



Annual Internal Review

This report covers the time period of 1/1/2016 to 12/31/2016

(This report is due July 31, 2017)

Municipal Civil Service Commission

The Board/Commission mission statement is:

The Municipal Civil Service (MCS) Commission is established and governed by City Charter Article IX (*Personnel*). The purpose of the Commission is to:

1. hear appeals and make final, binding decisions in the case of municipal civil service employees covered under Article IX of the City Charter who have been discharged, suspended, demoted, denied a promotion, or put on disciplinary probation;
2. recommend the adoption of civil service rules after receipt of proposed rules by the Human Resources Director and perform services under the civil service rules as provided in Article IX, Section 2 of the City Charter;
3. perform other duties regarding the municipal civil service, not inconsistent with Article IX of the City Charter, that the City Council may require;
4. issue subpoenas and subpoenas duces tecum to witnesses, whether at the request of interested parties or on its own motion, when reasonably necessary to obtain pertinent evidence at a hearing or investigation;
5. administer oaths to witnesses appearing at a hearing or investigation; and
6. conduct any investigations it may consider desirable or which it may be required by the City Council or the City Manager concerning the administration of municipal civil service, and report its findings and recommendations to the City Council;

Further information regarding the Municipal Civil Service Commission is found in § 2-1-164 of the Austin City Code, which states:

- (A) The Municipal Civil Service Commission is established and governed by City Charter Article IX (*Personnel*). The Charter provisions supersede this chapter to the extent of conflict.
- (B) The Council Audit and Finance Committee shall review applications received by the city clerk from persons seeking appointment as a commissioner. Notwithstanding § 2-1-4(C), the Audit and Finance Committee, or any council member, may nominate a person for appointment to the commission.
- (C) A city employee may not serve as a member of the commission.
- (D) The council shall designate the commission chair annually at the time new commissioners are appointed.
- (E) Subsection (A) of Section 2-1-43 (Meeting Requirements) does not apply to the Municipal Civil Service Commission. The commission may meet as necessary to carry out its duties under City Charter Article IX (*Personnel*).

Source: Ord. 20130214-045; Ord. 20130321-043.

1. **Describe the board's actions supporting their mission during the previous calendar year. Address all elements of the board's mission statement as provided in the relevant sections of the City Code.**

In November 2015, Commissioner Lynn Rubinett submitted her resignation effective December 31, 2015, creating a vacant Commission seat through May 9, 2016. Concurrently, Vice Chair Teresa Perez-Wiseley indicated she would seek reappointment to her term expiring on May 9, 2016. On December 14, 2015, the Human Resources Department presented appointment options to the Audit and Finance Committee and received direction to post the solicitation for both unexpired terms until February 1, 2016. On February 19, 2016, the Audit and Finance Committee held a special called meeting to review applicants and interview individuals seeking appointment to the Municipal Civil Service Commission. On February 24, 2016, the Audit and Finance Committee recommended the appointment of Melissa Rogers to the unexpired term ending on May 9, 2016, and the reappointment of Vice Chair Teresa Perez-Wiseley. City Council confirmed Melissa Rogers to fill the unexpired term at their March 31, 2016 meeting. The Audit and Finance Committee recommended both Melissa Rogers and Teresa Perez-Wiseley be reappointed to the Commission at their April 11, 2016 meeting. Audit and Finance also recommended to Council the reappointment of Pamela Lancaster as Chair of the Municipal Civil Service Commission. Both reappointments were confirmed by the Council at their May 5, 2016 Council Meeting and Council approved Pamela Lancaster to serve as Chair.

The Municipal Civil Service Commission held 12 regularly scheduled meetings in calendar year 2016. A majority of those meetings were to hear appeals and make decisions regarding those appeals. Below is summary of the meetings held in 2016:

Calendar Year 2016 - MCSC Meetings

Appeal	Date	Details
Regular Meeting - Appeal Heard	1/11/2016	Denial of Promotion
Regular Meeting - Appeal Heard	1/25/2016	Discharge
No Hearing	2/8/2016	Work Session
Community Announcement	3/21/2016	New Commissioner Orientation (1)
Regular Meeting - Appeal Heard	3/28/2016	Discharge
Regular Meeting - Appeal Heard	4/25/2016	Denial of Promotion
Regular Meeting - Appeal Heard	5/9/2016	Denial of Promotion
No Hearing	5/23/2016	Work Session
Community Announcement	5/25/2016	Equity Office Town Hall
Community Announcement	5/26/2016	Equity Office Town Hall
Regular Meeting - Appeal Heard	6/13/2016	Denial of Promotion
Regular Meeting - Appeal Heard	7/11/2016	Discharge
Regular Meeting - Appeal Heard	9/16/2016	Discharge
No Hearing	10/24/2016	Work Session
Regular Meeting - Appeal Heard	11/14/2016	Denial of Promotion

In fulfillment of Article IX of the charter, the Commission hears appeals and makes final, binding decisions in the case of any municipal civil service employee who is discharged, suspended, demoted, denied a promotion, or put on disciplinary probation; issues subpoenas and subpoenas duces tecum to witnesses, when reasonably necessary to obtain pertinent evidence at a hearing or investigation; and administers oaths to witnesses appearing at a hearing or investigation.

2. Determine if the board's actions throughout the year comply with the mission statement.

All of the board's actions comply with Article IX of the City Charter, which serves as the Commission's Mission Statement.

3. List the board's goals and objectives for the new calendar year.

In calendar year 2017, the MCS Commission (in accord with Article IX of the City Charter) will:

1. Schedule and hold as many meetings as necessary to hear appeals for any municipal civil service employee who is discharged, suspended, demoted, denied a promotion, or put on disciplinary probation.
2. Fulfill any other requirements under Article IX that become apparent and necessary throughout the year.