

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (310) 618-2780. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR35.102-35.104 ADA Title II]

Direct questions or concerns to the Commission Liaison at (310) 618-2967 or individual department head prior to submission to the Commission. Parties will be notified if the complaint will be included on a subsequent agenda.

The Civil Service Commission is an advisory body to the City Council that meets on the second and fourth Mondays of each month at 6:00 p.m. in the Council Chambers and on other Mondays as required. All meetings are open to the public except for those portions related to personnel issues that under law may be considered in closed session.

**TORRANCE CIVIL SERVICE COMMISSION AGENDA
MONDAY, MAY 13, 2024
REGULAR MEETING
6:00 P.M. IN LeROY J. JACKSON COUNCIL CHAMBER
AT 3031 TORRANCE BL.**

**CIVIL SERVICE COMMISSION MAY TAKE ACTION ON ANY ITEM
LISTED ON THE AGENDA**

1. CALL MEETING TO ORDER

ROLL CALL: Commission members Adelsman, Herring, Kohus, Lohnes, Sasaki, Zygielbaum,
Chair Hamada

2. FLAG SALUTE:

3. REPORT OF STAFF ON THE POSTING OF THE AGENDA

The agenda was posted on the Public Notice Board at 3031 Torrance Bl. and on the City's Website on Friday, May 10, 2024.

4. ANNOUNCEMENT OF WITHDRAWN, DEFERRED, AND/OR SUPPLEMENTAL ITEMS

5. ORAL COMMUNICATIONS

This portion of the meeting is reserved for comment on items under the Consent Calendar or items that are not on the agenda. Under the Ralph M. Brown Act, Commissioners cannot act on items raised during public comment, but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff. Speakers under this Public Comment period will have no longer than 1 minute per speaker. Speakers please turn off or leave your cellular phone when you come to the podium to speak.

6. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed by a Commissioner from the Consent Calendar and considered separately.

6A. Accept and File Employee Transition Report for April 2024.

Recommendation of Civil Service Staff that your Honorable Body accept and file the Employee Transition Report for the month of April 2024.

7. ADMINISTRATIVE MATTERS

7A. Deny Protest of the Eligible List for Warehouse Supervisor.

Recommendation of the Human Resources Director that your Honorable Body deny the protest of the eligible list for Warehouse Supervisor.

Consideration of public employee employment will be conducted in closed session per California Government Code Section 54957(b)(1), unless the employee requests to have the appeal conducted in public session.

7B. Deny Protest of the Eligible List for Warehouse Supervisor.

Recommendation of the Human Resources Director that your Honorable Body deny the protest of the eligible list for Warehouse Supervisor.

Consideration of public employee employment will be conducted in closed session per California Government Code Section 54957(b)(1), unless the employee requests to have the appeal conducted in public session.

8. HEARINGS

No Business to Consider

9. CLOSED SESSION

9A. CONFERENCE WITH LEGAL COUNSEL – EXISTING DISCIPLINE (California Government Code §54957(b) (1)):

1) Appeal of Discipline of a Torrance Police Officer (8).

10. COMMISSION ORAL COMMUNICATIONS

11. ADJOURNMENT

11A. Adjournment of Civil Service Commission Meeting to Monday, June 10, 2024 at 6:00 p.m.



Honorable Chair and Members
of the Civil Service Commission
City Hall
Torrance, California

Honorable Members:

SUBJECT: ACCEPT AND FILE EMPLOYEE TRANSITION REPORT FOR APRIL 2024

RECOMMENDATION:

Recommendation of Civil Service Staff that your Honorable Body accept and file the Employee Transition Report for the month of April 2024.

BACKGROUND/ANALYSIS:

The Employee Transition Report for April 2024 is attached for your information and review.

Respectfully submitted,



Neyda Arechiga
Senior Human Resources Technician

CONCUR:



Brianne Cohen
Civil Service Manager

Attachment: A) Employee Transition Report for April 2024

**EMPLOYEE TRANSITION REPORT
APRIL 2024**

This report includes all internal promotions, internal transfers, and new hires throughout the City.

INTERNAL PROMOTIONS

FROM TITLE	DEPARTMENT	TO TITLE	DEPARTMENT
Budget Supervisor	Finance	Accounting Manager	Finance
Forensic Identification Specialist	Police	Forensic Identification Supervisor	Police
Legal Assistant II	City Attorney's Office	Law Office Administrator	City Attorney's Office
Maintenance Worker	Public Works	Tree Trimmer	Public Works
Planning Assistant	Community Development	Planning Associate	Community Development
Program Leader	Community Services	Program Specialist	Community Services
Program Leader	Community Services	Program Specialist	Community Services
Senior Business Manager	Finance	Risk Manager	Finance
Senior Mechanic	General Services	Fleet Services Supervisor	General Services

INTERNAL TRANSFERS

FROM TITLE	DEPARTMENT	TO TITLE	DEPARTMENT
Equipment Attendant	Transit	Equipment Attendant	General Services
Maintenance Worker	Public Works – Street Operations	Maintenance Worker	Public Works - Sanitation

NEW HIRES

TITLE	DEPARTMENT
Ambulance Operator	Fire
Ambulance Operator	Fire
Ambulance Operator	Fire
Ambulance Operator	Fire
Ambulance Operator	Fire
Engineering Manager	Public Works
Facilities Operations Attendant	General Services
Facilities Operations Attendant	General Services
Lifeguard	Community Services
Maintenance Worker	Public Works
Police Services Officer	Police
Program Leader	Community Services
Program Leader	Community Services
Program Specialist	Community Services
Sanitation Equipment Operator	Public Works
Sanitation Equipment Operator	Public Works
Senior Business Manager	Police

Honorable Chair and Members
of the Civil Service Commission
City Hall
Torrance, California

SUBJECT: DENY PROTEST OF THE ELIGIBLE LIST FOR WAREHOUSE SUPERVISOR

RECOMMENDATION:

Recommendation of the Human Resources Director that your Honorable Body deny the protest of the eligible list for Warehouse Supervisor.

BACKGROUND

At the Civil Service Commission meeting of April 8, 2024, your Honorable Body was presented with a protest for the Warehouse Supervisor eligible list by Mr. Larry Basile. During discussion, the Civil Service Commission requested continuance of the protest discussion to their meeting of April 22, 2024, and to be provided with specific documentation. Due to the complexity of the protest and the need for relevant detailed information for the Commission, Human Resources staff requested and was granted a continuance for the protest of the eligible list for Warehouse Supervisor to the meeting of May 13, 2024.

Mr. Basile's protest raised questions regarding rater reliability and the final score he received for the interview process that was administered on January 25, 2024. The Commission determined that their decision would be considered based Torrance Municipal Code section 14.12.12 which states:

"An applicant may, within ten (10) days of the promulgation of an eligible list by the Civil Service Commission, appeal in writing from any part of the examination but no appeal shall be considered unless the appellant states specific reasons for appealing. All appeals and all correspondence relating thereto shall be referred to the Civil Service Commission for consideration. In considering an appeal, the Commission may permit the appellant to be heard and after consideration of the entire matter the Commission shall make its decision and determine the final rating of the applicant, which determination shall be final for all purposes."

ANALYSIS

Mr. Basile's protest was based on his concern regarding the raters' ability to conduct an unbiased interview and a difference in his placement on the eligible list when compared to the previous Warehouse Supervisor 2021 eligible list.

Interview Panel and Interview Process

The interview panel was Gerardo Pinela, Facilities Operations Manager, and Anaid Navarro, Principal Human Resources Analyst. Prior to his promotion to Facilities Operations Manager, Mr. Pinela was the print shop supervisor for the City for approximately eleven (11) years. As a print shop supervisor, Mr. Pinela had knowledge of inventory control including ordering and stocking of materials and supplies, ensuring sufficient stock is maintained, and knowledge of automated systems that are utilized within the City to assist with these processes. Although he is a manager in the same department as the candidate, he does not oversee nor hire staff for the Fleet Services Warehouse and did not have contact with Mr. Basile in that capacity. His evaluation of Mr. Basile's knowledge, skills, and abilities regarding warehouse operations, supervision, and potential for promotion is based solely on his responses during the interview process.

Ms. Navarro is a Principal Human Resources Analyst and subject matter expert in the examination/selection process. She has significant experience in assessment of candidates' abilities during the interview process both in the development of examination/selection processes and as a rater in many interview panels throughout her career. Ms. Navarro has not had any prior contact with Mr. Basile in his role as a warehouse employee. Therefore, Ms. Navarro's evaluation of Mr. Basile's knowledge, skills, and abilities regarding warehouse operations, supervision, and potential for promotion was also solely based on Mr. Basile's responses during the interview process.

The Warehouse Supervisor oversees a staff of six employees; therefore, a qualified candidate should be able to demonstrate through their responses to the interview panel the ability to effectively train, evaluate, and counsel staff. A review of Mr. Basile's rating shows that he was able to adequately demonstrate his knowledge of warehouse operations and inventory processes, however he did not establish to the raters a greater level of experience in supervisory/management skills as the candidates who had a higher score were able to demonstrate. Based on his ratings, his placement on the eligible list reflects that he is not the most qualified for the position in the current recruitment for Warehouse Supervisor.

As stated in the Civil Service Commission agenda item dated April 8, 2024, the interview panels were provided with an orientation prior to the start of the interviews. The practice of providing a briefing to an interview panel before conducting candidate interviews is rooted in the principles of effective recruitment and selection processes, to ensure that the panel members have a clear understanding of the job requirements, organizational priorities, and the desired qualities and skills in a candidate. This briefing allows the panel members to align their assessments and evaluations during the interview process, leading to a more objective and consistent selection process.

The briefing for the interviews for Warehouse Supervisor included the following:

- presentation by the hiring manager of the knowledge, skills and abilities the ideal candidate should possess and an explanation of how the department/division operates.
- review of the list of candidates to be interviewed and a discussion of any conflicts or potential bias in evaluating the candidates.
- discussion of the recruitment process and weights of the examination components.
- review of the interview questions in relation to the assessment areas based on the rating sheet and rating standards; and
- logistics of how the process will proceed with the candidates in the virtual platform.

The raters are instructed to deliver the questions verbatim to each candidate and to make a rating on each category of the rating sheet as follows: Not Recommended, Average, Above Average and Outstanding. They are instructed to score according to rating on each category based on the candidate's responses to the questions. It is the practice of Human Resources to provide a structured interview platform with standardized evaluation criteria to help minimize the impact of bias for interviewing panels. In addition, prior to the start of the interview, candidates are given the opportunity to request that interview panelists who they feel are unable to fairly evaluate them, may request the interviewer be removed from their panel. Mr. Basile did not request that the panelists be removed or request that he be rated by a different panel. It is Human Resources position that Mr. Basile effectively waived his right to request a different panel at that time.

Placement on Warehouse Supervisor Eligible List

Mr. Basile also raised concerns regarding his placement on the current eligible list as compared to his placement on the eligible list in 2021. The Warehouse Supervisor recruitment conducted in 2021 had a pool of forty-four (44) applicants. Ten (10) applicants were deemed qualified for this position and nine (9) candidates were placed on the eligible list and Mr. Basile was number one (1) on the 2021 eligible list. The recruitment in 2023 yielded a pool of eighty-four (84) applicants and thirty (30) applicants were deemed qualified for the position. The eligible list was promulgated with twenty-two (22) candidates and

Mr. Basile placed twelve (12) on the eligible list. The candidate pool in 2023 was larger than the previous recruitment with a greater number of qualified candidates.

An explanation of Mr. Basile's placement on the 2021 eligible list versus the 2023 eligible list for Warehouse Supervisor may be found in the occurrence, often referred to as, "grade inflation" or "relative performance evaluation". When individuals are compared to a smaller group of applicants, their performance may appear more exceptional than it actually is. However, when the comparison group is expanded to include a larger and more diverse pool of applicants, their performance may appear less exceptional by comparison. A review of the candidate qualifications – education, years of experience as a manager/supervisor, work history and number of employees supervised and candidates' performance in the selection process as shown in attachments D and E (for Commissioners only) provides perspective as to performance Mr. Basile's performance in the interview process and is reflected on the Eligible List for 2023.

The Hiring Manager is provided the top five (5) highest rankings per Municipal Code section 14.17.2. Attachment D demonstrates that the top five candidates on the current eligible list (2024) have current knowledge and experience in warehousing at the level of supervisor/manager and have supervised from six (6) to fifty (50) employees. Although the candidates from the eligible list in 2021 have years of knowledge and experience in warehousing, the candidates supervision/managerial experience was not current or had very limited experience at this level. The candidate with the most current experience as a supervisor/manager who supervised the most employees was the candidate who was ultimately appointed to the position.

Upon review of this data, it would be unfair for your Honorable Body to make a decision on Mr. Basile's performance during her interview, where the commission was not present. Clearly, Mr. Basile was not able to demonstrate to the interview panel, based on her ratings, that she was the most qualified person to be appointed to this position. It would also be a disservice to any candidates who participated in this process for your Honorable Body to change any of the rankings on the eligible list based on a decision to change one candidate's score.

Conclusion

In conclusion, staff remains steadfast in its position and staff continues to recommend that your Honorable Body deny the protest of the eligible list for Warehouse Supervisor and the appellant's request to re-conduct all the interviews. The appellant has not provided specific reasons for appeal, sufficient information on which the Commission could base their "final" rating, or any evidence that the interview process was not conducted in a fair and equitable manner.

For your Honorable Body to approve the protest and change the final rating for the appellant without consideration of the other candidates' qualifications, ratings received in the interview process and placement on the eligible list would be unjust and unfair. Any changes to the final rating of an appellant would result in a reissuance of the eligible list and be subject to a protest for other candidates who would be impacted.

It would be prejudicial to the other candidates for the Civil Service Commission to re-rate or re-score only the two applicants in question, as this would violate the principles of equity and fairness in the recruitment process. The Commission did not interview or rate any of the applicants at any time prior to the retest, so singling out these two individuals for re-evaluation would be arbitrary and discriminatory. Additionally, re-rating only these two applicants would undermine the integrity of the examination process and call into question the validity of the results. In conventional recruitment and examination best practices, it is essential that all applicants be treated equally and fairly throughout the process.

Therefore, to maintain the integrity of the examination process and uphold best practices in recruitment, the most appropriate course of action would be to deny the protest. Although the decision-making

authority for retesting falls outside the jurisdiction of the Civil Service Commission, if your Honorable Body is still inclined to grant the protest, the Human Resources Department would offer to voluntarily retest the entire pool of applicants to ensure a level playing field. This would be in lieu of the Civil Service Commission re-ranking any candidates. Re-testing would ensure that all candidates are evaluated based on the same criteria and under the same conditions, thereby upholding the principles of fairness and transparency in the recruitment process.

Respectfully submitted,
HEDIEH KHAJAVI
HUMAN RESOURCES DIRECTOR

By 
Tina Ortiz
Senior Human Resources Analyst

CONCUR:


Hedieh Khajavi
Human Resources Director

NOTED:


Brianne Cohen
Civil Service Manager

- Attachments:
- A. Lobby Notice and Rater Panel Certifications (Commissioners Only)
 - B. Candidate's Rights Notice
 - C. Municipal Code Section 14.17.2 Certification
 - D. Review of Warehouse Supervisor candidates qualifications 2021 and 2024 (Commissioners Only)
 - E. Review of Warehouse Supervisor candidates interview performance 2021 and 2024 (Commissioners Only)



CITY OF TORRANCE

CANDIDATES RIGHTS IN THE EXAMINATION PROCESS (CIVIL SERVICE POSITIONS)

As part of the examination process, candidates have the right to inspect and review a copy of a multiple choice written test with the correct answers marked, providing the test is **not** standardized or validated. You may review the test during the **three** working (business) day period immediately following the group administration of the test for non-safety positions; and the **five** working (business) day period for safety positions. If the test is standardized or validated, review is prohibited.

You may file a protest to a multiple choice written test for the following reasons: Correctness of the keyed answer; job relatedness of the question; procedures followed in the administration of the test. **Multiple choice written test protests must be submitted by the end of the three working (business) day review period for General Employees (non-safety) positions and five working (business) day review period for Police and Fire (public safety) positions.**

You also have the right to protest other types of tests such as performance, essay, oral (interview), or other tests, which by their nature are not reviewable. You may protest such tests if you question the fairness or appropriateness of the test or the test procedures, and can offer specific and substantial reasons for your objections. **Protests for performance, essay or oral tests must be submitted by the end of the next business day following the administration of the test.**

To submit a test protest, please select the appropriate protest form at <https://www.torranceca.gov/government/human-resources/your-rights-during-the-examination-process>.

A candidate may file a protest of an eligible list within ten calendar (10) days of the approval of the list. To submit an eligible list protest, please submit a written statement which states the specific and substantial reasons for the protesting the list.

All appeals/protests must be submitted to the Torrance Civil Service Commission, Attention: Brianne Cohen, Civil Service Manager, 3231 Torrance Boulevard, Torrance CA 90503, or via e-mail at CivilServiceCommission@TorranceCA.Gov, or by fax at (310) 618-2726.

For questions about the protest and appeal process and procedure, please call Civil Service Commission staff at (310) 618-2956 or (310) 618-2967 or go to <https://www.torranceca.gov/government/human-resources/your-rights-during-the-examination-process>.

14.17.2 CERTIFICATION.

(Amended by O-3334; O-3350; O-3405; O-3411; O-3463; O-3511)

a) Upon receipt of a requisition for certification of names to fill a vacancy, except when filling a vacancy in a department head or division head position, the Civil Service Commission shall certify to the appointing authority the names of the three (3) highest ranking eligibles on the promotion eligible list (or a lesser number if the list contains less than three names) for the class from which the appointment is to be made. If there are no eligibles on the promotion eligible list, the Commission shall certify from the open eligible list for the class from which the appointment is to be made.

b) Whenever certification is made from an open eligible list, or certification is made to fill a department head or division head position, the Civil Service Commission shall certify to the appointing authority the names of the five (5) highest ranking eligibles and the names of all eligibles who, on the basis of whole scores, are tied with the fifth highest eligible certified.

c) Upon receipt of a requisition for certification of names to fill one (1) or more vacancies in the position of Police Officer or Firefighter, the Civil Service Commission shall certify to the appointing authority a minimum of five (5) names for the first vacancy. The Civil Service Commission shall certify to the appointing authority one (1) additional name for each additional vacancy to be filled from that same requisition.

Certification shall be made on the basis of ranks and all names within a rank shall be certified together. The first rank shall consist of all eligibles whose whole scores are equal to or greater than ninety (90). Should certification of the first rank result in less than the required number of names being certified, then the second and/or third ranks shall also be certified until the requisite number of names are available. The second rank shall consist of all eligibles with whole scores equal to or greater than eighty (80), but less than ninety (90); and the third rank shall consist of all eligibles with whole scores equal to or greater than seventy (70), but less than eighty (80).

Should less than five (5) names be available for certification for appointment to the position of Police Officer or Firefighter, the appointing authority may make an appointment from such list or may make a temporary appointment until at least five (5) names are furnished.

Honorable Chair and Members
of the Civil Service Commission
City Hall
Torrance, California

SUBJECT: DENY PROTEST OF THE ELIGIBLE LIST FOR WAREHOUSE SUPERVISOR

RECOMMENDATION:

Recommendation of the Human Resources Director that your Honorable Body deny the protest of the eligible list for Warehouse Supervisor.

BACKGROUND

At the Civil Service Commission meeting of April 8, 2024, your Honorable Body was presented with a protest for the Warehouse Supervisor eligible list by Ms. Cindy Russell. During discussion, the Civil Service Commission requested continuance of the protest discussion to their meeting of April 22, 2024, and to be provided with specific documentation. Due to the complexity of the protest and the need for relevant detailed information for the Commission, Human Resources staff requested and was granted a continuance for the protest of the eligible list for Warehouse Supervisor to the meeting of May 13, 2024.

Ms. Russell's protest raised questions regarding rater reliability and the final score she received for the interview process that was administered on January 25, 2024. The Commission determined that their decision would be considered on Torrance Municipal Code section 14.12.12 which states:

"An applicant may, within ten (10) days of the promulgation of an eligible list by the Civil Service Commission, appeal in writing from any part of the examination but no appeal shall be considered unless the appellant states specific reasons for appealing. All appeals and all correspondence relating thereto shall be referred to the Civil Service Commission for consideration. In considering an appeal, the Commission may permit the appellant to be heard and after consideration of the entire matter the Commission shall make its decision and determine the final rating of the applicant, which determination shall be final for all purposes."

ANALYSIS

Ms. Russell's protest was based on her concern regarding the raters' ability to conduct an unbiased interview and a difference in her placement on the eligible list when compared to the previous Warehouse Supervisor 2021 eligible list.

Interview Panel and Interview Process

The interview panel was Gerardo Pinela, Facilities Operations Manager, and Anaid Navarro, Principal Human Resources Analyst. Prior to his promotion to Facilities Operations Manager, Mr. Pinela was the print shop supervisor for the City for approximately eleven (11) years. As a print shop supervisor, Mr. Pinela had knowledge of inventory control including ordering and stocking of materials and supplies, ensuring sufficient stock is maintained, and knowledge of automated systems that are utilized within the City to assist with these processes. Although he is a manager in the same department as the candidate, he does not oversee nor hire staff for the Fleet Services Warehouse and did not have contact with Ms. Russell in that capacity. His evaluation of Ms. Russell's knowledge, skills, and abilities regarding warehouse operations, supervision, and potential for promotion is solely based on Ms. Russell's responses during the interview process.

Ms. Navarro is a Principal Human Resources Analyst and subject matter expert in the examination/selection process. She has significant experience in assessment of candidates' abilities during the interview process both in the development of examination/selection processes and as a rater in many interview panels throughout her career. Ms. Navarro has not had any prior contact with Ms. Russell in her role as a warehouse employee. Therefore, Ms. Navarro's evaluation of Ms. Russell's knowledge, skills, and abilities regarding warehouse operations, supervision, and potential for promotion was also solely based on Ms. Russell's responses during the interview process.

The Warehouse Supervisor oversees a staff of six employees; therefore, a qualified candidate should be able to demonstrate through their responses to the interview panel the ability to effectively train, evaluate, and counsel staff. A review of Ms. Russell's rating shows that although she was able to adequately demonstrate her knowledge of warehouse operations and inventory processes, she is limited in supervisory/management skills, i.e. her only experience was move-up and temporary assignment. Based on her ratings, her placement on the eligible list reflects that she is not the most qualified for the position in the current recruitment for Warehouse Supervisor.

As stated in the Civil Service Commission agenda item dated April 8, 2024, the interview panels were provided with an orientation prior to the start of the interviews. The practice of providing a briefing to an interview panel before conducting candidate interviews is rooted in the principles of effective recruitment and selection processes, to ensure that the panel members have a clear understanding of the job requirements, organizational priorities, and the desired qualities and skills in a candidate. This briefing allows the panel members to align their assessments and evaluations during the interview process, leading to a more objective and consistent selection process.

The briefing for the interviews for Warehouse Supervisor included the following:

- presentation by the hiring manager of the knowledge, skills and abilities the ideal candidate should possess and an explanation of how the department/division operates.
- review of the list of candidates to be interviewed and a discussion of any conflicts or potential bias in evaluating the candidates.
- discussion of the recruitment process and weights of the examination components.
- review of the interview questions in relation to the assessment areas based on the rating sheet and rating standards; and
- logistics of how the process will proceed with the candidates in the virtual platform.

The raters are instructed to deliver the questions verbatim to each candidate and to make a rating on each category of the rating sheet as follows: Not Recommended, Average, Above Average and Outstanding. They are instructed to score according to rating on each category based on the candidate's responses to the questions. It is the practice of Human Resources to provide a structured interview platform with standardized evaluation criteria to help minimize the impact of bias for interviewing panels. In addition, prior to the start of the interview, candidates are given the opportunity to request that interview panelists who they feel are unable to fairly evaluate them, may request the interviewer be removed from their panel. Ms. Russell did not request that the panelists be removed or request that she be rated by a different panel. It is Human Resources position that Ms. Russell effectively waived her right to request a different panel at that time.

Placement on Warehouse Supervisor Eligible List

Ms. Russell also raised concerns regarding her placement on the current eligible list as compared to her placement on the eligible list in 2021. The Warehouse Supervisor recruitment conducted in 2021 had a pool of forty-four (44) applicants. Ten (10) applicants were deemed qualified for this position, nine (9) candidates were placed on the eligible list, and Ms. Russell tied at number two on the 2021 eligible list. The recruitment in 2024 yielded a pool of eighty-four (84) applicants and thirty (30) applicants were deemed qualified for the position. The eligible list was promulgated with twenty-two

(22) candidates and Ms. Russell placed twenty-two (22) on the eligible list. The candidate pool in 2024 was larger than the previous recruitment with a greater number of qualified candidates.

An explanation of Ms. Russell's placement on the 2021 eligible list versus the 2024 eligible list for Warehouse Supervisor may be found in the occurrence, often referred to as, "grade inflation" or "relative performance evaluation". When individuals are compared to a smaller group of applicants, their performance may appear more exceptional than it actually is. However, when the comparison group is expanded to include a larger and more diverse pool of applicants, their performance may appear less exceptional by comparison. A review of the candidate qualifications – education, years of experience as a manager/supervisor, work history and number of employees supervised, and candidates' performance in the selection process as shown in attachments D and E (for Commissioners only) provides perspective as to Ms. Russell's performance in the interview process and is reflected on the Eligible List for 2024.

The Hiring Manager is provided the top five (5) highest rankings per Municipal Code section 14.17.2. Attachment D demonstrates that the top five candidates on the current eligible list (2024) have current knowledge and experience in warehousing at the level of supervisor/manager and have supervised from six (6) to fifty (50) employees. Although the candidates from the eligible list in 2021 have years of knowledge and experience in warehousing, the candidates supervision/managerial experience was not current or had very limited experience at this level. The candidate with the most current experience as a supervisor/manager who supervised the most employees was the candidate who was ultimately appointed to the position.

Upon review of this data, it would be unfair for your Honorable Body to make a decision on Ms. Russell's performance during her interview, where the commission was not present. Clearly, Ms. Russell was not able to demonstrate to the interview panel, based on her ratings, that she was the most qualified person to be appointed to this position. It would also be a disservice to any candidates who participated in this process for your Honorable Body to change any of the rankings on the eligible list based on a decision to change one candidate's score.

Conclusion

In conclusion, staff remains steadfast in its position and staff continues to recommend that your Honorable Body deny the protest of the eligible list for Warehouse Supervisor and the appellant's request to re-conduct all the interviews. The appellant has not provided specific reasons for appeal, sufficient information on which the Commission could base their "final" rating, or any evidence that the interview process was not conducted in a fair and equitable manner.

For your Honorable Body to approve the protest and change the final rating for the appellant without consideration of the other candidates' qualifications, ratings received in the interview process and placement on the eligible list would be unjust and unfair. Any changes to the final rating of an appellant would result in a reissuance of the eligible list and be subject to a protest for other candidates who would be impacted.

It would be prejudicial to the other candidates for the Civil Service Commission to re-rate or re-score only the two applicants in question, as this would violate the principles of equity and fairness in the recruitment process. The Commission did not interview or rate any of the applicants at any time prior to the retest, so singling out these two individuals for re-evaluation would be arbitrary and discriminatory. Additionally, re-rating only these two applicants would undermine the integrity of the examination process and call into question the validity of the results. In conventional recruitment and examination best practices, it is essential that all applicants be treated equally and fairly throughout the process.

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authority for retesting falls outside the jurisdiction of the Civil Service Commission, if your Honorable Body is still inclined to grant the protest, the Human Resources Department would offer to voluntarily retest the entire pool of applicants to ensure a level playing field. This would be in lieu of the Civil Service Commission re-ranking any candidates. Re-testing would ensure that all candidates are evaluated based on the same criteria and under the same conditions, thereby upholding the principles of fairness and transparency in the recruitment process.

Respectfully submitted,
HEDIEH KHAJAVI
HUMAN RESOURCES DIRECTOR

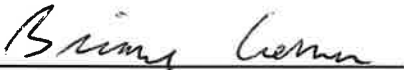
By 
Tina Ortiz
Senior Human Resources Analyst

CONCUR:



Hedieh Khajavi
Human Resources Director

NOTED:



Brianne Cohen
Civil Service Manager

- Attachments:
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You also have the right to protest other types of tests such as performance, essay, oral (interview), or other tests, which by their nature are not reviewable. You may protest such tests if you question the fairness or appropriateness of the test or the test procedures, and can offer specific and substantial reasons for your objections. **Protests for performance, essay or oral tests must be submitted by the end of the next business day following the administration of the test.**

To submit a test protest, please select the appropriate protest form at <https://www.torranceca.gov/government/human-resources/your-rights-during-the-examination-process>.

A candidate may file a protest of an eligible list within ten calendar (10) days of the approval of the list. To submit an eligible list protest, please submit a written statement which states the specific and substantial reasons for the protesting the list.

All appeals/protests must be submitted to the Torrance Civil Service Commission, Attention: Brianne Cohen, Civil Service Manager, 3231 Torrance Boulevard, Torrance CA 90503, or via e-mail at CivilServiceCommission@TorranceCA.Gov, or by fax at (310) 618-2726.

For questions about the protest and appeal process and procedure, please call Civil Service Commission staff at (310) 618-2956 or (310) 618-2967 or go to <https://www.torranceca.gov/government/human-resources/your-rights-during-the-examination-process>.

14.17.2 CERTIFICATION.

(Amended by O-3334; O-3350; O-3405; O-3411; O-3463; O-3511)

- a) Upon receipt of a requisition for certification of names to fill a vacancy, except when filling a vacancy in a department head or division head position, the Civil Service Commission shall certify to the appointing authority the names of the three (3) highest ranking eligibles on the promotion eligible list (or a lesser number if the list contains less than three names) for the class from which the appointment is to be made. If there are no eligibles on the promotion eligible list, the Commission shall certify from the open eligible list for the class from which the appointment is to be made.
- b) Whenever certification is made from an open eligible list, or certification is made to fill a department head or division head position, the Civil Service Commission shall certify to the appointing authority the names of the five (5) highest ranking eligibles and the names of all eligibles who, on the basis of whole scores, are tied with the fifth highest eligible certified.
- c) Upon receipt of a requisition for certification of names to fill one (1) or more vacancies in the position of Police Officer or Firefighter, the Civil Service Commission shall certify to the appointing authority a minimum of five (5) names for the first vacancy. The Civil Service Commission shall certify to the appointing authority one (1) additional name for each additional vacancy to be filled from that same requisition.

Certification shall be made on the basis of ranks and all names within a rank shall be certified together. The first rank shall consist of all eligibles whose whole scores are equal to or greater than ninety (90). Should certification of the first rank result in less than the required number of names being certified, then the second and/or third ranks shall also be certified until the requisite number of names are available. The second rank shall consist of all eligibles with whole scores equal to or greater than eighty (80), but less than ninety (90); and the third rank shall consist of all eligibles with whole scores equal to or greater than seventy (70), but less than eighty (80).

Should less than five (5) names be available for certification for appointment to the position of Police Officer or Firefighter, the appointing authority may make an appointment from such list or may make a temporary appointment until at least five (5) names are furnished.

Honorable Chair and Members
of the Civil Service Commission
City Hall
Torrance, California

Honorable Members:

SUBJECT: CIVIL SERVICE COMMISSION CLOSED SESSION

The Civil Service Commission will meet in Closed Session for the following purpose:

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING DISCIPLINE (California Government Code §54957(b) (1)):

- 1) Appeal of Discipline of a Police Officer (8).

Respectfully submitted,



Brianne Cohen
Civil Service Manager