

OFFICE OF THE MAYOR  
SAN FRANCISCO



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EDWIN M. LEE Leg Dep  
MAYOR

August 15, 2011

The Honorable Katherine Feinstein  
Presiding Judge  
Superior Court of California, County of San Francisco  
400 McAllister Street  
San Francisco, CA 94102

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Dear Judge Feinstein:

The following is in response to the 2010-2011 Civil Grand Jury report, "Hiring Practices of the City and County of San Francisco."

The City and County of San Francisco is committed to ensuring its hiring practices are fair and in compliance with all applicable Civil Service Rules. My office also remains committed to the goal of Civil Service Reform and I believe that it is important that we continue our efforts to critically evaluate our merit system to ensure that our personnel policies, rules and procedures remain fair, efficient and effective so that San Francisco can continue to provide San Franciscans with the highest quality workforce.

I appreciate the Civil Grand Jury's efforts to understand how the Department of Human Resources (DHR) and the Civil Service Commission (CSC) safeguard the rights of applicants and employees. However, I concur with the response submitted by DHR that the Civil Grand Jury report contains several inaccurate statements.

One central inaccuracy—that DHR has sought to decentralize authority for personnel decisions in order to expedite the hiring process—raises concerns about the validity of the Civil Grand Jury's overall report. As DHR states in its response, this inaccurate statement is attributable to a misreading by the Civil Grand Jury of DHR's 2005 policy paper entitled "Civil Service Reform: Preserving the Promise of Government". Although the Civil Grand Jury concludes this statement is a recommendation by DHR, this statement is actually a finding made by DHR and the Board of Supervisors' Office of Legislative Analyst (OLA) of practices that existed in other jurisdictions, and not San Francisco. Please see DHR's response for a more thorough explanation related to these oversights by the Civil Grand Jury.

While I have concerns about the accuracy of the Civil Grand Jury report, as referenced in DHR's response, I assure you that the City takes the hiring process seriously and will continue to refine our procedures to ensure equitability for applicants and efficiencies in hiring for departments. Recruiting and maintaining a high quality workforce is essential to providing the critical services that San Francisco residents expect and deserve from their city government.

**The Mayor's Office responses to the Civil Grand Jury's findings are as follows:**

**Finding V:** As the hiring process in the City becomes increasingly decentralized and PBT testing becomes more prevalent, there is growing doubt among some City workers that the Commission as currently staffed is able to protect their rights.

**Response:** Disagree. The City is not decentralizing the hiring process. This assertion stems from a misreading by the Civil Grand Jury of DHR's 2005 policy paper entitled "Civil Service Reform: Preserving the Promise of Government." The Civil Grand Jury misrepresents statistical figures regarding examination appeals, making it seem as though one of the City's most recent and extremely successful Civil Service Reform efforts—Position Based Testing—has resulted in a diminution of applicant appeal rights. Please see DHR's response for clarification on this point. With respect to an increase in Position Based Testing (PBT), as DHR mentions in its response, the CSC does not directly monitor hiring units and regardless of how many departments administer examinations, the same number of examinations would require oversight. Additionally, absent further information, I cannot agree with the assertion that current staffing levels at the CSC would imperil the ability of the CSC to protect the rights of city workers.

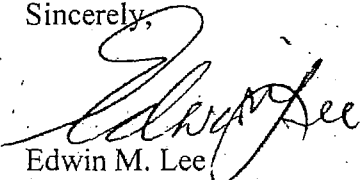
**The Mayor's Office responses to the Civil Grand Jury's recommendations are as follows:**

**Recommendation A1:** The Commission should be authorized to hire at least one additional senior personnel analyst.

**Response:** Recommendation Requires Further Analysis. The determination of appropriate staffing levels requires an analysis by the Mayor's Office and the department as to whether the department is able to perform its core functions as well as a consideration of the budgetary resources available annually. The CSC has stated that it takes seriously its role and responsibility to oversee the City's merit system and does believe its staff responds to complaints and concerns in a timely manner. The CSC has indicated in its response that any additional staffing would only enhance its operations. Any discussion related to increasing staffing will have to be made in the course of the budget development process.

Thank you again for the opportunity to comment on this Civil Grand Jury report.

Sincerely,



Edwin M. Lee  
Mayor