

# Civil Service Commission

## Executive Director

### Mission

To represent the public interest in the improvement of Personnel Administration in the County and to advise the County Board of Supervisors, the County Executive and the Human Resources Director in the formulation of policies concerning Personnel Administration within the competitive service; and act as an impartial hearing body for County employee grievances and appeals.

### Focus

The Civil Service Commission (CSC) serves as an appellate hearing body to adjudicate employee grievances. The Commission also reviews and conducts public hearings on proposed revisions to the Personnel Regulations. The Commission fosters the interests of civic, professional and employee organizations and the interests of institutions of learning in the improvement of personnel standards.

The Commission endeavors to resolve grievances at the earliest possible opportunity, encourages mediation and settlement, and identifies and supports opportunities for delivery of training to employees and management prior to Commission hearings.

On September 26, 2005, the Board of Supervisors approved revisions to Section 3-1 of Chapter 3 of the Fairfax County Code by expanding the membership of the Civil Service Commission and modifying the employee appeal process. Implementation of the new process is effective January 1, 2006. This action was in response to the significant backlog and resulting delays in the employee appeal process. These changes will drastically reduce the time required to complete a hearing and render a decision. Prior to this change, it could take up to a year or more for a case to be heard; with the new process, hearings could be completed within 45-60 days of the request for a hearing. To expedite the grievance appeal process, several operational changes were made:

- ◆ Expanded the Commission membership from five to twelve members in order to expand the pool of available members to hear cases, which will enable four panels of three members each to conduct hearings four days per month;
- ◆ Limited the length of hearings to one day, on average;
- ◆ Increased the number of appeals heard during the fiscal year by hearing appeals weekly during daytime hours in order to typically complete a hearing in one day;
- ◆ Increased commissioners' stipends from \$75 per meeting to a flat amount of \$500 per appeal hearing based on the move to daytime hearings and in recognition of the significant time commitment, particularly if a commissioner has fulltime employment;
- ◆ Increased hearing officer fees from \$90 per hour to a more competitive hourly rate of \$150 per hour based on the market for this service.

### THINKING STRATEGICALLY

Strategic issues for the department include:

- Expediting Commission procedures and processes to reduce the waiting period for adjudication of grievance appeals;
- Improving employee and agency understanding of Commission purpose and procedures, thus serving justice for all parties appearing before the Commission; and
- Encouraging and preparing all parties in the grievance and appeal process to use mediation and intervention to settle differences.

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## New Initiatives and Recent Accomplishments in Support of the Fairfax County Vision

 Exercising Corporate Stewardship	Recent Success	FY 2008 Initiative
Continue to ensure due process for appellants through the effective and efficient processing of case workload, and improve service delivery by expanding the size of the Commission and increasing its capacity to hear appeals, while decreasing the waiting period for hearings.	☑	☑
Encourage management and employees to utilize existing mediation and opportunities to resolve grievances, as well as increase availability of hearings and decrease the hearing timelines to eliminate barriers that make appeals to the Commission arduous or unattainable.	☑	☑
Ensure fairness and due process of personnel and grievance appeals systems by continuing to develop and deliver training for employees, managers, supervisors, staff and commissioners.	☑	☑

## Budget and Staff Resources

Agency Summary				
Category	FY 2006 Actual	FY 2007 Adopted Budget Plan	FY 2007 Revised Budget Plan	FY 2008 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	2/ 2	2/ 2	2/ 2	2/ 2
Expenditures:				
Personnel Services	\$154,521	\$188,755	\$188,755	\$197,011
Operating Expenses	68,536	286,267	292,534	286,767
Capital Equipment	0	0	0	0
<b>Total Expenditures</b>	<b>\$223,057</b>	<b>\$475,022</b>	<b>\$481,289</b>	<b>\$483,778</b>

Position Summary	
1	Executive Director
1	Administrative Assistant III
<b>TOTAL POSITIONS</b>	
<b>2 Positions / 2.0 Staff Years</b>	

## FY 2008 Funding Adjustments

The following funding adjustments from the FY 2007 Revised Budget Plan are necessary to support the FY 2008 program:

- ◆ **Employee Compensation** **\$8,256**  
An increase of \$8,256 is associated with salary adjustments necessary to support the County's compensation program.
  
- ◆ **Operating Expenses Adjustments** **(\$5,767)**  
A net decrease of \$5,767 in Operating Expenses including a decrease of \$6,267 due primarily to the carryover of one-time expenses as part of the FY 2006 Carryover Review offset by an increase of \$500 in the PC Replacement Program based on the number of PCs scheduled to be replaced in FY 2008 according to the four-year replacement cycle.

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## Changes to FY 2007 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2007 Revised Budget Plan since passage of the FY 2007 Adopted Budget Plan. Included are all adjustments made as part of the FY 2006 Carryover Review and all other approved changes through December 31, 2006:

- ◆ **Carryover Adjustments** **\$6,267**  
As part of the FY 2006 Carryover Review, the Board of Supervisors approved encumbered funding of \$6,267 in Operating Expenses.

## Key Performance Measures

### Objectives

- ◆ To ensure due process of appellants and to process the case workload in an effective and efficient manner by adjudicating appeals in an average of 2 meetings.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2004 Actual	FY 2005 Actual	FY 2006 Estimate/Actual	FY 2007	FY 2008
<b>Output:</b>					
Grievance appeals involving final and binding decisions closed	50	43	40 / 25	30	30
Grievance appeals involving advisory decisions closed	14	12	12 / 3	10	10
<b>Efficiency:</b>					
Staff hours per case in final and binding decisions	45	50	30 / 25	25	25
<b>Service Quality:</b>					
Average waiting period for a hearing before the CSC for dismissals (in months)	5.0	5.3	3.5 / 6.2	2.0	2.0
Average waiting period for a hearing before the CSC for binding/adverse discipline other than dismissals (in months)	6.5	6.0	3.5 / 7.9	2.0	2.0
Average waiting period for a hearing before the CSC for advisory cases (in months)	45.0	45.0	3.0 / 3.7	2.0	2.0
Average days between conclusion of hearing and rendering written decision (in days)	10	15	10 / 12	10	10
<b>Outcome:</b>					
Average meetings required to adjudicate appeals	3	3	3 / 3	2	2

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## Performance Measurement Results

As noted in the Focus Section, there were several major changes incorporated into the Civil Service Commission processes in mid FY 2006. As a result of these changes, as well as the vacancy of the Executive Director position for several months, there were no hearings conducted during this period creating a backlog of cases. In addition, there were several cases on record, where no action had been taken since the previous fiscal year. With the onset of the new Commission process and hearings conducted weekly, the backlog was resolved, and/or a number of cases were settled or withdrawn. Since the actual performance measures for FY 2006 are inconsistent with prior years, estimates in FY 2007 and future years are developed using the new policy criteria.

The number of grievances involving final and binding decisions from the full Civil Service Commission in FY 2006 was 41.9 percent less than FY 2005, decreasing from 43 to 25. This is also a reduction from the FY 2006 estimate of 40 grievances involving final and binding arbitration.

The number of advisory grievances received or resolved was 75 percent less than the FY 2005 actual and FY 2006 estimate, decreasing from 12 to 3 grievances.

It is projected that changes in the format of Commission hearings will increase the numbers of final and binding hearings completed and reduce the waiting period for holding a hearing. FY 2006 was the transition year between the old and redesigned systems. The full impact of the redesign will be evident in FY 2007.

Because of the hiatus of several months in hearing grievances during the first half of FY 2006, there was an extension to the average waiting time on hearings. Several grievances were heard during this time frame where the Petition on Appeal had been filed with the Commission in FY 2005, bringing the average waiting period above the estimate of 3.5 months for dismissal cases. This is also true for grievances other than dismissals, where one of the cases was actually filed in FY 2004. Advisory hearing waiting periods were approximately 23 percent longer than the estimate of 3.0 months.

The average number of days between the conclusion of the hearing and the rendering of the written decision was 12.3, or 23 percent longer than the estimate of 10 days. However, this is primarily offset by 2 cases, where the decision was on hold during the transition of the process. If you remove those two cases, the average number of days between the hearing and the decision is 5.8.