

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Board/Commission:	CIVIL SERVICE COMMISSION	Meeting Date:	August 6, 2019
Location	Mo'ikeha Building, Liquor Conference Room 3	Start of Meeting:	3:00 p.m.
		End of Meeting:	4:43 p.m.
Present	Chair Richard Jose. Vice Chair Jeffrey Iida. Commissioner: Fely Faulkner, Vonnell Ramos, Beth Tokioka and Ricky Watanabe. <i>(Commissioner Elizabeth Hahn via teleconference in a non-voting, non-communicative status).</i> Deputy County Attorney Todd Jenson. Acting Director of Human Resources Janine Rapozo <i>(left at 3:25 p.m.)</i> . Office of Boards and Commissions Staff: Administrator Ellen Ching and Commission Support Clerk Sandra Muragin.		
Excused			
Absent			

SUBJECT	DISCUSSION	ACTION
Call To Order/Roll Call	Administrator Ellen Ching explained that due to Hawai'i Revised Statutes §92-3.5, 92-7 and Sunshine law there was not enough time to properly post Commissioner Elizabeth Hahn's request for a conference call. The phone setup on the table was to accommodate a last minute request from Ms. Hahn, who would be listening in on the meeting but was not allowed to participate in the discussions, nor could she vote.	Chair Jose called the meeting to order at 3:00 p.m. with six members constituting a quorum.
Approval of Minutes	A. Open Session Minutes of July 2, 2019	Mr. Watanabe moved to approve the Open Session minutes of July 2, 2019, as circulated. Vice Chair Iida seconded the motion. Motion carried 6:0.
Acting Director's Report	<u>CSC 2019-15</u> <u>Acting Director's Reports, Announcements and Pertinent Updates for the July 2019 period.</u> A. Labor contracts and negotiations B. Administrative Services and Benefits C. Classification and Pay and Labor Relations D. Recruitment and Exam E. Payroll F. Employee Development and Health Services G. Investigations – Decision-Making & Progressive Discipline Flowchart	

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	<p>H. Attachment 1 – Discipline Guidelines, Revised 06/19</p> <ol style="list-style-type: none"> 1. Attachment A – Level of Severity/Category of Offenses, Revised 06/19 2. Attachment B – County of Kaua‘i Parks & Recreation Notice of Disciplinary Action From HR-432 (5/16) <p>Acting Director of Human Resources Janine Rapozo reviewed the July report with the Commission (on file). A Request for Qualifications was submitted on July 26 to hire a consultant to write a Request for Proposal for acquisition of a Human Resources Management System (HRMS). Ms. Rapozo said they were granted \$2million in Capital Improvements Program (CIP) funds from this administration to seek a new payroll and Human Resource (HR) system. She explained that the complicated Employee Retirement System (ERS) contained old contributory plans, non-contributory plans, hybrid plans, police plans and fire plans. All of these plans required different codes and processes, which the current county system could not automatically update to the ERS; changes were manually processed. Several years ago a Legislative Act passed that required all jurisdictions comply with the ERS; however at this point no one was compliant.</p> <p>In July, Ms. Linda Nuland-Ames, Equal Employment Opportunity (EEO) Officer/Americans with Disabilities Act (ADA) Coordinator was transferred to the HR department. Ms. Nuland-Ames was now assisting with EEO/ADA discussions and working to standardized county ADA forms.</p> <p>A correction from July 1, 2010 to July 1, 2019, was made on the end of the last sentence that was located on the second paragraph of the first page.</p> <p>Ms. Faulkner complimented Ms. Rapozo and the HR staff for preparing a well informed and outstanding report of the flowchart and discipline guidelines. Ms. Tokioka said that information technology (IT) systems changed rapidly and advised they move quickly with the HRMS to avoid it from becoming obsolete. Ms. Tokioka commented that the “Other” section located in the transactions bullet under administrative services and benefits on page</p>	

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	<p>2, was and continued to be higher than normal, and asked if it included a category that took up most of that amount. Ms. Rapozo explained that it included 89-day appointments, and after some discussion decided it best to pull that out of the “Other” category.</p> <p>Ms. Tokioka remarked on the long list under recruitments and asked for a progress report on filling vacancies. Ms. Rapozo explained that many of these vacancies required a certain skill set that the previous individual gained from starting at an entry level and through years of experience reallocated to a higher level. To avoid training, departments request to fill at that higher level. She said police continued to lag in new recruitments. To help fill the gap they have hired retirees to work in certain specific areas, provided training classes so potential recruits could pass the written test and looked into developing an apprenticeship program.</p> <p>Ms. Faulkner expressed concern that no exit interviews were conducted when five individuals left. She said its been a trend and wondered if it was not a high priority. Ms. Rapozo responded that it was a very important process for HR; however, it was an option and after some discussion decided to separate retirees from that category.</p> <p>Chair Jose was alarmed that employee rights to request for union representation once a written warning was given was not mentioned anywhere in the flow chart or discipline guidelines. Ms. Rapozo apologized and thought it was included but then mentioned it could have only been on a PowerPoint slide.</p>	
<p>Communications</p>	<p><u>CSC-2019-16</u> Communication dated July 3, 2019 from Charter Review Commission Vice Chair Jan TenBruggencate to Chair Richard Jose and the Civil Service Commission regarding a Request for any proposals to amend the Charter.</p>	<p>Vice Chair Iida moved to receive the communication dated July 3, 2019 from Charter Review Commission Vice Chair Jan TenBruggencate regarding a Request for any proposals to amend the Charter. Ms. Tokioka seconded the motion.</p>

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	<p>Commission Support Clerk Sandra Muragin passed out copies of pages 26-27 of the Kaua‘i Charter that explained the Civil Service Commission organization and powers and duties.</p> <p>Chair Jose called a recess at 3:27 p.m. Chair Jose called the meeting back to order at 3:29 p.m.</p> <p>The Commission agreed to decide at the next meeting how they want to proceed with this communication.</p>	<p>Motion carried 6:0.</p>
	<p>Pursuant to Hawai‘i Revised Statutes §§92-4 and 92-5 (a) (2) (4), 92-9 (a) (1-4) and (b) the purpose of this Executive Session is to receive and approve Executive Session minutes, and to discuss the hiring of a new Director of Human Resources and other related matters where consideration of matters affecting privacy will be involved, and to consult with the Commission’s legal counsel on questions and issues pertaining to the Commission’s and the County’s powers, duties, privileges, immunities, and/or liabilities as they may relate to this agenda item.</p>	<p>Ms. Ching read the Hawai‘i Revised Statutes to move the meeting into Executive Session.</p> <p>Ms. Tokioka moved to enter into Executive Session. Vice Chair Iida seconded the motion. Motion carried 6:0.</p> <p>At 3:31 p.m. the Commission entered into Executive Session.</p>
<p>Return to Open Session</p>		<p>The meeting resumed in Open Session at 3:48 p.m.</p>
<p>Business</p>	<p><u>CSC-2019-17</u> Discussion and implementation of the hiring process to begin selection of a Director of Human Resources. [12/11/18, 1/22/19, 2/26/19, 3/19/19, 4/2/19, 5/7/19, 6/4/19, 7/2/19]</p> <p>A. Discussion on formulating the process for requiring a written essay as a next step in the hiring process;</p> <ol style="list-style-type: none"> 1. Select a Commissioner to work with the Administrator on formulating the essay questions and rating criteria. 2. Possible formation of a Permitted Interaction Group (PIG) pursuant to 	

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	<p>Hawai'i Revised Statutes Section 92-2.5(b)(1-2) which scope of duties may include;</p> <ul style="list-style-type: none"> a. Formulate essay questions that would be sent to the list of applicants that met the minimum criteria. b. Screen and review essay responses to eliminate the applicants that do not meet the minimum criteria. <p>B. Discussion on formulating the process for the oral interview step in the hiring process.</p> <ul style="list-style-type: none"> 1. Select a commissioner to work with the administrator on formulating the list of interview questions. <p>C. Next steps in the hiring process: personal or professional references, certificates or diplomas and letters of recommendation.</p> <p>Ms. Ching proceeded to explain that the process the Commission had followed up to this point was the police commissions hiring steps and that the next step that the police commission took was to ask their applicants to respond to a written essay. She suggested they review the sample essay questions and rating tool that was included in their packet. The police commission determined the questions by first deciding the kind of response they would want to have, allowed five days for the applicants to complete the essay and outlined guidance to the reviewers on how to score the essays.</p> <p>Ms. Tokioka inquired if it was possible to keep the essay questions and rating tool confidential. Ms. Ching explained that the Commission could form another PIG. The findings and reporting of the PIG work would be subject to open session or they could nominate one commissioner to work with her to formulate the essay questions, finalize it and send it out directly to the applicants. Ms. Tokioka suggested they develop the rating tool the same time the essays are reviewed, to keep it confidential. Vice Chair Iida asked about the timeline. He wanted to know who would determine when the essays would be sent and the time frame the applicants would have to respond. Deputy County Attorney Todd Jenson responded that the Commission could empower the PIG with the scope of</p>	

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	<p>duties or designate one commissioner to work with the administrator to come up with the particulars on the timeline.</p> <p>Ms. Ching said the Commission had three options.</p> <ol style="list-style-type: none"> 1. PIG 1 recommended 6-applicants be moved to the next phase. She suggested that they also consider moving the 9-maybe applicants to the next phase. 2. Decide if they want to go directly to the oral interview or do the essay questions first. 3. If they decided to do the essay questions, they need to choose if they want to form another PIG or elect one commissioner to work with the administrator. <p>Ms. Faulkner asked for details on the PIG's scope of work. Ms. Ching replied that the PIG would meet to formulate the essay questions and once that was done it would be vetted through the County Attorney's office. The Commission discussed the procedures and ramifications of using a PIG or the other option of nominating a Commissioner to formulate the questions. They agreed that the whole body should have the opportunity to review and rate the applicants completed essays. Ms. Ching advised the Commission include the nine maybe's due to previous experience with the fire commission. Ms. Tokioka advised that they should place perimeters on the essay and request for a limited word count or page count.</p>	<p><u>Motion No. 1</u> Ms. Tokioka moved to take only the top 6-applicants and move to the essay phase. Ms. Faulkner seconded the motion. Motion carried 6:0.</p> <p><u>Motion No. 2</u> Vice Chair Iida moved to form a Permitted Interaction Group 2 to work with the Administrator on the essay questions. Ms. Faulkner seconded the motion.</p>

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		<p><u>Motion No. 3</u> Ms. Tokioka moved to include the 9-maybe applicants to the essay phase. Vice Chair Iida seconded the motion. Motion carried 6:0.</p> <p><u>Motion No. 2</u> Motion carried 6:0.</p> <p><u>Motion No. 4</u> Ms. Faulkner moved that the Permitted Interaction Group 2 be comprised of the following members; Chair Richard Jose, Vice Chair Jeffrey Iida and Commissioner Beth Tokioka. Mr. Watanabe seconded the motion. Motion carried 6:0.</p> <p><u>Motion No. 5</u> Ms. Tokioka moved that the Permitted Interaction Group 2 work with the Administrator to formulate the list of essay questions, plan out any related essay procedures and report findings to the Commission for approval. Vice Chair Iida seconded the motion. Motion</p>

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	<p>Ms. Ching said after the essay, the next step would be the oral interview, which would involve formulating the list of questions and rating tool. The Commission could form another PIG or select a commissioner to work with the administrator. At some point the commission needed to also decide and consider requesting personal or professional references, certificates or diplomas and letters of recommendations at the interview process.</p> <p>Ms. Ching reminded the Commission that at the conditional offer stage they may want to consider a background check and/or psychological exam. Ms. Faulkner asked if it was necessary for the DHR to go through the same rigor as the police or fire. Ms. Ching replied that it would be important to have a criminal and financial background check. She advised that they also consider asking the same question that the police and fire commission asked during the oral interview; “is there anything in your background that would prohibit you from accepting this position.”</p> <p>With no further discussion, Chair Jose called for the question.</p>	<p>carried 6:0.</p> <p><u>Motion No. 6</u> Ms. Tokioka moved to defer B. Discussion on formulating the process for the oral interview step in the hiring process and C. Next steps in hiring process: personal or professional references, certificates or diplomas and letters of recommendation. Vice Chair Iida seconded the motion.</p> <p>Motion carried 6:0.</p>
<p>Announcements</p>	<p>Next Meeting: Tuesday, September 3, 2019 – 3:00 p.m., Mo’ikeha Building, Liquor Conference Room 3.</p> <p>Ms. Ching said everything was handled by Boards and Commissions without bias and complimented Sandra Muragin for the great job in providing the necessary documents for the PIG to review the resumes. The PIG members complimented the organization and presentation of the resumes. Ms. Ching stated that Boards and Commissions was</p>	

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	committed to continue at a high level so that the Commission could hire a qualified DHR.	
Adjournment		With no objections, Chair Jose adjourned the meeting at 4:21 p.m.

Submitted by: _____
Sandra Muragin, Commission Support Clerk

Reviewed and Approved by: _____
Richard Jose, Chair

(X) Approved as circulated. 09/03/19

() Approved with amendments. See minutes of _____ meeting.