

Career Service Authority Board Meeting #2089
Minutes
Thursday, January 17, 2003
9:00 A.M.
Webb Municipal Building
201 W. Colfax, Fourth Floor, Room 4.F.6 and 4.G.2

Board Members:

Co-Chair Tom Bonner
Co-Chair Luis Toro (meeting Chair)
Ashley Kilroy
Nita Henry
Kit Williams

I. Opening: The Board opened the meeting at 9:03 a.m.

A. Approval of the Agenda for the January 17, 2008 Board Meeting

The Board approved unanimously the agenda for the January 17, 2008 meeting.

B. Approval of the Minutes for the January 2, 1008 Board Meeting

Board member Toro abstained on this approval because he was not present for this meeting. Board member Williams was not available at the time of approval. The Board members Bonner, Kilroy and Henry approved unanimously the minutes for the January 3, 2008 Board meeting.

II. Board Comments: None

III. Director's Briefing:

- **Hearings Office – 3rd Quarter report to the Board** - Valerie McNaughton, Chief Hearing Office was pleased to report on the Appeal Statistics that in 2007, the average appeal was set for hearing within 63 days, and decided 37 days after the close of the record. The number of appeals filed was 94, slightly up from the 2006 filings of 91. The Hearings Office closed 110 cases in 2007, in 2006 129 were closed. In 2006, the Hearings Office made it a priority to resolve the oldest cases on our docket, and that increased the number of closures for that year. The average age of pending appeals is now less than two months old, as compared to an average age of about 90 days for this same period last year, thanks to immediate jurisdictional review of all new appeals. That process occasionally delays the setting of hearings in cases where the jurisdictional issues appear obvious, but on balance that saves preparation time where the appeal form demonstrates it is clearly not within our jurisdiction.

The Hearings Office found that to further decrease the time appeals are pending by pressing the parties to accurately estimate the number of days they will need for hearing. Automatic settings of one day have sometimes proven overly optimistic, and result in testimony taken in broken days: not always optimal for the parties or the receipt of a cohesive record. The Hearings Office is working on a procedure to call the parties as soon as the appeal is filed and to review all cases after the receipt of the pre-hearing statements in order to set the right number of days for hearing.

The transition of the Hearings Office to be independent of CSA has gone very smoothly, thanks to our continued support by CSA's IT personnel. Budget functions have been assumed by Kelly Gruenke of the Budget Management Office, and we have submitted our quarterly goals

compliance numbers through her. We stayed under budget for all non-personnel line items in 2007.

Our Court Technical Clerk, Linda Tizon, is in our last semester of paralegal training, and our Law Clerk, Chris McBride, attends work-related CLE courses and web classes sponsored by the city.

The chart below compares appeal activity for the past three years.

COMPARISION OF APPEAL ACTIVITY, 2005 – 2007

| | 4th Q 2007 | 4th Q 2006 | 4th Q 2005 |
|------------------|----------------------------------|----------------------------------|----------------------------------|
| Pending Appeals | 45 | 40 | 46 |
| Closed Appeals | 110 | 129 | 87 |
| Decisions Issued | 23 | 33 | 40 |

Board member Kilroy asked Valerie how many hearings went over the 1 day timeframe. Valerie said they had 5 this fall. Valerie said their office will be meeting with Civil Service to see how Civil Service is working their hearings, and they will also look at the ruling of 1 hearing in 1 day.

Board member Bonner asked how relationship with Civil Service was working. Valerie said they are working very well together. He then asked if there was any difference on percentage of prevailing cases from 2006 and 2007. Valerie said it remained about the same, which was at 70%. Ms. McNaughton added that the Hearings Office does not receive information about the terms of settlement before or after hearing, but they acknowledge that settlements are an agreed-upon outcome, and may be considered a favorable resolution for both sides.

Jeff Dolan, Career Service Director updates:

- Mr. Dolan thanked Board member Henry for her participation at the Diversity and Inclusion Committee meeting, and we had great feedback.
- Mr. Dolan received information from Teamsters who would like a rules change which the Board received in their packets. He asked how the Board wanted us to engage this request. Board member Kilroy asked that Career Service staff follow up with Teamsters and make a recommendation to the Board, and present it to the board for discussion. She felt taking away the right to appeal may present problems. Board member Bonner will be meeting with Hearings Office regarding written reprimands and will gather facts on this and give to Board for discussion also. Board member Toro felt both unions be represented. Peter Garritt will review this and present to the Board.



Teamsters Rule
Consideration 01-22-

- Mr. Dolan had a discussion and found a desire from cabinet to participate in looking at the content and usefulness of the dashboard data. He will be meeting with members of Cabinet or designees to identify this information. The goal is to create a policy to present to policy makers and a model to follow for everyone.
- Mr. Dolan reminded the Board that he would be out of the office January 31 through February 13, but will be available by phone and email. Dani Brown will be acting Director and facilitate any questions the Board may have and work with staff.

- Bruce Backer handed out information to the Board on the 2009 Strategic Total Compensation Plan and has engaged stakeholders to moving into the implementation. The formality is to avoid potential reasonable pay/reasonable work issues, however this will be an ongoing process within the next 6 months. Jeff Dolan will facilitate these Total Comp meetings. **Board Member Kilroy** said that there should be a balance of interest, between Finance, City Council, Board, and technical experts for this issue. She would like to see some employee representatives on the committee. Jeff stated that AFSCME and Teamsters representative will be asked to participate, but Board member Kilroy would like employee representation besides these entities since they represent less than 1% of the workforce. Board Member Bonner said we have had comments from Councilwoman Johnson because of not having employee representation, and both unions don't represent all employees. Mr. Dolan said that we will get employees on this Committee. Ms. Kilroy said that Mike Anderson has been a good representative of employees. Board Member Toro would like to see both unions represented, and Mr. Dolan assured him we will get a nice cross sampling.
- Bruce Backer has been lead on the logistics for the move of the Controllers Office to Career Service. The consolidation of payroll will need 30 cubicles, and Bruce has been working with facility management on the placement on the 4th floor by the Classification/Compensation area. It should take 8-12 weeks for implementation. At the agency human resource meeting they had 2 lists of duties that are being verified, 1) Human Resource Director/professional and 2) Support Tech level. Recruitment will end on January 18th, review of the applications will follow, and the interviews are tentatively scheduled for the 2nd week of February. The announcement was for promotional opportunity only, but over 60% of the applications CSA received so far were from the outside. Board Member Williams asked if we will be looking to the outside, and we will not at this time. Board Member Bonner clarified that this was only for City employees and 60% were from outside of the City. Board Member Toro asked how many of the City employees applied, and Ms. Brown did not have those numbers.

IV. Public Comments: None

V. Approval to Post: None

VI. New Cases:

A. Geoffrey Strasser vs. Department of Parks and Recreation, and the City and County of Denver, Appeal # 44-07.

Board moved to discuss Strasser case at the February 21, 2008 meeting.

VII. Pending Cases:

A. Anthony Sullivan vs. Department of Safety, Denver Sheriff Dept., and the City and County of Denver, Appeal # 60-07.

The Board unanimously affirmed decision with the written opinion to follow on Sullivan case.

VIII. Executive Session: The Board closed the meeting to go into Executive Session at 9:35 a.m. and re-opened the Board meeting from Executive Session at 9:53 a.m.

IX. Adjournment: The Board adjourned at 9:53 a.m.