

Kern County Civil Service Commission Frequently Asked Questions

You may contact the Commission office for additional information by email at civilservicecomm@kerncounty.com

What is the Civil Service Commission?

The voters of Kern County adopted a Civil Service Ordinance in 1956 under the authority of Civil Service Enabling Law in the Government Code of the State of California. The Civil Service System provides for employment on a merit basis and equitable and uniform procedures for dealing with personnel matters through a Civil Service Commission.

Who serves on the Civil Service Commission?

To administer its Civil Service System, the Board of Supervisors appoints five citizens to serve as Commissioners. The Civil Service Commission maintains the integrity of Kern County's Civil Service System. It is an independent ruling body which conducts appeal hearings on disciplinary matters and administers the Rules of the Civil Service System for the benefits of County departments and employees.

When are Civil Service Commission meetings held?

Regular meetings are held the second Monday of every month at 5:30 p.m. Unless publicly noticed otherwise.

Special meetings can be held on any date at any time upon order of the Commission.

Where are the meetings held?

The meetings are held in the Board of Supervisors Chambers, located on the first floor of the Administration Center complex at 1115 Truxtun Avenue in Bakersfield, CA. Unless publicly noticed otherwise.

When is the meeting agenda posted?

The meeting agenda is posted 72 hours prior to the scheduled regular meeting and the meetings commence at 5:30 p.m.

Special meeting agendas are posted 24 hours prior.

Notices and agendas are posted on the glass kiosk outside the Administration Center complex at 1115 Truxtun Avenue in Bakersfield, CA. They are also posted online on the Commission's website at <https://www.kerncounty.com/government/other-agencies/civil-service-commission>

Civil Service Commission Appeals Frequently Asked Questions

Things to know before filing an appeal with the Kern County Civil Service Commission:

- You generally must be a Kern County employee in order to file an appeal with the Kern County Civil Service Commission.
- You generally must have first gone through your department's internal process if filing an appeal under Civil Service Rules 1700 or 1800.

Are you covered under Kern County Civil Service Rules?

County employees who are probationary, temporary, exempt, appointed, or extra-help are generally NOT covered by Kern County Civil Service Rules.

What are Disciplinary Appeals?

If you have received a final notice of a dismissal, suspension, or reduction you may file an appeal within 10 days of the conclusion of the final notice process. See Civil Service Rule 1730.00

Did something happen that violated the Civil Service Rules?

If you believe there has been a violation of the Civil Service Rules, you must go through the intradepartmental grievance/complaint process first, and then you can appeal if you file within 20 days of the conclusion of the process. See Civil Service Rule 1800.00

Filing your Appeal

The Kern County Civil Service Commission appeal process starts when the Civil Service Commission (CSC) receives your appeal. Your request for an appeal will be assigned a case number and an appeal request acknowledgement will be sent to the parties involved. Your appeal request will then be placed on the next meeting agenda where hearing dates will be selected if the Commission approves it.

I missed the deadline to submit an appeal because I was sick, on vacation, or otherwise unable to file. Can I still file an appeal?

Appeals filed after the deadlines are considered untimely and will not be accepted unless the Commission determines that there was good cause for the delay.

I changed my mind about appealing; how can I stop the appeal process, or can I withdraw my appeal?

You may withdraw your appeal at any time by contacting the Commission Office, at civilservicecomm@kerncounty.com

Does the Civil Service Commission represent me in the appeal?

No, the Commission is a neutral quasi-judicial forum for employees to bring appeals and be heard in relation to matters within the Commission's jurisdiction. Commission staff may only provide information about processes and procedures but cannot advise you regarding your appeal or give you any legal advice. You may consult with an attorney or have an attorney or other representative assist you with the hearing at your own expense.

Do I have to have an attorney or some other type of representation at my hearing?

You may represent yourself, be represented by an attorney, a union representative, or another individual of your choice.

May I subpoena witnesses and/or records?

In preparation for hearings you may request, in writing, that a subpoena be issued from the Commission Office. You may complete the appropriate subpoena form found on the California Courts website and submit it to the Commission Secretary for signature. The Commission Office will return the signed original to you. It is then your responsibility to serve the subpoena at your own expense.

Do I have the names, positions, and contact information for the parties involved and the parties that need to be notified?

This may include witnesses, management, and human resources. You may be able to find information online through the County staff directory.

Before Your Hearing

It is important to be prepared to present your case on the day of the hearing. You should use this time to complete the following:

1. Please familiarize yourself with the CSC Standards and Rules you received after the hearing dates were scheduled. The Standards and Rules govern the hearing, and they will be in effect during the hearing.
2. Obtain any relevant documents that you wish to introduce at the hearing. It is your responsibility to provide your own evidence in your case to the Commission. If you are requesting documents from the other party, you must put your request in writing. You may request a subpoena from the Commission office, by completing the appropriate subpoena form found on the California Courts website and submit it to the Commission Secretary at civilservicecomm@kerncounty.com for signature. The Commission Office will return the signed original to you. It is your responsibility to serve the subpoena at

your own expense. This must be completed at least two weeks before the hearing.

3. If you wish to have a witness testify on the day of the hearing, you may ask this person to appear voluntarily or, if necessary, you may request a subpoena from the Commission Office at civilservicecomm@kerncounty.com for signature. The Commission Office will return the signed original to you. It is your responsibility to serve the subpoena at your own expense. **SUBPOENA REQUESTS ARE REQUIRED TO BE SUBMITTED TO THE COMMISSION OFFICE AT LEAST TWO WEEKS PRIOR TO HEARING DATE.**
4. Each party would typically give an “opening statement” at the beginning of the hearing. This is a brief preview of the case (i.e. – what the Commission should expect to see in the documents presented or hear from the witnesses, including yourself).
5. As instructed in the CSC Standards and Rules, meet, and confer with the other party to reach agreement on the exhibits to be submitted without objection and any other stipulated facts which may minimize the number of witnesses who will need to testify.

Timeline for Items Due from Both Parties

10 Business days prior to first hearing day:	All objections (motions) to substantive or procedural sufficiency of notice, process or proceeding must be filed with Secretary and served.
5 Calendar days prior to first hearing day:	Witness list, joint exhibit list, party exhibit list, time estimate, case summary and list of stipulated facts must be filed with Secretary.
2 Business days prior to first hearing day:	All responses to objections must be filed and served.
First hearing day:	Parties to address stipulated exhibits, stipulated facts, unresolved pre-hearing motions, witness scheduling problems.
Exhibits	All exhibits are to be pre-marked. The Secretary is to be provided six three-hole punched copies of each exhibit not in the Bill of Particulars. The copies are to be provided at the time the exhibit is introduced.

Hearing

The hearing will be conducted by the Civil Service Commission. It is important that you appear on time at the hearing location listed on the hearing notice that you received. Disciplinary appeals are closed session matters (closed to the public) unless either party requests a public hearing. All other hearings are open to the public unless either party requests a closed session hearing (closed to the public).

1. When you arrive at the hearing location, you should check in with the Commission Secretary in the CSC Hearing room.
2. All witnesses testifying that evening will be asked to have a seat outside of the CSC Hearing room and will be called upon once their testimony is required. If you have a witness testifying on your behalf, you should greet them, ask them to have a seat, and let them know that they will be called when their testimony is required.
3. The presiding Commissioner will call the case to order and begin the proceedings.
4. The parties will introduce themselves.
5. The presiding Commissioner will explain how the hearing will proceed and housekeeping matters will be addressed at this point.
6. Each party will then have an opportunity to make their opening statement.
7. The Department Representative will present their case first, by calling their witnesses, asking them questions, and then cross-examination by the Appellant.
8. The Appellant will present their case next, by calling their witnesses and asking them questions, and then cross-examination by Department Representative.
9. The Commission may question the witnesses after both parties have completed their questions and cross-examinations.
10. Rebuttal witnesses by Department.
11. Rebuttal witnesses by Appellant.
12. Throughout the hearing, the Commissioner presiding over the hearing will make rulings, as needed, regarding any objections to taking certain testimonies. The Commission is not bound by the Court's Rules of Evidence and, in some cases, may allow hearsay testimony if it meets certain criteria.
13. Closing statement by Department.
14. Closing statement by Appellant.
15. The presiding Commissioner will thank both parties and will explain that the Commission will adjourn to deliberations. The presiding Commissioner will excuse all parties and will adjourn the Commission to deliberations and the hearing will conclude. The Commission will render its decision soon after the

Commission's deliberations have concluded, and the Commission Office will send both parties a copy of the Commission's decision.

After Your Hearing

When will I find out the Commission's decision in my case?

The Commission will render its decision soon after your appeal hearing concludes. You or your representative will receive a copy of the Commission's decision.

I have not found the information I am looking for, whom may I contact for help?

You may contact the Commission office for additional information by email at civilservicecomm@kerncounty.com