

COUNTY OF EL PASO



CIVIL SERVICE COMMISSION

REGULAR MEETING MINUTES 1:00 P.M., TUESDAY, OCTOBER 2, 2012 COMMISSIONER'S COURTROOM, ROOM 303 500 E. SAN ANTONIO EL PASO, TEXAS 79901

Selena N. Solis, Chair

Grace D. Munoz, Commissioner

Carlos Gomez, Commissioner

OPEN MEETING

The meeting was called to order at 1:11 p.m. Staff present were Kevin McCary from the County Attorney's Office, Elsie West, and Estela Salgado from the Human Resources Department. A full quorum was established with all being present.

PUBLIC COMMENT

NO PUBLIC COMMENT

APPROVED - CONSENT AGENDA

OCTOBER 2, 2012

MOTION #1 (ITEM #1)

1. **APPROVE REVISED MINUTES OF THE CIVIL SERVICE COMMISSION MEETING OF SEPTEMBER 4, 2012.**

--Betsy C. Keller, Human Resources

On this day, on motion of Commissioner Gomez, seconded by Commissioner Munoz, it is the order of the Commission to approve Consent Agenda Item #1 of the Civil Service Commission Meeting Revised Minutes of September 4, 2012.

VOTE: YES- Munoz, Gomez, Solis

NO: NONE

OCTOBER 2, 2012

MOTION #2 (ITEM #2)

2. **APPROVE THE POLICIES AND PROCEDURES OF COUNTY CONSTABLE PRECINCT #1. BOTH THE COUNTY ATTORNEY'S AND HUMAN RESOURCES OFFICE HAVE REVIEWED THESE RULES. ALL SUGGESTED CHANGES HAVE BEEN IMPLEMENTED.**

--Constable Robert White, Constable Pct. #1

On this day, on motion of the Commissioner Gomez, seconded by Commissioner Munoz, it is the order of the Commission to approve the Policies and Procedures of the County Constable Precinct #1. Both the County Attorney's and Human Resources Office have reviewed these Rules. All suggested changes have been implemented.

VOTE: YES- Gomez, Solis, Munoz

NO: NONE

EXECUTIVE SESSION

EXECUTIVE SESSION: PURSUANT TO TEXAS GOVERNMENT CODE §551.074

OCTOBER 2, 2012

On this day, HR staff announced that the Civil Service Commission would recess into executive session at 1:13 p.m. to discuss the following item, pursuant to *Texas Government Code* §551.074. The Court would reconvene to take official action.

(ITEM #3)

DISCUSS A GRIEVANCE FILED/DATED AUGUST 2, 2012 REGARDING DAVID A. GONZALEZ PERTAINING TO TERMINATION & RULE 7.09 (D).

-- (David A. Gonzalez, Investigator – Steve Spurgin, Attorney at Law) (Clara Hernandez, Public Defender, – Ruben Duarte, Senior Trial Attorney)

On this day the Civil Service Commission came back into regular open session at 1:20 p.m.

MOTION #3 (ITEM #6)

TAKE APPROPRIATE ACTION ON A GRIEVANCE FILED/DATED AUGUST 2, 2012 REGARDING DAVID A. GONZALEZ, PERTAINING TO TERMINATION, RETALIATION & RULES 7.09 (D).

-- (David A. Gonzalez, Investigator – Steve Spurgin, Attorney at Law) (Clara Hernandez, Public Defender, – Ruben Duarte, Senior Trial Attorney)

On this day, on motion of Chair Solis, seconded by Commissioner Gomez, it is the order of the Commission to remove the grievance filed/dated May 18, 2012 regarding David A. Gonzalez pertaining to Termination and Rules 7.09 (D) due to a settlement agreement being presented and agreed by both parties.

VOTE: YES- Gomez, Solis, Munoz

NO: NONE

OCTOBER 2, 2012

(ITEM #4)

DISCUSS A GRIEVANCE FILED/DATED MARCH 14, 2012 REGARDING GERMAN AVILA PERTAINING TO APPEAL OF WRITTEN REPRIMAND & RULES 7.09 (A), (B) & (D); GRIEVANCE FILED/DATED JULY 4, 2012 ON TERMINATION & RULES 2.51, 2.53, 6.09 (A), 7.09 (D), & APPENDIX F SECTION (C-2). (C-2) (POSTPONED FROM AUGUST 7, 2012).

-- (German Avila, Deputy Constable – Jim Jopling, Cleat) (Robert White, Constable – Ruben Duarte, Senior Trial Attorney)

On this day the Civil Service Commission came back to executive session pursuant to *Texas Government Code §551.074* at 1:16 p.m.

On this day the Civil Service Commission came back into regular open session at 1:24 p.m.

MOTION #4 (ITEM #7)

TAKE APPROPRIATE ACTION ON GRIEVANCE FILED/DATED MARCH 14, 2012 REGARDING GERMAN AVILA PERTAINING TO APPEAL OF WRITTEN REPRIMAND & RULES 7.09 (A), (B) & (D); GRIEVANCE FILED/DATED JULY 4, 2012 ON TERMINATION & RULES 2.51, 2.53, 6.09 (A), 7.09 (D), & APPENDIX F SECTION (C-2). (C-2) (POSTPONED FROM AUGUST 7, 2012).

-- (German Avila, Deputy Constable – Jim Jopling, Cleat) (Robert White, Constable – Ruben Duarte, Senior Trial Attorney)

On this day, Chair Solis, seconded by Commissioner Gomez, it is the order of the Commission to remove the grievance filed/dated March 14, 2012 regarding German Avila pertaining to Appeal of Written Reprimand and Rules 7.09 (A), (B), & (D); Grievance filed/dated July 4, 2012 on Termination & Rules 2.51, 2.53, 6.09 (A), 7.09 (D), & Appendix F Section (C-2) due to the settlement agreement which was approved by Commissioners' Court on October 2, 2012.

VOTE: YES- Solis, Gomez, Munoz

NO: NONE

On this day the Civil Service Commission went into recess at 1:25 p.m.

On this day the Civil Service Commission went into executive session at 1:33 p.m.

OCTOBER 2, 2012

(ITEM #5)

DISCUSS A GRIEVANCE FILED/DATED AUGUST 30, 2012 REGARDING BERTHA S. RODRIGUEZ PERTAINING TO SUSPENSION-DISCRIMINATION & RULE 7.09 (A) & (D).

-- (Bertha S. Rodriguez) (Delia Briones, County Clerk – Manny Romero, Division/Unit Chief)

On this day the Civil Service Commission went into closed session to deliberate at 1:49 pm.

On this day the Civil Service Commission went into open session at 1:55 p.m.

MOTION #4 (ITEM #8)

TAKE APPROPRIATE ACTION ON A GRIEVANCE FILED/DATED AUGUST 30, 2012 REGARDING BERTHA S. RODRIGUEZ PERTAINING TO SUSPENSION-DISCRIMINATION & RULE 7.09 (A) & (D).

-- (Bertha S. Rodriguez) (Delia Briones, County Clerk – Manny Romero, Division/Unit Chief)

On this day, on motion of Chair Solis, seconded by Commissioner Munoz, it is the order of the Commission to dismiss the grievance filed/dated August 30, 2012 regarding Bertha S. Rodriguez pertaining to Suspension-Discrimination & Rule 7.09 (A) & (D) because the Commission does not have jurisdiction over this matter.

VOTE: YES- Solis, Gomez, Munoz

NO: NONE

MEETING ADJOURNED

OCTOBER 2, 2012

MOTION #5(ITEM #9)

On this day, there being no further business to discuss, Commissioner Gomez moved to adjourn the meeting at 2:02 p.m., seconded by Commissioner Munoz.

VOTE: YES - Gomez, Munoz, Solis

NO – None

EXAMINED AND APPROVED THIS 6th DAY IN NOVEMBER 2012



SELENA N. SOLIS, CHAIR



ESTELAS SALGADO, RECORDING SECRETARY