

Contra Costa County



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MERIT BOARD

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

Walter G. Treanor
Chairman Emeritus
1981-2002

CONTRA COSTA COUNTY MERIT BOARD

MINUTES OF MEETING

January 22, 2019

***Presiding
Staff***

Members Present

Charles Kreling

Stacey Durocher

***Eizo Kobayashi, James Mellander, Dennis Reigle,
Toni Warren***

Counsel

Stephen M. Siptroth, County Counsel's Office

Others Present

Catherine Beller, County Counsel's Office

Abigail L. Dye, County Counsel's Office

Alfonso Gonzales, Appellant

Cynthia Ruehlig, Shop Steward, AFSCME Local 2700

Other members of the public

RECORDING OF MERIT BOARD MEETINGS

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

APPROVAL OF CONSENT ITEMS

A. Minutes of November 27, 2018

Chair Kreling asked if the Board Members had any changes or modifications to the minutes. There being none, Chair Kreling approved the minutes as submitted.

B. CONSIDER APPEAL OF ALFONSO GONZALES, CLERK-SENIOR LEVEL, SHERIFF-CORONER'S OFFICE FROM VOLUNTARY RESIGNATION.

Chair Kreling noted receipt of the appeal of Alfonso Gonzales, Clerk-Senior Level, Sheriff-Coroner's office from voluntary resignation. Chair Kreling also noted receipt of correspondence received from Abigail Dye, Deputy County Counsel, County Counsel's Office, representing the appointing authority, requesting that the Board dismiss the appeal of Alfonso Gonzales due to lack of jurisdiction. The Merit Board lacks authority under PMR 210 to hear an appeal from voluntary resignation.

Abigail Dye, Deputy County Counsel, County Counsel's Office, representing the appointing authority was present. Appellant Alfonso Gonzales was also present.

After hearing from both parties present, Member Reigle moved and Member Warren seconded to dismiss the matter due to lack of jurisdiction.

AYES: Kobayashi, Mellander, Warren, Reigle, Kreling

C. CONSIDER ACKNOWLEDGING RECEIPT OF THE LETTER RECEIVED FROM CYNTHIA RUEHLIG, SHOP STEWARD, AFSCME LOCAL 2700, ON BEHALF OF UNIDENTIFIED UNION MEMBERS.

Chair Kreling noted receipt of the letter from Cynthia Ruehlig, Shop Steward, AFSCME Local 2700, on behalf of unidentified union members. Chair Kreling also noted receipt of correspondence received from from Stephen M. Siptroth, Merit Board Counsel, recommending that the Board acknowledge receipt of Ms. Ruehlig's letter and take no further action as the Board lacks jurisdiction to act on the letter because the letter is not an appeal from a person under the Merit Board's jurisdiction.

Chair Kreling also noted receipt of correspondence received from Abigail Dye, Deputy County Counsel, County Counsel's office representing the appointing authority requesting that the Board dismiss the appeal of unidentified AFSCME Local 2700 Union Members for violation of PMR Sections 701, 706.3, 712, 806.1 and 808 Part 14 for lack of jurisdiction to enforce PMR sections 701, 706.3, 712, 806.1 and 808 Part 14 for failure to state a prima facie claim of prohibited discrimination (Part 14), and for lack of authority to grant the requested remedy.

Abigail Dye, Deputy County Counsel, County Counsel's Office, representing the appointing authority was present. Representative, Cynthia Ruehlig Shop Shop Steward, AFSCME Local 2700 was also present on behalf of unidentified union members.

After hearing from both parties present, Member Reigle moved and Member Warren seconded to dismiss the matter due to lack of jurisdiction to act on behalf of un-named appellants.

AYES: Kobayashi, Mellander, Warren, Reigle, Kreling

D. CONSIDER APPEAL OF LORETTA WALKER, CLERK EXPERIENCED LEVEL, HEALTH SERVICES DEPARTMENT FROM DISCRIMINATION BASED ON RACE, GENDER AND DISABILITY.

Chair Kreling noted receipt of the appeal of Loretta Walker, Clerk Experienced Level, Health Services Department from discrimination based on race, gender and disability. Chair Kreling also noted receipt of correspondence received from Catherine Beller, Deputy County Counsel, County Counsel's Office, representing the appointing authority, requesting that the Board dismiss the appeal of Loretta Walker due to lack of jurisdiction.

Catherine Beller, Deputy County Counsel, County Counsel's Office, representing the appointing authority was present. Appellant's representative Cynthia Ruehlig, Shop Steward, AFSCME Local 2700 was present, Appellant Loretta Walker was not present.

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After hearing from both parties present, Member Kreling moved and Member Warren seconded to dismiss the matter due to timeliness, appellant did not appear, and lack of jurisdiction to grant the remedy requested.

AYES: Kobayashi, Mellander, Warren, Reigle, Kreling

There being no further business to consider, Chair Kreling adjourned the meeting at 7:27 pm.

DATED: _____

APPROVED: /s/ _____