

Hilo, Hawaii
Tuesday, September 17, 2002

The regular meeting of the Civil Service Commission, County of Hawaii, was held in the conference room of the Department of Civil Service, 101 Aupuni Street, Suite 133, Hilo, Hawaii, on Tuesday, September 17, 2002.

Present:

Mr. G. Rick Robinson, Chair
Mr. Bill Thibadeau, Vice Chair
Ms. Diana Kahler, Member
Mr. Clarence Souza, Member
Ms. Jeanne Yagi, Member
Mr. Ivan Torigoe, Deputy Corporation Counsel
Mr. Michael R. Ben, Director of Personnel
Ms. Velma Y. Menezes, Secretary-Reporter

Chair Robinson called the meeting to order at 9:30 a.m.

MINUTES OF AUGUST 20, 2002

MOTION: Mr. Souza moved that the minutes of August 20, 2002 be approved as circulated. The motion was seconded by Mr. Thibadeau and unanimously carried.

COMMUNICATIONS

A) **Communication No. 02-17**, petition of appeal, received September 4, 2002, from Wade P. Amador, appealing his nonselection to a position with the Department of Public Works.

MOTION: Ms. Kahler moved that Communication No. 02-17 be received and filed and that the hearing be scheduled for October 15, 2002, at 10:30 a.m.

The motion was seconded by Mr. Souza and unanimously carried.

Mr. Thibadeau noted that he would be out-of-town on that date.

UNFINISHED BUSINESS

A) Proposed Rule Amendments

Amendments to Title II, Chapter 100, were distributed for the Commission's review.

Mr. Ben noted that he added a section on special meetings in addition to drafting the section on performance evaluation, which the Commission had requested.

Mr. Torigoe commented on §100-6(a), suggesting that the wording "or at such other time and place as may be specified by the Commission" be added at the end. That will give the Commission latitude to meet at some other date or time if necessary.

Mr. Torigoe also commented on §100-6(b). He suggested that the words "regular and special" be inserted in front of "meetings" where it says "written public notice of meetings . . ." to make clear that special meetings are also subject to Chapter 92 notice. §100-6(c) states that special meetings may be called by the chair pursuant to Hawaii County Charter §13-20, and §13-20 has some notice provisions that are very short and not consistent with HRS Chapter 92.

Mr. Ben noted that he drafted a rule on the annual evaluation to specify that it be done on a fiscal year basis in June of each year. Subsections b and c describe procedures to be followed in the evaluation.

Mr. Souza noted that subsection c states the evaluation shall be either "meets expectations" or "does not meet"

expectations.” Mr. Souza stated that he looked at the Police Commission’s evaluation form of their chief, and he would like to see something similar where there are other elements to evaluate, such as planning, organization, setting priorities, problem-solving, financial, budget, communication skills, leadership, supervision, honor, respect, eagerly supports employees in their professional growth, develops and promotes teamwork, etc. The person is evaluated on a 1-5 scale with 5 being excellent.

Ms. Kahler commented that it wouldn’t be precluded from the evaluation, and the Commission would have an instrument to use in the evaluation. Ms. Kahler noted that subsection b does state “standards upon which it will evaluate the director’s performance.”

The Commission further discussed a rating system and format.

Ms. Yagi concluded that the amendments are quite adequate for the purposes of the rules, and it is obvious through their discussion that the Commission agrees an instrument is going to be necessary.

Mr. Torigoe noted his previous suggestion of putting notice in §100-6(b) of regular and special meetings. Looking also at Chapter 92, however, there may be occasions where the Commission may be doing nothing other than having a contested case which arguably is not technically subject to the notice provisions of Chapter 92. Therefore, the Commission may want to leave some room, in case it does have a situation where the Commission really wants to hold an extra contested case hearing with truncated notice, by putting at the end of Section 92-7, the wording “to the extent applicable.”

MOTION: Ms. Yagi moved to preliminarily adopt the proposed amendments to Title II, Chapter 100, Rules of the Department of Civil Service, with the noted amendments. The motion was

seconded by Ms. Kahler and unanimously carried.

Chair Robinson noted that the motion speaks to the amendments to Title II, Chapter 100, both §§100-6 and 100-11, as proposed in the material submitted by Mr. Ben, and as amended by the notations of Mr. Torigoe on several items within §100-6, and no amendments to §100-11.

DIRECTOR'S REPORT

Mr. Ben reported the following:

- 1) There have been staff movements in the department. Ms. Noel Ah Choy is on temporary assignment to Ms. Sandy Aguiar's position at Health and Safety. Ms. Aguiar is on leave due to a premature birth of her child. Ms. Krystie Campbell was hired temporarily to fill Ms. Ah Choy's position. A new Workers' Compensation Claims Specialist has also been hired, Ms. Cynthia Cerny.**
- 2) All the Police workers' comp cases have been turned over to the State to handle.**
- 3) The Kauai Civil Service Commission reported the resignation of Mr. Steve Hosler. Their new member is Mr. Gordon W. S. Yee; and the other members of the Commission are Mr. Robert Cohen, Chair; Ms. Laurie Yoshida, Vice Chair; and Mr. Roland Sagum and Mr. Norman Akita, members.**
- 4) Mr. Ben discussed Safety issues with the Mayor, and the Mayor is going to be putting an emphasis on Safety, considering it to be a priority. Mr. Ben will be developing a Countywide safety policy for the Mayor to sign off on, which will include training for supervisors. Position descriptions for all supervisory positions will be amended to include a positive statement about responsibility for safety. Along with that, Mr. Ben is currently in discussions with Ms. Jane Larkin about starting regular meetings with the supervisors and Civil Service**

on various problems that the supervisors may have in supervising. Safety, of course, will be one of the issues that will be discussed.

5) The date of the office's move to the JC Penneys building has been moved again, and it is now scheduled for the first weekend in December. After Public Works initially telling Mr. Ben that they would absorb the cost of the materials for the new furniture they would be building, they are now telling Mr. Ben that the cost will have to come out of his budget.

6) The County is going into its budget cycle again with its first meeting this Thursday. Mr. Ben is concerned about Safety's budget, which is bare bones, with a minimal budget for travel and staff training; and no money for training supervisors and employees on safety issues.

Research and Development does have someone working on federal grants for the County, who is watching out for grants in this area. Ms. Yagi suggested exploring the research corporation at the University of Hawaii. They have provided very strong backup on the University grants and community service grants.

NEXT MEETING DATE

The Commission scheduled its next meeting for October 15, 2002 at 9:30 a.m., followed by Wade Amador's appeal hearing at 10:30 a.m.

ADJOURNMENT

MOTION: Mr. Thibadeau moved that the meeting be adjourned. The motion was seconded by Mr. Souza and unanimously carried.

The meeting adjourned at 10:11 a.m.

Submitted by,

Secretary, Civil Service Commission

APPROVED:

**G. Rick Robinson
Chair**

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