

# COUNTY OF EL PASO

## CIVIL SERVICE COMMISSION

**Leading diverse human resources through innovation,  
superior service and unified partnerships.**



## 2021 ANNUAL REPORT



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## COUNTY OF EL PASO CIVIL SERVICE COMMISSION

### INTRODUCTION

The El Paso County Commissioners Court is authorized under Section 158.003, Texas Local Government Code, to establish a three-member Civil Service Commission (CSC), with one member designated to act as chair, which shall make, publish and enforce rules relating to: (1) selection and classification of County employees; (2) competitive examinations; (3) promotions, seniority and tenure; (4) layoffs and dismissals; (5) disciplinary actions; (6) grievance procedures and other procedural and substantive rights of employees; and (7) other matters having to do with selection of employees and their advancement, rights, benefits and working conditions, or as authorized by Section 158.009 of the Texas Local Government Code.

Civil Service Commissioners shall be appointed for two-year terms. The appointment of such Commissioners shall be done on a rotating basis among the four (4) County Commissioners. The Judge, however, is responsible for an appointment each term. These terms shall be staggered to ensure historical knowledge is transferred to new board members. In the event a Civil Service Commissioner cannot fulfill his term, the responsible precinct of Commissioners Court shall appoint a new Commissioner to fulfill the remainder of that unexpired term.

Regular meetings shall be held at an appropriate interval as agreed upon by the commission and shall comply with the Texas Government Code, Chapter 551. ("Texas Open Meetings Act"). Two Commission members must be present to constitute a quorum. Should the regular meeting fall on a County Holiday, the Civil Service Commission meeting for that month will be held the following week at the regularly scheduled day and time. The El Paso County Civil Service Commission may change the day designated for its regular meeting. Special meetings and emergency meetings may be held as permitted by the Texas Open Meetings Act.

Maria D. Gonzalez, Employee Relations Specialist from the HR Department served as the Recording Secretary for the CSC.

# BOARD MEMBERS

## APPOINTEES

The El Paso County Civil Service Commission has three (3) commissioners. Commissioner Matthew Keats (Chair), Commissioner Raul Campos, and Commissioner Sharon Voelz. All Board members are current on their Ethics training.

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### **MATTHEW KEATS**

Chair

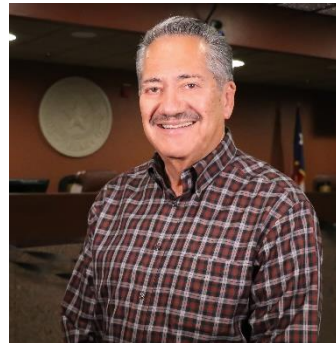
Appointed by  
Commissioner David Stout  
*Term 05/14/2018 – 05/13/2020*  
Commissioner David Stout  
*Term 05/14/2020 – 05/13/2022*



### **RAUL CAMPOS**

Commissioner

Appointed by  
Commissioner Andrew Haggerty  
*Term 05/14/2018 – 05/13/2020*  
Commissioner Carlos Leon  
*Term 05/14/2020 – 05/13/2022*



### **SHARON VOELZ**

Commissioner

Appointed by  
County Judge Ricardo Samaniego  
*Term 05/14/2020 – 05/13/2022*



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## MEETING SUMMARIES

### Meetings

The Civil Service Commission holds quarterly meetings on the first Tuesday of the designated months (February, May, August, and November). Special meetings may be scheduled as needed. The Commission shall comply with the Open Meetings Act and shall require two (2) Commission Members be present to constitute a quorum.

- **January 5, 2021 - Special Meeting.** All Commissioners were present at this meeting. The Commission approved the recruitment of nominees for the El Paso County Ethics Commission for the unexpired term of Sandra Green ending January 31, 2022. The Commission approved the County: Reinstatement/Reemployment Policy. The Commission was notified of revisions for the County: Sick Leave Policy and; Shift Differential Policy. The Commission heard the grievance filed by Marcos Chavez, Sergeant Deputy Constable, Constable Precinct #3 and upheld the termination. Further, the Commission dismissed the grievance filed by Bianca Sandoval, CJC Supervision Officer, Criminal Justice Coordination Department, pertaining to suspension.
- **February 9, 2021 – Regularly Scheduled Meeting.** All Commissioners were present at this meeting. The Commission approved to reopening the application process, until the next regularly scheduled meeting, for the El Paso County Ethics Commission for the unexpired term of Sandra Green ending January 31, 2022. The Commission received a presentation of the 2020 Civil Service Commission Annual Report. Further, the Commission approved reopening the grievance filed by Marcos Chavez, Sergeant Deputy Constable, Constable Precinct #3 pertaining to termination.
- **May 4, 2021 - Regularly Scheduled Meeting.** All Commissioners were present at this meeting. The Commission was notified of applications received and nominee(s) recommended to the Commissioners Court for the El Paso County Ethics Commission for the unexpired term of Sandra Greene ending January 31, 2022. The Commission was notified of the involuntary demotion of a Legal Secretary within the County Attorney’s Office, effective date March 22, 2021. The Commission was notified of the acceptance of the first agreed motion for continuance for the grievance filed by Lorenzo Juarez, Animal Welfare Officer, Animal Welfare department on April 13, 2021. Further, the Commission heard the grievance filed by Marcos Chavez, Sergeant Deputy Constable, Constable Precinct #3 and upheld the termination
- **May 18, 2021 - Special Meeting.** Commissioner Campos and Commissioner Volz were present for this meeting. Chair Keats was absent. The Commission interviewed the nominees to recommend to the Commissioners Court for appointment to the El Paso County Ethics Commission for the unexpired term of Sandra Greene from February 1, 2020, through January 31, 2022.

- **June 1, 2021 – Special Meeting.** All Commissioners were present at this meeting. The Commission took action to select a nominee to recommend to Commissioners Court for appointment to the El Paso County Ethics Commission for the unexpired term of Sandra Green ending January 31, 2022. Further, the Commission heard the grievance filed by Lorenzo Juarez, Animal Welfare Officer, Animal Welfare Department and upheld the termination.
- **August 3, 2021 – Regularly Scheduled Meeting.** All Commissioners were present at this meeting. The Commission approved the revisions for the County: Educational Assistance Program and; Promotions Policy. The Commission approved the postponement of the County: Employment Definitions policy. Further, the Commission was notified of the following involuntary demotions: 1) Court Clerk Intermediate within the District Clerk’s Office, effective date May 2, 2021; 2) Administrative Specialist, Senior within the District Clerk’s Office, effective date June 13, 2021.
- **November 2, 2021 – Regularly Scheduled Meeting.** This meeting was cancelled due to quorum not been meet. The meeting was rescheduled for November 9, 2021.
- **November 9, 2021 – Regularly Scheduled Meeting.** Commissioner Campos and Commissioner Volz were present for this meeting. Chair Keats was absent. The Commission approved the calendar for the 2022 regularly scheduled Civil Service Commission Meetings. The Commission approved the revisions for the Parking Policy. The Commission approved the requests to have the following positions declared sensitive and excluded from the Civil Service Coverage: 1) Communications Manager; 2) Strategic Performance Manger; 3) Criminal Justice Coordinaton Manger. Further, the Commission was notified of revisions to the County: Reconstitution of Operations Plan Policy (ROOP); Vacation Leave Policy and; Promotions Policy.

# APPROVED POLICIES

## Policies

During 2021 the County of El Paso Human Resources office revised and updated policies to reflect current processes. There were a total of 9 policies that were submitted to be heard before the County of El Paso Civil Service Commission.

- **Human Resources – Reinstatement/Reemployment Policy.**

The Reinstatement and Reemployment Policies were consolidated into one Policy titled Re-Employment Policy. The Re-Employment Policy has been edited to reflect the following items: Specifically, an employee who left on good terms is entitled to a restoration of certain benefits and accrual rates as follows: If not more than six (6) months break in service has occurred, and the position the employee last vacated is vacant, an employee may be re-employed to the grade and step upon which they previously separated, if a vacancy is available, upon recommendation of the Elected Official/Department Head; Additionally, employees who are re-employed within 6 months will be re-instated to the same accrual rate for vacation leave, at the time of separation; Finally, employees who are re-employed within 30 days will be re-instated to the same sick leave balance and health and dental insurance coverage, as if no separation occurred. Further, as a reminder, the policy includes language that states former County employees may not be re-employed if they were terminated or resigned in lieu of termination.

- **Human Resources – Sick Leave Policy.**

The Sick Leave Policy has been edited to reflect the following items: Currently, the County's Sick Leave Policy states: "Use of accumulated sick leave may not be authorized after written notice of separation of employment has been provided." However, the County's Voluntary Separation Policy allows an employee to take leave once notice is given, so long as approval is received from the Department Head or their designee.

- **Human Resources – Shift Differential Policy.**

The Shift Differential Policy has been edited to reflect the following items: The current Shift Differential policy allows for shift differential pay to be issued to FLSA non-exempt employees when scheduled on a regular, rotating or sporadic basis to work during the evening or graveyard shifts. FLSA non-exempt County employees who are assigned, ordered, or volunteer to work a shift for at least four (4) consecutive hours that begins on or after 4:00 p.m. shall work the "evening" shift, and be paid a shift differential of \$0.35 for each hour worked during this time. County employees who are assigned, ordered, or volunteer to work a shift for at least four (4) consecutive hours that begins on or after 12:00am (midnight), shall work the "graveyard" shift, and be paid a shift differential of \$0.70 for each hour worked during this time. However, the policy is limited to positions which work in a regular full-time or part-time capacity. This policy amendment would allow temporary full-time or part-time employees to receive such incentive to work these shifts as well.

- **Human Resources – Educational Assistance Program.**

The Educational Assistance Program has been edited to reflect the following items: Removed the Notice of Intent Form requirement. Extended request for reimbursement deadline from 30 days to 45 days; Revised language under grades to reflect passing grades; Added language to clarify what does not qualify for reimbursement; and the document added/revised language to clarify the role of Human Resources, the employee and/or supervisor. Revised the title from Education Assistance Plan Policy to Education Assistance Program

- **Human Resources – Promotions Policy.**

The Promotions Policy has been edited to reflect the following items: On November 23, 2020, Commissioners Court approved a revision to the County’s Promotion Policy which: 1) allowed attorney step placement upon promotions up to a step 6, as cleared with the Human Resources Department and 2) required Commissioners Court approval for any request higher than the step placements outlined within County policy. This purpose of the latest policy change is to allow step placement upon promotions up to a step 2 for non-attorney employees as cleared with the Human Resources Department. This language matches the current language within the County’s New Hire policy that allows new hires to be placed up to a Step 2 upon hire and allows our non-attorney employees to be compensated based on relevant education and experience. Further, this policy change will allow higher step placement requests to be received by the Human Resources Department up to 60 days after the effective date of the promotion. On August 30, 2021, Commissioners Court approved a revision to the County’s Promotion Policy which: this policy change will allow higher step placement requests to be received by the Human Resources Department up to 90 days after the effective date of the promotion.

- **Human Resources – Employment Definitions Policy.**

The Commission approved the postponement of the revised Employment Definitions policy.

- **Human Resources – Parking Policy.**

The Parking Policy has been edited to reflect the following items: Revised language under the Regulation section to clarify where County vehicles may park; Revised language under the Prohibition section to clarify maintenance or repairs on vehicles and parking violation for parking in two spaces; and added language to the Courtesy Parking section to allow courtesy parking for employees who do not work in the downtown area and are members of the Employee Fitness and Wellness Center, during the time they are utilizing the Employee Fitness and Wellness Center.

- **Human Resources – Reconstitution of Operations Plan (ROOP) Policy.**

The Reconstitution of Operations Plan (ROOP) Policy has been edited to reflect the following items: In August 2015, the Commissioners Court approved the County of El Paso Continuity of Operations Plan (COOP) for all County Departments. The purpose of the ROOP was to ensure County Departments would be able to restore all essential functions at an alternate site within 12 hours after an event and sustain those functions for a period of up to 30 days if necessary. On March 16, 2020, due to the COVID-19 Pandemic,



the Commissioners Court activated the COOP for all County Departments providing non-essential services. Since that time, the majority of County employees have either been providing essential services onsite or have been providing services through a Teleworking capacity. On April 30, 2020, the County Judge's office formed an internal committee (Reconstitution of Operations Plan or ROOP committee) to take the lead in creating a Recovery Response Plan so that the County can return employees safely to the worksite. The ROOP committee working in conjunction with multiple County Departments, Department Heads, Elected Officials, and City of El Paso administrative and medical personnel have created a Reconstitution of Operations Plan along with several internal supplemental documents. The purpose of the ROOP is to expand on the Reconstitution section of the COOP and provide the preliminary framework for continuing or reconstituting various County operations in a safe and effective manner. This Plan is a foundational document intended to provide guidance to departments in developing their unique annexes, with the understanding that the ROOP will evolve in response to changing community priorities based on COVID-19. The primary focus is on minimizing the risk of COVID-19 exposure to County employees and the public within County facilities.

- **Human Resources – Vacation Policy.**

The Vacation Policy has been edited to reflect the following items: On August 31, 2020, the Commissioners Court amended the County's Vacation Leave Policy to allow for a Leave Leniency provision which would allow maximum accrual rates to be increased by 25% for each category until September 30, 2021. Thereafter, normal maximum accrual rates would resume. After review and evaluation of the logistics of returning to normal accrual rates, a new leave code will need to be created for the time which was accrued during this period. As part of this amendment, Staff is requesting the leave leniency program be extended an additional month to October 30, 2021, to allow the program to conclude at the end of a pay period. Thereafter, employees must utilize any leave accrued in the "Vacation Leniency" bank prior to regular leave. Employees will start accruing again once their regular accrual limit is below the maximum threshold as indicated in this policy.

# GRIEVANCES

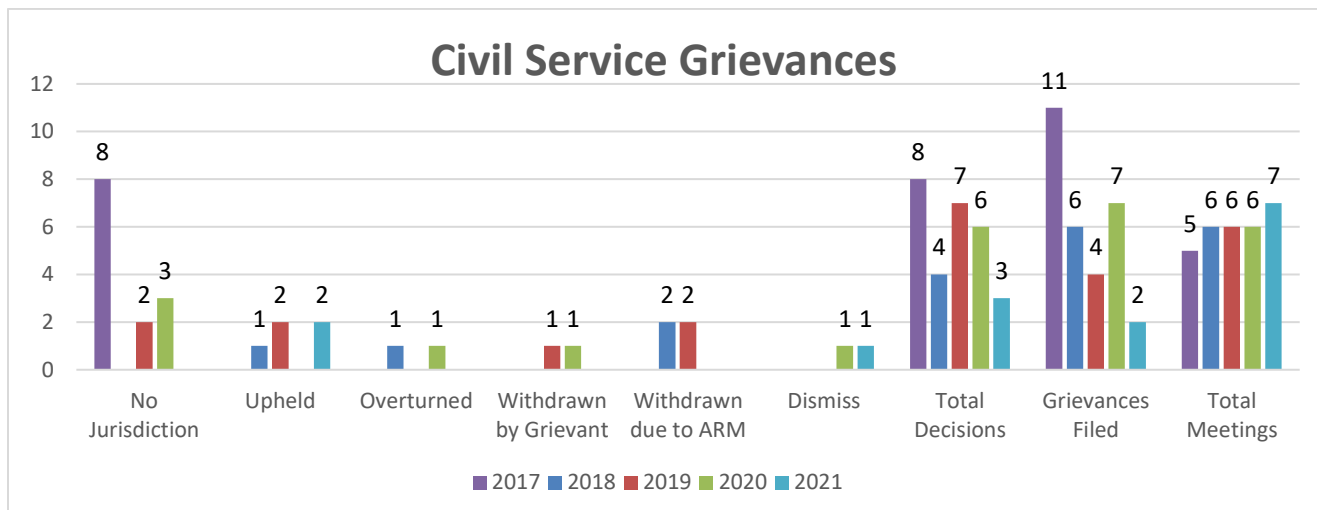
## Grievances

The El Paso County Civil Service was created for the guidance of El Paso County elected officials and department heads in the supervision of their employees and for the regulation of labor relations in the county as authorized by State law.

The Commission was presented two grievances in 2021 that had been filed in 2020. The grievance filed by Marcos Chavez was initially heard on January 5, 2021, and re-opened on February 9, 2021. The final hearing was on May 4, 2021, and the Commission upheld the termination. The grievance filed by Bianca Sandoval was dismissed.

There was a total of three Grievances filed in 2021 with the County of El Paso Civil Service Commission. The Commission heard the grievance filed by Lorenzo Juarez and upheld the termination. The grievance filed by Arlando Brudent was found as not appealable per the Civil Service Procedures Policy, Section II.

The grievance filed by Fausto Rodriguez has been scheduled for hearing and will be continued into 2022.



Civil Service Grievances								
Year	No Jurisdictions	Upheld	Overturned	Withdrawn	Dismiss	Total Decisions	Grievances Filed	Meeting Dates
2017	8	0	0	0		8	11	5
2018	0	1	1	2		4	6	6
2019	2	2	0	3		7	4	6
2020	3	0	1	1	1	6	7	6
2021	0	2	0	0	1	3	2	7