

**Career Service Authority Board Meeting #2092**

**Minutes**

**Thursday, March 6, 2008**

**5:00 P.M.**

**Webb Municipal Building**

**201 W. Colfax, Fourth Floor, Room 4.F.6 and 4.G.2**

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

**I. Opening: Board opened at 5:05 p.m.**

**A. Approval of the Agenda for the March 6, 2008 Board Meeting**

*The Board approved unanimously the agenda for the March 6, 2008 meeting with an amendment by Chairman Tom Bonner to add the Public Comments section.*

**B. Approval of the Minutes for the February 21, 2008 Board Meeting**

*The Board approved unanimously the minutes for the February 20, 2008 meeting. Board members Nita Henry and Ashley Kilroy both abstain since they were not at the last meeting.*

**II. Board Comments:**

Co Chair Toro commented that the 5281 Celebration was a great success and the Communications Team put on a wonderful event with Co Chair Bonner seconding his comments.

**III. Director's Briefing:**

**A. Payroll Centralization Update-** Director Jeff Dolan commented that the recruiting and hiring for the open positions in centralized payroll has been completed and training is underway. As of today, the fourth floor has started its transition to accommodate the Controllers Office. Also, CSA has started its relocation of divisions into their new locations throughout the fourth floor and first. Director Dolan also stated that a number of the conference/interview rooms within CSA have been remodeled into offices and CSA employees will move into the work stations by Monday. Director Dolan commented that talks have been underway concerning how CSA and the Controller will align themselves in terms of work processes. More information will be presented to the Board as the transition continues. Mr. Dolan also wanted to thank and recognize Facilities and Planning Management from the Department of General Services for their outstanding help with the move.

**B. FY 09 Budget Preparation-** There is no update today however this item will be left on the agenda for future discussion.

**Public Comments: None**

#### IV. Approval to Post:

- A. Removal of references to the “Auditor” in the rules to replace with references to the “Department of Finance” presented by Peter Garritt, CSA Employee Relations. Mr. Garritt commented that over the past year a number of payroll departments have transitioned into the Controller’s Office under the Department of Finance. This rule change will make our rules consistent with what has happened. Auditor will change to the dept. of finance according to Rule 9-1-10A.

*The Board approved unanimously to Post the removal of references to the “Auditor” in the rules and replace with references to the “Department of Finance.”*

***Chairman Bonner wanted to clarify that the Board has decided to change the Public Hearing to a quarter after.***

#### V. Public Hearing: (5:15 p.m.)

- A. **Public Hearing Notice - No. 362-** Proposed Revisions to Career Service Rule 9-66 Bi-lingual Services Differential presented by Pete Garritt CSA Employee Relations. The proposed change is to allow part time bilingual differential compensation for part time work. Mr. Garritt commented that once Kronos is functional they will re-evaluate this portion of the differential pay to determine whether further efficiencies can be implemented. Part time employees are concerned with the pro- rating rationale on pay because it means that their compensation would be less than it currently is. Mr. Garritt commented that the reason for this proposal was that there was one person outside of the library receiving the differential pay for full time employment along with twenty one employees within the library, all who were working part time.

Chairman Bonner asked if people have seen these new numbers.

Co-Chair Toro wanted to know why this hasn’t been looked at before.

Roberta Monaco, Supervisor Class/Comp, commented that it was originally set up to be paid by an hourly amount which proved to be very cumbersome, especially for positions that sporadically provided bilingual services. As a result, Ms. Monaco worked with managers and developed the current policy so that the differential would be paid in a lump sum. Ms. Monaco commented that by paying the differential in a lump sum the City is still able to pay employees for the use of the language and pay equity would be sustained.

Co-Chair Toro wanted to clarify that the proposal was changed since given to them for Approval to Post. Co-Chair Toro suggested that they do not track the use hour by hour and just pay them a lump sum. Mr. Garritt stated that the differential is based on the position that they are in (i.e., full time, half time or three-quarter time status). Mr. Garritt also clarified that some employees working less than full time is because they are working on-call.

Co-Chair Toro suggested that a sliding scale be used to figure what the lump sum would be. Mr. Garritt commented that the differential is not only based on the hours worked; it is also based on the bi-lingual skill level of the employee.

Maribel Salazar, Victim Advocate, claimed that she works a thirty hour per week position, answering the Spanish line as an interpreter. Mrs. Salazar stated that to

cut back on the differential pay now would be an injustice to those working 30 hours or more. Mrs. Salazar commented that at times she must use the bi-lingual skill 50% of her time.

Co-Chair Toro asked whether an interpreter is a separate classification (and it is).

Mrs. Salazar did clarify that she has tested for bi-lingual and passed which is different than a court interpreter, yet she is still the interpreter for the office.

Chairman Bonner questioned the net effect, monetarily, on those being affected by the proposal. Mrs. Salazar did respond specifically that there would be an impact since she works part time but receives full time differential.

Mrs. Samone, DPL, works as an outreach part time employee utilizing her bi-lingual skill with one other employee. Mrs. Simone commented that they have been hired to be the face of the outreach program and not the administration side. Mrs. Samone stated they provide technical support, phone contact/support, and face to face relations with Spanish speaking customers. Mrs. Samone also stated that they provide communication projects to the Spanish community.

Co-Chair Toro asked how many languages are offered through DPL. Mrs. Simone clarified that she uses Spanish and English and that other branches may use other languages.

Board member Williams asked how many hours she worked. Mrs. Simone commented that she works 20 hours.

Board member Williams questioned Mr. Garritt if this proposed change was to save money or for the perception of fairness. Mr. Garritt commented that it is both yet it might be more of a money issue.

Director Dolan commented that part of the balance is that the workforce is split between full time and part time and a sense of inequity is present since employees working part time earn full time differential.

Ms. Rico, DPL, commented that 90% of her 20 hours is when she speaks Spanish. She was told that she would receive full time differential for part time services as part of her salary at the time of her employment. Mrs. Rico commented that this benefit should be retained as it was understood when they were hired and that the employees depend on the differential. Mrs. Rico commented that their duties also include translation, printing documents, and helping with the web site to assist the Spanish speaking community. Many of the part time work is on call with fluctuating hours, so she questioned why she should have to speak Spanish when not compensated. Ms. Rico would like for the Board to reconsider this change because it will impact them financially.

Chairman Bonner questioned the hours worked by the on calls and if they would be higher compensated for more hours worked. Mr. Garritt commented that they would be compensated for the position not the hours worked.

Letty Icolari, HR Director at DPL, commented that this proposed change is more of a payroll issue. Ms. Icolari stated that the library has a large amount of part time employees, close to 50%. Part time employees at the library are allowed to

pick up additional hours when needed. Ms. Icolari wanted to clarify that she cannot explain the impact because she does not work in payroll.

Mr. Garritt commented that the change is based on their regularly scheduled and worked hours.

Ms. Icolari stated that there are two elements that pertain to this. The first element is the past rule and how it related to the hours portion of the differential pay. The second element is the amount of time the bi-lingual skill is used along with the level the employee tested and passed at. Employees are being paid for the level they tested and passed not how much they are using it at any level. Ms. Icolari does support this change but with some changes because employees are compensated based on the level they test, not the level in which they work.

Board member Kilroy asked for clarification about writing, reading, and speaking.

Ms. Icolari stated that they are tested at different levels and that is where the difference in pay appears. They are paid for the level in which they have tested, not the level in which they are assigned to work.

Co-Chair Toro asked what other languages are spoken in DPL and said that having the differential depends on speaking the other language 35% of the time probably hurts DPL's capability to serve people who speak languages other than English and Spanish.

Ms. Icolari clarified that this payment is a differential based on hours not employment equity.

Co Chair Toro stated that we should look at the amount of time the language is spoken.

Board member Henry questioned who considers this cumbersome to payroll and why.

Ms. Monaco stated that its easy to track equipment differentials yet it is hard to track the bilingual usage in the library because it can be provided sporadically rather than constantly.

Board member Henry asked how would we know if they are using the skill 35% of their time.

Ms. Icolari commented that they take in consideration when hiring how much and how often they will use this skill. Ms. Icolari stated that this differential should be looked at like any other differential in the city.

Ms. Monaco stated that they would be assigned to projects that would be easy to track the time the skill is used.

Board member Henry commented that there needs to be a way to track that they did work the differential time.

Ms. Icolari commented that the employees that use the skill are clustered in libraries that are known to be Spanish communities, very client based. She also clarified that this is looked at on an annual basis so that changes can be made,

which may take the differential payment away to some positions and add it to others.

*The Board approved Public Hearing Notice 362 with a 3 to 2 decision with a correction in 9-66 E replacing the words “regularly scheduled” with “actually worked.”*

- B. Public Hearing Notice - No. 361-** Proposed de-consolidation of the Career Service Authority appropriation account presented by Mr. Jeff Dolan CSA Director. Mr. Dolan stated that a deconsolidation of appropriation accounts happened in 2004 involving Economic Development, Environmental Health, and Finance. In those hearings the Board did approve those requests and in two cases those departments have gone through layoffs.

Board member Kilroy asked what happened before 2004.

Mr. Dolan commented that prior to 2004, the CSA rules did not permit the deconsolidation of appropriation accounts. What triggered the change was the economic hardship it caused to the organization and the subsequent layoffs that occurred.

Board member Kilroy wanted clarification about what a deconsolidation means, specifically bumping. Board Member Kilroy requested what happened after the 2004 rule change and how is it affecting the employees now.

Mr. Dolan stated that it allows the organization to silo specific functions but limit it to those service areas and skill sets employees are trained in. Mr. Dolan commented that it would allow employees to retain their seniority and bumping rights but limit those rights to their service delivery areas that they have been trained in.

Board member Williams questioned if deconsolidation is based around layoffs.

Mr. Dolan stated that the answer is yes.

Board member Kilroy questioned if seniority rights will only be carried into areas of specific business units.

Mr. Dolan clarified that what happens is that it takes training to move from one area to another. There have been several themes that have surfaced and recruitment has come out on top. There is a problem with how work is completed in this unit which needs to be addressed, this function is damaged. Mr. Dolan stated that the work has been completed by five recruiters which is not an ideal way to conduct and complete work since 50,000 applications were received last year. Because our staff cannot keep up, many of our clients have sought outside assistance. That is a signal that we are failing and immediate action needs to be taken. There are two other areas that need modification: 1) Performance Management- 42% of employees believes that PEPRs are not relevant to their work. For CSA there is a strong need to respond to that. 2) Employee Relations- we need to start looking at our service delivery models, how quickly we engage employees with questions or problems. Currently the employee has two options, to either do it by themselves or hire an attorney, very confrontational. Mr. Dolan would like to change direction and create an environment that balances both the needs of the employee and the management. Mr. Dolan stated that it will take

time and there will be some tough decisions to accomplish this goal. It is very important to provide services to our clients that they deserve in all areas of CSA. Mr. Dolan stated that in his position he is not bound to present issues such as these to the Board as Public Hearing, but chose to in order to provide a transparent process. Mr. Dolan believes that by presenting issues such as this in the Public Hearing it gives the employee an opportunity to hear first hand what is going on in the agency.

Board member Kilroy wanted clarification about the CSA Director having the authority without Board Approval.

Mr. Dolan stated that if a deconsolidation is not used, there is still a way to reorganize CSA through keeping one single account code. Mr. Dolan commented that by keeping one account code no Public Hearing would have been necessary. Mr. Dolan commented that if this was to happen he could special qualify each individual position within the other divisions which would look like he and CSA would be trying to hide something. Mr. Dolan is attempting to keep everything in the open and be as transparent as possible.

Board member Williams questioned if we could do it under one code and how bumping rights would work and also if it is more of a structural issue that does not flow back and forth based on seniority and other factors.

Mr. Dolan commented that it provides CSA with stability and services across the agency. Mr. Dolan commented that it will impact recruitment the most, yet operationally it is important for other areas to keep working as they have and not be affected by bumping. Mr. Dolan stated that deconsolidation is the only way to ensure that we can provide solid quality service to our clients.

Board member Kilroy questioned if they abolished these positions would we need to post new positions with more detailed and higher qualifications and if so would those employees being affected have to re-apply.

Mr. Dolan stated that if we don't deconsolidate, we would eliminate the positions that have been earmarked and the individuals would have an opportunity to bump regardless of what division they may end up in. Mr. Dolan commented that the risk associated with this is that taking somebody into a position they are not comfortable or familiar with or have ever done would cause an experienced person to be out the door, and inefficiencies into the work unit. The earmarked positions are not a core services or are in an area that is outdated by the introduction of technology. Mr. Dolan used the CDL Program as an example of a program that is not a core function of CSA and which is better suited in another agency.

Board member Kilroy wanted to clarify if there is any other result of a deconsolidation/abolishment other than layoff.

Mr. Dolan stated its either layoff or attrition unless there is an influx of additional funding which is highly unlikely in these tough economic times.

Co-Chair Toro wanted clarification about special qualifications on positions.

Mr. Dolan commented that the rule allows the Director to identify qualifications and knowledge of positions and to “bubble them.” The effect of this is that the person in the position would no longer be in the line to be bumped.

Mr. Dolan stated that technology such as NeoGov has enabled CSA to reduce its workforce or justify the deconsolidation and change our service delivery model. NeoGov has enabled the city to replace aspects of recruiting that were done by hand such as making photocopies of applications and can now be done with technology. This will allow our recruitment efforts to improve delivery through efficiency. The recruiters will be able to take the applicant from beginning to the end, from application to the first day of employment. Part of the reason that Mr. Dolan has come to this point is because what CSA has been doing for the past few years has not worked. It's not because employees are not educated or not trying hard it's because it's a systematic and ascetic challenge, not enough people doing what we need done. One reality that should occur is with the recruiters knowing all aspects of their current recruitments along with screening, testing, job offer, and assisting the hiring manager. Employees will be utilizing more technology, recruiters specifically, to create efficiencies. Mr. Dolan referred the Board to their packets for handouts outlining the deconsolidation which will be mirrored in the organizational chart. Mr. Dolan then referred the Board to Rule 14 section 40 where the actual layoff rule is outlined. Mr. Dolan did comment that there is a forty five day layoff period after deconsolidation which employees are given notice. Mr. Dolan did request a potential two week extension to that minimum wait requirement due to business needs.

Board member Kilroy asked for clarification as to when the last day worked would be.

Mr. Dolan stated that the affected employees would work May 1, 2008 as their last day in order to keep their benefits for the month. Mr. Dolan stated that he provided a longer period of time prior to layoff to the staff so that they could hear of the plans, provide feedback, and give them an opportunity to seek employment within the City. Mr. Dolan commented that we have had a good amount of support not only for the deconsolidation but also employment placement.

Mr. Dolan commented about the previous processes for OED, Finance, and DHS was to come to CSA to ensure they were compliant with the rules prior to presenting it to the Board. Mr. Dolan stated that CSA did review its plans as a model of how CSA would go about deconsolidating, but we also went to the legal staff from the City along with Mountain States Employers Council. MSEC did provide a written document for the Board's review. Mr. Dolan did state that according to MSEC and the legal department CSA is compliant with our rules and practices.

Board member Kilroy wanted clarification if there is in fact a business need (Rule 14 41-B2) or circumstances require such action. Mr. Dolan stated that as our clients needs become more difficult, that is a clear reflection that our needs and structure must change/evolve to mirror their needs, recruiting specifically. Mr. Dolan stated that TOD will be assisting the impacted employees with free training that they may need for one year.

*Board moved to take a five minute recess for review of MSCE documents at 6:33 p.m..*

***Board reopened the meeting at 6:40 p.m.***

**Kim Frazier Administration CSA**, commented that she will be tape recording her presentation. Mrs. Frazier is concerned about the layoff and its affects. Mrs. Frazier requested that she ask her questions and be given a brief response to save her time.

Mrs. Frazier asked what happens to an employee's duties and position when they are laid off? Mr. Dolan commented that they are either absorbed into other positions or functions cease to be performed.

Mrs. Frazier then asked why is CSA deconsolidating its fund. Chairman Bonner commented that Mr. Dolan addressed that there are a couple of ways of doing it and the deconsolidation was one of them, but both result with a layoff. Chairman Bonner stated that deconsolidation is one methodology yet they both net the same outcome.

Mrs. Frazier then questioned if employees will have bumping rights? (Yes, they will.)

Mrs. Frazier then asked if there have been any reconsideration for those who are being laid off? Mr. Dolan wanted clarification as to what is meant by reconsiderations. Mrs. Frazier commented if some will be told they are not going to be laid off and if others will be told that they can stay. Mr. Dolan then stated that nobody has been reconsidered.

Board member Kilroy commented to Mrs. Frazier that these questions are not relevant to the Public Hearing for deconsolidation of appropriation accounts and that Mr. Dolan would be open to discussing these matters one on one. Ms. Frazier said she had two more questions to ask.

Mrs. Frazier then questioned if the Board and Mr. Dolan were aware that majority of those impacted are minority that were selected? Mr. Dolan answered that he is aware of that.

Mrs. Frazier then asked how they came to the realization that those being affected does not meet the qualifications for any other jobs that are being created. Mr. Dolan stated that they have not yet come to that conclusion. And she thanked Mr. Dolan for answering those questions.

Mrs. Frazier then said that she was laid off from the City in 2003 and took a \$1,000 a month cut in pay. When she returned to the City she was placed under Kelly Brough, Acting Director, who according to Mrs. Frazier did not like her as a person. Mrs. Frazier believed the resentment was because of her filing of EEOC Complaints and Grievances against that particular lay off but because of no EEOC attorney representation she did withdraw her case. One of the things that touched Ms. Frazier was that Ms. Brough came to her and said that she would be put in the lowest position in the agency and that Mrs. Frazier would be very successful there, which Mrs. Frazier took as a big threat. Because Ms. Frazier has a Bachelor of Science Degree in Business Management, she was very hurt by this comment. It placed her in a position where people questioned her on why she wasn't moving up in her career path, and that this comment threatened her career and being and Ms. Frazier felt it was difficult to get back within herself to

move forward, and that is why she is in the lowest position within this agency. Her title won't matter as far as bumping rights if we did have bumping, and my years of service I hope would. She said that it is evident to her that someone is in control holding a glass ceiling over her head, and blocking her advancement opportunities within the City. Since 2003 she has been applying for jobs and has been overlooked. Reflecting back and trying to re-promote, CSA has hired at least 31 people into positions she feels she was qualified or re-promotable to go into.

Board member Kilroy asked if Ms. Frazier had any comment regarding the business justification that Mr. Dolan has set forth for the deconsolidation, and what she thinks about NEOGOV and job performance. Ms. Frazier replied she was going to get to that, and Board member Kilroy allowed Mr. Frazier another minute to address the justification issue.

Ms. Frazier noted that as far as NEOGOV, she has performed from A to Z in the agency and is going on 20 years in April, she knows the testing, and knows what recruitment does and how to handle requisitions and is familiar with all that is going on, responds to numerous questions and phone calls daily at the reception desk helping recruitment analysts, employee relations, training, everyone, and her main concern is that those that are being affected would hopefully have the opportunity to be reallocated possibly into these newly created positions so that they can be trained because most of the people affected have a number of years here and have done all of this. This ended her comments to the Board.

**David Ridenour, Public Works**, President of ACSME 158, and the membership has asked him to speak about this deconsolidation this evening. He said that the previous speaker was more eloquent about the immediate impacts than he will be. Mr. Ridenour wants to point out In rule 4-42 D indicates that positions to incumbent to the layoff is that, when a layoff is involved, there is no relation between the positions that are abolished and the incumbents in those positions. That being said AFSCME has a question, and why is there a list of positions being abolished? He also heard as he was sitting here that the procedure that is being gone through was endorsed by the Mountain States Employers Council, and AFCSME's position on the Employers Council is that they are a representative of the employers. He is not sure if employees were asked about the process.

Board member Kilroy asked if Mr. Ridenour could explain what 14-42 D means to him, relations of positions to incumbents in a layoff, Mr. Ridenour answered that the interpretation is that if you decide to reduce the number of positions in your agency the reduction of positions has no direct tie to the employee in your agency and here it appears that it does, because in deconsolidating, the opportunity in the smoke stack individually targets employees. You can narrow it down to the point by special qualifications for instance, where a specific employee no matter if they have a masters degree in social work, has to be qualified for the position because they don't understand Excel 5.0. Board member Kilroy asked if he is saying in subsection D that you cannot abolish positions? Mr. Ridenour answered no, what he is saying is that you cannot come up with a targeted list of employees, and he believes that what is happening within CSA is setting an example that you do not wish to set and he can pursue further as he goes through, but he is afraid by narrowing things you are forcing outcomes that you probably don't want to happen, and he has not heard any discussion on that thus far. Board member Kilroy stated that under the rule, pursuant under business justification, CSA is entitled to deconsolidate just as

three other agencies have. Mr. Dolan has given his business justification and asked for Mr. Ridenour's comments on this. Mr. Ridenour answered that this is a good question, and there is a difference between can you do it and should you do it, and he would like to proceed down the should you do it line. The justification has been to reinvigorate the core functions and to AFCSME that is a mouthful of buzz words, but the personal situation as AFCSME understands, the employees that are affected have already been identified, but CSA has not been able to tell them if they meet the minimum qualifications for the new jobs or if they have the required background or experience in those areas. Board member Kilroy asked if the jobs have been classified, and Mr. Dolan answered that they have been have not been posted because no formal action has been taken, and that's why we don't know their qualifications. Mr. Ridenour continued stating that 6 of those employees that AFCSME was furnished a list of are "on the bubble" have worked for the City for 15 years or more, with 2 having 5 years or more, and other 2 are in the less than 5 years category. To AFSCME in general, seniority matters a lot. When this takes place, or if it takes place the affected workers will maintain a very limited bumping right, because they can only bump within their own division. The justification that is being put out reported by the Rocky Mtn. News is that "we can still reorganize without the board approving it and unfortunately that would mean people would be bumped into positions that they have not worked in before or it would slow down operations significantly, because people would have to be trained in the new roles which can take 6-18 months." AFSCME would point out bringing a new employee on board takes 6 months to come up to speed, and thus the reason for a probationary period in hiring. AFSCME doesn't necessary see that this is a trade off between retraining a loyal employee and training them, and bringing on somebody else who is going to be 100% ready on day one that just doesn't happen. Mr. Ridenour gave some statistics from the Rocky Mtn. News on CSA's current demographics, 46% white, 31% Hispanic, 15.5 % Black. If people on the bubble are laid off, the new percentages would be 54.1% white, 27.9% Hispanic, 11.5% Black, and understands he is in a strange position presenting statistics but this is what AFSCME would like the Board to consider. The example the Board is setting rather than can you do it. Co Chair Toro mention that isn't it true that those statistics are not taking into account the new positions since they've not been filled, and Mr. Ridenour answered that Co Chair Toro is correct because there is no way AFSCME can say and they can go one way or another. Board member Kilroy asked that isn't this still reflective of the population in Denver or close, and Mr. Ridenour did not know. Co Chair Bonner commented that if he thought that at any time this was racially motivated, the Board would not have come to this point. Mr. Ridenour stated he was not making an accusation, he is saying that what the Board is doing may not be the example the Board wants to set, and he did not hear any mention of this until he spoke. Board member Williams asked about the bumps and as she has seen it, the lower ranking positions are the most in jeopardy regardless of the bumps. Mr. Bonner asked Mr. Dolan if he has looked at this. Mr. Dolan stated that CS has looked at option 1 to not use the deconsolidation, and CS is a very diverse organization and regrettably we would still have a substantial impact as it relates to race and age. Mr. Ridenour ended stating that the Board or CS is the bad guys, but the overall decision needs to be looked at.

**Karen Brennan, Public Works**, addressed the Board and gave some history on when she worked with CSA and was part of 11 layoffs. At that time deconsolidation was usually used for larger agencies to make sure position qualifications were appropriate. Ms. Brennan is worried that the togetherness,

and in a layoff you want to look at the positions and not the people. She feels that a deconsolidation is perceived as a way of targeting people. She feels the positions can be interchanged, no license needs to be acquired and most of the people have done the jobs. In 2004 our lay off rule was changed, and a big concern was bumping into classifications that an employee held in the past which narrows the window. Before that, a person could bump into any classification they qualified for. In deconsolidation it could totally reduce bumping. She brought to the Boards attention how the Training Dept. has grown, and this was accomplished without lay offs and working with the Budget office. Another concern is the employees applying for the new positions, and one of the problems she has seen is between the time the job was posted and the employee applied, the recruitment was not completed by the time employees notice stated they were out the door. Ms. Brennan would like the Board to look at consolidation and deconsolidation, and most of the employees affected have over 15 years of experience.

**Sharon Milton, CSA Certification Supervisor**, addressed stating she is one of the employees affected by the layoff. Ms. Milton was here when the City purchased PeopleSoft, which was suppose to be a magic system that would do everything for the City, and she implemented it and knows the system well. Ms. Milton does not like the bumping rule, it has been in effect since she started the city, but if she has the chance to use the rule, she would like to have the chance to use the rule and to bump someone else rather than be laid off. Ms. Milton brought up NEOGOV, the new recruitment system. The applications come in fast, the input is fast, however the output is not as fast, and unless some of the rules are changed, Career Service will be in the same situation because this system is web based and is slow. Ms. Milton and staff do 90 day checks, status checks, and do a lot to get lists out to the agencies of the City. She would like the Board to reconsider the deconsolidation because there are only a few that will be able to bump, and she feels that she and others were targeted. This ended her comments to the Board.

Co Chair Bonner closed the hearing, and opened to the Board for discussion.

Board member Henry asked for clarification of rule 14 42 D. Ms. Davison, City Attorney explained that when you lay off, you are eliminating positions, you are not eliminating persons. In this case what is unusual is that the incumbents knew their positions were going to be abolished before the deconsolidation was approved by the board. Ordinarily you would see number of positions being abolished coming to the Board, and then once the layoff plan is together the names would be attached to the position.

Co Chair Bonner replied that Mr. Dolan said that it was his attempt to communicate, or shine some sun light with his employees, and this was not meant to target them personally or as a minority group. This was not about "let's get them". Ms. Davison replied that what the other point, if she understood Mr. Ridenour was trying to make, and using the statistics to show the impact, not necessarily intentional, and the impact falls on African American, and Hispanics going down about 4% of total minority population and increasing the white population by 8%. Co Chair Bonner asked Mr. Dolan to clarify the question, that the impact of the reorganization without this would have the same effect. Mr. Dolan replied not identical but similar, and this was an estimate vs. a reality.

Board member Kilroy's comments regarding Mr. Ridenour when he said he thought reinvigorating core functions as he saw on paper were just words, said that these really were not just words. Instead, when we were looking for someone to run this agency, the Board specifically said that they needed to get to the core functions. This is definitely getting to the core functions for the Board to focus on. Board member Kilroy understands the seniority issues, but the deconsolidation rule states that this has to be done for a business reason, and the business justification along with the City becoming more complex and jobs becoming more difficult, she is in favor of supporting this. It is hard hearing these people will be gone, but she hopes and agrees with other Board members that this was not used to target people after taking an honest look at what the functions are and how we can best run this business. Ms. Kilroy was happy to hear Ms. Lujan and Ms. Luckett have, in an informal and formal way, reached out to help employees affected and hope that employees affected take the opportunity to apply for the open positions to stay with the city. Board member Kilroy ended stating she will support the deconsolidation, and this has been very hard for the Board and Mr. Dolan and understands that this is also very hard for the people sitting in these positions.

Board member Henry stated that she has said to a number of people within the City, a number of people sitting here and in the audience that she believes CSA is played out. CSA is outdated, antiquated and at risk. As a result of that, CSA has to change or it won't be here. Whenever you see other agencies start to duplicate what an agency is doing, then you know you are in trouble, so in her mind CSA is in trouble. An old saying "You don't get to be what you are just because you always have been" is a philosophy she looks at when looking at CSA. Board member Henry is frightened right now and has been frank about this with leaders in the City on what CSA has become because it has not kept pace with other parts of the City's needs. She also finds this whole issue troublesome whenever she hears about people of color feeling targeted, because it is a very sensitive issue to her, but in converse if this was a public hearing and everyone in this hearing were white, would we be having this conversation? She would like everyone to balance this too, and would we feel marginalized if the list was all white people that were going to be laid off. Board member Henry wants this to be considered and stated she would not be sitting on the Board if she had an inkling of an idea that people of color were marginalized and picked out for layoff, stating if this was so, she would be the first person to walk out of the board meeting. She feels very confident that not even knowing the faces to the layoff prior to them speaking at the meeting, she feels very comfortable in conversations she has had where there is a direct link between positions being eliminated and getting to a point to save CSA. Board member Henry's ending comment was to support this.

Co Chair Toro and Board member Williams had no comments.

Co Chair Bonner commented that he has defended CSA and CSA needs to change or CSA will not be around, or will be left with no independence if CSA does not deliver the core services well, and feels Mr. Dolan's motivation was clearly a business one. He also liked the fact that an in vigorous effort will be undertaken for everyone involved to find a job. Hopefully within CSA or within the City, because he understands how important it is to keep longevity current and personally feels bad about anyone going through this dilemma, but feels it is in the best interest of the agency to move forward, and this is the way to do it and Co Chair Bonner will be supporting this.

*After Board discussion, the Board approved unanimously Public Hearing Notice 361, the deconsolidation of Career Service Authority.*

**VI. New Cases:**

- A.** Sandrowski vs. Department of Public Works, Request for Stay.  
***The Board denied motion to Stay.***

**VII. Pending Cases: None**

- IX. Executive Session:** *The Board adjourned to executive session at 7:20 p.m. to discuss case and reopened the Board meeting at 7:27p.m.*

- X. Adjournment:** *The Board closed Board meeting 2092 at 7:28 p.m.*