

COUNTY OF KAUAI  
Minutes of Meeting  
OPEN SESSION

Board/Commission:	<b>CIVIL SERVICE COMMISSION</b>	Meeting Date:	<b>January 22, 2019</b>
Location	Mo'ikeha Building, Liquor Control Conference Room 3	Start of Meeting: 2:00 p.m.	End of Meeting: 3:43 p.m.
Present	<p>Chair Richard Jose. Vice Chair Jeffrey Iida. Members: Fely Faulkner, Elizabeth Hahn (<i>arrived at 2:05 p.m.</i>), Karen Matsumoto and Vonnell Ramos.</p> <p>Also: Deputy Attorney General Henry Kim. Deputy County Attorney Peter Morimoto (<i>left at 2:11 p.m., arrived at 2:20 p.m. and left at 2:30 p.m.</i>). Acting Director of Human Resources Janine Rapozo (<i>arrived at 2:05 p.m. and left at 2:11 p.m. and arrived at 2:20 p.m. and left at 2:30 p.m.</i>). Office of Boards and Commissions Staff: Administrator Ellen Ching, Administrative Specialist Anela Segreti and Commission Support Clerk Sandra Muragin.</p>		
Excused			
Absent			
SUBJECT	DISCUSSION	ACTION	
<b>Call To Order/Roll Call</b>		Chair Jose called the meeting to order at 2:00 p.m. with five members present constituting a quorum.	
<b>Approval of Minutes</b>	<p><u>Open Session Minutes of December 11, 2018</u></p> <p>Mr. Iida indicated to correct “Mr. Ramos as Chair” to “Mr. Jose as Chair” in the third paragraph, under Business on page two.</p>	Ms. Faulkner moved to approve the Open Session minutes of December 11, 2018, as amended. Mr. Iida seconded the motion. Motion carried 5:0.	
<b>Acting Director’s Report</b>	<p><b><u>CSC 2019-01</u></b> 2019 January</p> <p>Chair Jose called a recess at 2:02 p.m. and Commission Support Clerk Sandra Muragin left to retrieve Janine Rapozo. Commissioner Hahn arrived at 2:05 p.m. Ms. Rapozo arrived and Chair Jose called the meeting back to order at 2:05 p.m.</p> <p>Acting Director of Human Resources Janine Rapozo reviewed the Report for January with the Commission (on file). Ms. Rapozo reported that the Fire Fighters Association two year</p>		

SUBJECT	DISCUSSION	ACTION
	<p>contract would expire on June 30, 2019 and they are negotiating with an arbitrator to decide on the award. They are also working with an arbitrator for the Hawai'i Government Employees Association (HGEA) Units 3, 4, 13 and 14 contracts that also expire June 30, 2019. She said HGEA will only work on each unit separately and this would lead to a long negotiation process that would most likely not make it to the Legislature in time. Ms. Rapozo said they hope to fill two vacancies in the HR Department which are, Assistant Central Payroll Accountant and Personnel Management Specialist II, by mid-February.</p> <p>Ms. Faulkner asked for an update on the Police Chief position. Ms. Rapozo shared that they are undergoing background checks and once that is completed the Police Commission will decide which candidate gets a conditional offer that would require a psychological exam. Ms. Faulkner asked how many applicants applied and if they were from Hawai'i or out-of-state. With the approval from Deputy County Attorney Peter Morimoto, Ms. Rapozo responded that there were three out-of-state applicants left.</p> <p>Ms. Rapozo and Mr. Morimoto left the meeting at 2:11 p.m.</p> <p>With no further questions the Commission moved into Executive Session.</p>	<p>Ms. Faulkner moved to go into Executive Session. Ms. Hahn seconded the motion. Motion carried 6:0.</p> <p>The meeting moved into Executive Session at 2:11 p.m.</p>
<p><b>Return to Open Session</b></p>		<p>The meeting resumed in Open Session at 2:19 p.m.</p>
	<p><b><u>ES-001 RFA 2018-04</u></b> <u>Appeal Hearing</u></p> <p>a. <u>Appeal to the Civil Service Commission/Merit Appeals Board, filed November 20, 2018. [11/27/18]</u></p>	

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Rapozo and Mr. Morimoto entered the meeting room at 2:20 p.m. and sat at the witness table.</p> <p>Chair Jose thanked Ms. Rapozo for returning and explained that the Commissioners had some questions.</p> <p>Ms. Matsumoto asked if the internal complaint procedures were completed. Ms. Rapozo stated that she was not prepared for the appeal hearing because she did not receive a notification letter. She said based on the response letter from HR the appellant's documents were reviewed and she sustained her decision to not accept his application.</p> <p>Ms. Matsumoto asked if the appellant filed an internal complaint form and Ms. Rapozo replied that she would need to check back with her staff. Ms. Matsumoto said that the appeal is based on HR's policies and procedures and not whether the appellant qualified or not, which is normally what is reviewed by the Commission. Ms. Rapozo said it was based on the acceptance of a late application, to which Ms. Matsumoto said that is a policy process and questioned why the Commission was now deciding on these types of appeals. Deputy County Attorney Peter Morimoto said based on the question he moved to dismiss based on lack of jurisdiction. Mr. Morimoto said he assumed the Commission had jurisdiction to hear this appeal and on behalf of his client he would advocate that they had jurisdiction; however they would have to rely on the advice from the Commissions attorney.</p> <p>Chair Jose asked Ms. Rapozo if the appellant explained the complaint to her. Ms. Rapozo said the appellant wanted HR to accept the application. Mr. Iida said on the appeal form the appellant stated no knowledge of the ability to sign up for notices of promotional opportunities. Ms. Rapozo replied that Unit 1 Collective Bargaining Agreement contract Section 16.06.b.5, states they can submit a request to the HR Department to be notified of any announcements for promotional opportunities. Based on Ms. Rapozo's response, Mr. Iida said the appellant and the union was responsible for informing them of this service.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Chair Jose asked Ms. Rapozo if the appellant discussed dismissing this appeal with her, to which Ms. Rapozo said she did not communicate with the appellant.</p> <p>Ms. Rapozo and Mr. Morimoto left the meeting at 2:30 p.m.</p> <p>With no further questions the Commission moved into Executive Session.</p>	<p>Ms. Faulkner moved to go into Executive Session. Mr. Ramos seconded the motion. Motion carried 6:0.</p> <p>The meeting moved into Executive Session at 2:30 p.m.</p>
<p><b>Return to Open Session</b></p>	<p>Mr. Morimoto asked the Commission to ratify all actions taken by Commissioner Fely Faulkner prior to being sworn in.</p>	<p>The meeting resumed in Open Session at 3:41 p.m.</p> <p>Mr. Iida moved to ratify all actions taken by Commissioner Fely Faulkner prior to taking the Oath of Office. Ms. Hahn seconded the motion. Motion carried 6:0.</p>
<p><b>Announcements</b></p>	<p>Next Meeting: Tuesday, February 26, 2019 – 3:00 p.m., Mo'ikeha Building, Liquor Conference Room 3.</p>	
<p><b>Adjournment</b></p>		<p>With no objections, Chair Jose adjourned the meeting at 3:43 p.m.</p>

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Submitted by: \_\_\_\_\_  
Sandra Muragin, Commission Support Clerk

Reviewed and Approved by: \_\_\_\_\_  
Richard Jose, Chair

Approved as circulated. 02/26/19

Approved with amendments. See minutes of \_\_\_\_\_ meeting.