

Contra Costa County



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(925) 335-1703

MERIT BOARD

Charles Kreling, Chair
Eizo Kobayashi
Toni Warren
James Mellander
Dennis Reigle

Walter G. Treanor
Chairman Emeritus
1981-2002

NOTICE IS HEREBY GIVEN that the Contra Costa County Merit Board will meet on September 24, 2019 at 900 Ward Street, Community Room (Entrance on Court Street), Martinez, AT 6:00 P.M.

At this meeting the Merit Board will consider and act upon such matters as may properly come before it.

MEETING LOCATION

900 WARD STREET, COMMUNITY ROOM, MARTINEZ

AGENDA

RECORDING OF MERIT BOARD MEETING

The Merit Board meetings are recorded and the recordings will be retained for a period of approximately ten years.

I. Consent Items

(Items are subject to removal from Consent Calendar by request of any Board Member or on request for discussion by a member of the public.)

A. Approval of minutes of August 27, 2019

B. Board Meeting member reports

II. Public Comment

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA, WILL BE LIMITED TO TWO (2) MINUTES.

A. Items on the agenda.

B. Items of general interest within the subject matter jurisdiction of the Merit Board.

The Board Chair may reduce the amount of time allotted per speaker at the beginning of each item or public comment period depending on the number of speakers and the business of the day. Your patience is appreciated.

The Merit Board will provide reasonable accommodation for persons with disabilities planning to attend Board meetings who contact the Merit Board staff at least 24 hours before the meeting at (925) 335-1703.

III. Old Business

A. DISMISS THE APPEAL OF CRYSTAL STRAITEN, CERTIFIED MEDICAL ASSISTANT, HEALTH SERVICES DEPARTMENT FROM REJECTION ON PROBATION BASED ON DISCRIMINATION AS THE PARTIES HAVE SETTLED THE MATTER.

- 1. Accept correspondence received from Kendra Pappas, Deputy County Counsel, County Counsel's Office representing the appointing authority, and David Fujimoto of Weinberg, Roger & Rosenfield, representative for the appellant, advising the Merit Board that the parties have settled the matter and the appeal should be dismissed.**

B. DISMISS THE APPEAL OF JEREMY JAMEYSON FROM DEMOTION TO ELIGIBILITY WORKER II, EMPLOYMENT AND HUMAN SERVICES DEPARTMENT FOR FAILURE TO PROCEED.

- 1. Consider email correspondence from Nancy Zandonella to Jeremy Jameyson. No response was received.**
- 2. Consider email correspondence from Stacey Durocher to Jeremy Jameyson advising him that the Merit Board intends to dismiss this matter for failure to proceed at its meeting of September 24, 2019. No response has been received.**

C. CONSIDER THE APPEAL OF LYNN SOLOWAY FROM REJECTION ON PROBATION HEALTH SERVICES DEPARTMENT. AT ITS MEETING ON AUGUST 13, 2019 THE MERIT BOARD'S DECISION WAS TO CONTINUE YOUR MATTER FOR ONE MONTH OR UNTIL SEPTEMBER 13, 2019 TO ALLOW TIME TO PURSUE OTHER AVENUES TO ESTABLISH THE APPELLANTS OFFICIAL START DATE.

- 1. Consider correspondence received from Lynn Soloway on August 19, 2019 stating that her start date was effective on October 8, 2018 per Resolution No. 2018/517 to 1 approved by the Board of Supervisors on October 9, 2018.**
- 2. Consider correspondence received from Janice Amenta, Deputy County Counsel, County Counsel's office stating the appellant was rejected on probation within the time period allowed by the PMR's, however, should the Merit Board determine Ms. Soloway has stated a prima facie case that she was rejected on the probation for a prohibited reason, it may refer the matter to a hearing officer for final determination.**

IV. New Business

- A. CONSIDER THE APPEAL OF LIZZETTE TRICE, COMMUNITY HEALTH WORKER SPECIALIST, HEALTH SERVICES DEPARTMENT FROM SUSPENSION FROM REPRIMAND BASED ON PROTECTED ACTIVITIES AND SUSPENSION.**
- 1. Consider correspondence received from Karl K. Sung, Deputy County Counsel, County Counsel's office stating first that the appeal should be dismissed for lack of jurisdiction because the appellant has already elected to appeal both the reprimand and the suspension order by filing grievances pursuant to the MOU grievance process. Second, the Merit Board lacks jurisdiction to hear or decide appeals from reprimand per PMR, Section 210. Third, the Merit Board lacks jurisdiction to grant the remedy the appellant is seeking. Finally, the appeal must be dismissed as untimely for the suspension order.**
- B. CONSIDER THE APPEAL MARY KNOX, DEPUTY DISTRICT ATTORNEY, OFFICE OF THE DISTRICT ATTORNEY FROM POLITICAL RETALIATION.**
- 1. Consider correspondence received from Cynthia A. Schwerin, Deputy County Counsel, County Counsel's office stating the appeal of Mary E. Knox should be dismissed as untimely relating to her removal from Sr. Deputy District Attorney-Exempt classification, dismissed for lack of jurisdiction for Merit Board to hear a matter relating to exempt employees outside of the Merit System, dismiss appeal relating to her return to a merit system classification as premature due to the County's ongoing investigation, and deny the appellants request to consolidate her complaint with any other speculative complaints that may be filed in the future by other employees.**