn overtime shall earn it at the rate of one and a half times the regular rate in compensatory time only.

MOTION CARRIED.

MOTION #4

ITEM #4 **TABLED.**

Discuss and repeal Rule 4.48 to read accrued sick leave, 4.49 1, 2, 3, 4, 5, and 4.51 to read "accrued sick leave with a limit of 18.48 hours transferred voluntarily by regular employees". (AFSME Local 59, Trini Munoz)

ITEM #4 It was moved by Richard Yetter and seconded by Queta G. Fierro to table this item regarding Rule 4.48, 4.49 1, 2, 3, 4, 5 and 4.51. Furthermore, the Commission ordered Mary Jo Lee, Personnel Director to request from Commissioners' Court, a substitute to replace Nita Corral-Nava, previous Sick Leave Pool Administrator. Mario J. Martinez abstained because he was not present for the full discussion.

MOTION CARRIED.

MOTION #5
ITEM #5

Discuss status of employees assigned to Justices of the Peace regarding continued employment (Exempt/Non-Exempt under Rules of Civil Service). Take any action as deemed appropriate. (Lucia Castelo, Court Clerk, Celia Salcido, Court Clerk, Justice of the Peace, Precinct #1)

ACTION: It was moved by Mario J. Martinez and seconded by Richard Yetter that employees of the Justices of the Peace of El Paso County, are county employees who are covered by Civil Service Provisions and that any termination of employment by any covered employee has to be in accordance with the Rules and Regulations of the Civil Service Commission of El Paso.

MOTION CARRIED.

MOTION #6
ITEM #6

TABLED.

Discuss and take appropriate action on the revised job descriptions as follows: Secretary/Receptionist, Administrative Assistant, Senior Clerk, & Bookkeeper. (Jorge L. Salazar, Executive Director, EPCADS)

ACTION: It was moved by Richard Yetter and seconded by Mario J. Martinez to disallow the revised job descriptions as follows: Secretary/Receptionist, Administrative Assistant, Senior Clerk, & Bookkeeper and advised Jorge L. Salazar, Executive Director for EPCAD'S to present this item to Commissioner's Court due to the fact that this was a monetary issue.

MOTION CARRIED.

MOTION #7
ITEM #7

Discuss with respect to the Draft of a House Bill giving subpoena power to Civil Service Commissions. (Mario J. Martinez, Chairman, Civil Service Commission)

ACTION: It was moved by Richard Yetter and seconded by Queta G. Fierro to return the proposed House Bill to State Representative, Paul Moreno with additional changes in the language: 1) to impose sanctions for non-compliance as a Class B Misdemeanor, 2) Section 1 (d) (1) add grievances and other matters coming before the Civil Service Commissions.

MOTION CARRIED.

GRIEVANCE

EXECUTIVE SESSION

CHAIRMAN MARIO J. MARTINEZ ANNOUNCED THAT THE CIVIL SERVICE COMMISSION WOULD RECESS INTO EXECUTIVE SESSION TO CONSIDER EMPLOYEES GRIEVANCES PURSUANT TO TEXAS GOVERNMENT CODE SEC. 551.074, PERSONNEL MATTERS. THE COMMISSION RECESSED AT 3:19 P.M.

MEETING RECONVENES

THE CIVIL SERVICE COMMISSION RECONVENED INTO REGULAR OPEN SESSION AFTER EXECUTIVE SESSION AT 4:25 P.M.

MOTION #8

ITEM #8 AMELIA IBANEZ, HOUSEKEEPER, MAINTENANCE DEPARTMENT.
(Carlos Saucedo, Interim Director, Maintenance Department)

FIRST MOTION:

ACTION: It was moved by Mario J. Martinez and seconded by Richard Yetter that Gene Weigel, Risk Manager, present to the Commission a Workplace Policy within (60) sixty days.

MOTION CARRIED.

SECOND MOTION:

ACTION: It was moved by Richard Yetter and seconded by Queta G. Fierro to deny disciplinary action against the Interim Maintenance Director, Carlos Saucedo, as the Commission does not have jurisdiction over a Non-Classified employee. The vote for the motion was unanimous with the following comment: "I would like to say, Mr. Chairman, only because, as you mentioned that this Commission has its limitations, I will vote aye, otherwise my vote would have been no," stated Commissioner Fierro. "I'm thoroughly displeased with where we are with the matter but, we do have our limitations and I've expressed my displeasure of everything that has been going on and I will vote aye also & that we have dismissed this matter," said Chairman Martinez.

MOTION CARRIED.

MOTION #9

ITEM #9 EVELIA ORTEGA, HOUSEKEEPER, MAINTENANCE DEPARTMENT.
(Carlos Saucedo, Interim Director, Maintenance
Department)

FIRST MOTION:

ACTION: It was moved by Mario J. Martinez and seconded by Richard Yetter that Gene Weigel, Risk Manager, present to the Commission a Workplace Policy within (60) sixty days.

MOTION CARRIED.

SECOND MOTION:

ACTION: It was moved by Richard Yetter and seconded by Queta G. Fierro to deny disciplinary action against the Interim Maintenance Director, Carlos Saucedo, as the Commission does not have jurisdiction over a Non-Classified employee. The vote for the motion was unanimous with the following comment: "I would like to say, Mr. Chairman, only because, as you mentioned that this Commission has its limitations, I will vote aye, otherwise my vote would have been no," stated Commissioner Fierro. "I'm thoroughly displeased with where we are with the matter but, we do have our limitations and I've expressed my displeasure of everything that has been going on and I will vote aye also & that we have dismissed this matter," said Chairman Martinez.

MOTION CARRIED.

MOTION #10

ITEM #10

DANIEL FLORES, MEDICAL EXAMINER INVESTIGATOR, MEDICAL EXAMINER'S OFFICE. (JUAN U. CONTIN, MEDICAL EXAMINER, MEDICAL EXAMINER'S OFFICE)

ACTION: It was moved by Richard Yetter and seconded by Mario J. Martinez to delete this item from the Agenda due to the fact that there was a settlement between Daniel Flores, Medical Investigator, & Dr. Juan Contin, Medical Examiner.

MOTION CARRIED.

MOTION #11

ITEM #11 "E. DEMPSEY GUNACA, GRIEVANCE IN VIOLATION OF RULE # 2.02. (County Personnel Director.)"

ACTION: It was moved by Richard Yetter and seconded by Queta G. Fierro to uphold the grievance filed by E. Dempsey Gunaca's and that he, as a "career employee" be given the first right of refusal for any classified position for which he is qualified.

MOTION CARRIED.

CHAIRMAN MARIO J. MARTINEZ ANNOUNCED THAT THE CIVIL SERVICE COMMISSION WOULD RECESS INTO CLOSED SESSION TO CONSIDER PENDING LAWSUIT PURSUANT TO TEXAS GOVERNMENT CODE SEC. 551.071. THE COMMISSION RECESSED AT 4:56 P.M.

MEETING RECONVENES

THE CIVIL SERVICE COMMISSION RECONVENED INTO REGULAR OPEN SESSION AFTER EXECUTIVE SESSION AT 5:11 P.M.

MOTION #12 **EXECUTIVE SESSION:**
ITEM #12

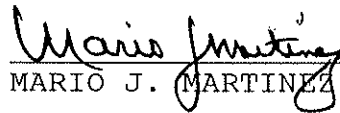
PUBLIC COMMENT:

1. Presentation by officers of the El Paso County Employees Association regarding a Grievance Policy.
2. Presentation by Trinidad Munoz, AFSME Representative, as per letter dated November 17, 1994. The Personnel Director was instructed by Chairman, Mario J. Martinez to place items listed on Mr. Munoz's letter on the next Civil Service Agenda and that the discussion of said items be limited to one (1) minute each.

MEETING ADJOURNED

By motion of Queta G. Fierro, seconded by Mario J. Martinez, the meeting was adjourned at 5:30 p.m.

MOTION CARRIED.



MARIO J. MARTINEZ, CHAIRMAN



ESTELA SALGADO, RECORDING SECRETARY