



COUNTY OF SONOMA

HUMAN RESOURCES DEPARTMENT

Christina Cramer, HR Director

Employment • Classification • Employee Relations • EEO • Training • Risk Management

DATE: May 1, 2020

TO: Civil Service Commission

FROM: Christina Cramer, Human Resources Director

CC: Supervisor Susan Gorin, First District; Barbie Robinson, Director of Health Services; Sheryl Bratton, County Administrator; Bruce Goldstein, County Counsel

RE: Request to Waive Competitive Examination

This memorandum requests the Civil Service Commission to waive the recruitment and competitive selection process for the position of Public Health Officer pursuant to the provisions allowable under the Sonoma County Civil Service Ordinance, Section 21.5, Classified and Unclassified Service Generally.

BACKGROUND:

The Health Officer is a classified position. Health and Safety Code requires that a County have a public health officer and the Board of Supervisor's appoints the position. In County of Sonoma, the Health Officer resides in the Department of Health Services, reports to the Director of Health, and in addition to fulfilling the statutory role of the health officer, oversees the Public Health Division of the department.

The COVID-19 Pandemic Emergency began to evolve in early March 2020. The Board of Supervisors declared a local public health emergency effective March 2, 2020. In mid-March 2020, the County's Health Officer resigned and this critical position became vacant. Additionally, the Deputy Health Officer position was and still is vacant. Due to the specialized nature of this position, the longstanding practice and circumstances to hire a new Health Officer has required extensive recruitment efforts and a competitive process be conducted when the position has become vacant. Efforts to source deep, qualified candidate pools for these recruitments have not been successful, although appointments have been made. In previous circumstances when the position was vacant, the Deputy Health Officer was able to temporarily step up and fill the required roll.

Given these circumstances, the Department of Health Services needed to actively seek an individual who could fill the Health Officer role on an interim basis. Dr. Sundari Mase was identified to assist Sonoma County on an interim contractual basis initially. At their March 24, 2020 meeting, the Sonoma County Board of Supervisors appointed Dr. Mase on a provisional basis to the position based on Civil Service Rule 8.2, Provisional Appointments. This Rule allows the County to fill a vacancy when there is not a viable employment list, the candidates possess the minimum qualifications, and with the approval of the Human Resources Director. Rule 8.2 suggests that an examination (recruitment) be conducted if a provisional appointment is made so the appointment does not exceed six months. Provisional employees receive all benefits of a regular County employee.

CIVIL SERVICE ORDINANCE, SECTION 21.5

This section of the Ordinance generally discusses how employees are determined to be classified or unclassified. In relevant part, the Ordinance states:

The classified service shall comprise all positions not specifically included by this section in the unclassified service, provided, however, that in the event of the creation of a new position or in case of a vacancy in any position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competitive examinations to qualify applicants for said position are impracticable, and that the position can best be filled by the selection of a person of recognized attainments, competitive examinations may be suspended by the commission, but no such suspension shall be general in its applications to such position and all such cases of suspension shall be reported, together with the reasons therefore to the board of supervisors.

RECOMMENDED ACTION:

Human Resources recommends:

- 1) the Civil Service Commission suspend the competitive process for Health Officer so the County may appoint Dr. Mase without further recruitment and employment examination/selection efforts; and
- 2) direct the Human Resources Director to report the Commission's decision along with a copy of this Memorandum to the full Sonoma County Board of Supervisors.

Health Officer is a very specialized job class that requires one to be a licensed physician which requires extensive scientific education and experience including expertise in the specialized area of public health principles. Given the current state of Emergency and demanding priorities of the County, the Board of Supervisors, the Department of Health Services, and of Dr. Mase for the immediate future, it is not practicable to conduct a competitive recruitment process for this position. Additionally, the most qualified candidate pool for this position are individuals who are in leadership and are top level public health professionals who presumably are not in a position to be able to search for a new position and take the time necessary to prepare and participate in a hiring process. The Civil Service Rules also require subject matter experts participate in the examination process such as participating as a rater in an interview process. Subject matter experts are essentially the same as those who would be well-qualified job candidates and would have the same challenges. It is crucial for the Sonoma County community that the County, as an employer, have the Health Officer position filled in a more stable and permanent manner. The Commission can support the County by determining the recommendation is consistent with the intent of the Civil Service Ordinance.

The Health Officer's job classification specification is attached.

Attachments:

Health Officer Job Classification Specification

Civil Service Ordinance, Section 21.5

HEALTH OFFICER

Definition:

Under administrative direction, serves as the County Health Officer; assesses the County's health status; establishes medical policies and protocols for the Department of Health Services and consults with appropriate parties on medical issues; exercises statutory powers and authorities for the enforcement of all public health laws, regulations, and ordinances; provides public health leadership to improve community health; and performs related duties as required.

Distinguishing Characteristics:

The Health Officer is a County Officer appointed by the Board of Supervisors, but reports to the Director of Health Services. The position is one of trust and confidence and is responsible for providing medical oversight and enforcement of public health regulations for a wide variety of health programs and services. Work is performed using independent judgment subject to administrative policy direction of the Director of Health Services. The incumbent shall establish and modify medical policies and protocols for the Department of Health Services in consultation with the Director of Health Services, and serves as an advisor to elected and appointed officials, members of the medical profession, and the public on matters affecting public health and safety.

This position is distinguished from the Director of Health Services in that the Director is responsible for all policy development, fiscal, administrative and programmatic functions of the Department, whereas the Health Officer provides medical oversight and leadership in community health.

Typical Duties:

Duties may include, but are not limited to, the following:

Assesses and reports on the health status of the community, using multiple epidemiological survey and statistical methods; assists in the development of public health policy and implementation of effective public health interventions.

Enforces local health orders, ordinances and rules prescribed by the state and federal regulating entities.

Subject to the policy direction of the Director of Health Services, represents the Department of Health Services in and before professional, medical, community and governmental groups and organizations and local, state and national associations; attends and participates in related conferences; maintains liaison and coordinates the work of the department with federal, state and local health agencies, County officials, affected departments, and community organizations; represents the County before Boards, Commissions, State and Regional Committees.

Responds to media inquiries regarding community health and public health issues, in general, and provides public health consultation and direction to community agencies

In conjunction with the department's Emergency Medical Services Program Administrator, serves a lead role in disaster and emergency preparedness and response.

Acts as local registrar of births, deaths and oversees disposition of human remains.

Performs other duties as required.

Knowledge and Abilities:

Thorough knowledge of: the principles and practices of modern medicine, including preventive medicine; the medical principles and protocols associated with the management of public health and environmental health problems; the principles and practices of emergency medical services, including advanced life support; laws, ordinances, and regulations relating to public health, environmental health, hazardous materials, and emergency medical services.

Considerable knowledge of: modern management principles and practices; organizational dynamics, conflict resolution, and behavior and performance management; public health administration; principles and practices of personnel management.

Ability to: establish and maintain effective working relationships with the Director of Health Services, County Administrator, the Board of Supervisors, other County managers, subordinates, community groups, other public health agencies, medical professionals, the general public, and others who have an interest in public health issues; evaluate and define community public health needs and develop cost effective proposals to meet defined needs; establish and maintain modern systems of record keeping, information retrieval, and statistical analysis of public health data; speak and write effectively and to prepare clear and comprehensive reports.

Minimum Qualifications:

Any combination of education, training and experience which would likely provide the knowledge and abilities listed herein. Normally this would include:

Education and Experience: Graduation from an accredited medical school with a Doctor of Medicine degree and a minimum of three years of responsible work in a public health service that included both clinical and managerial experience. Training in Family Practice, Pediatrics or Internal Medicine is desirable. Additionally, possession of a Master's Degree in Public Health from an accredited school must be achieved within three years of appointment.

License/Certification: Possession of a valid Physician's and Surgeon's Certificate issued by the State of California.

Eligibility to obtain a Controlled Substances Registration Certificate issued by the United States Department of Justice. Eligibility to obtain Medi-Care and Medi-Cal provider licenses from program fiscal intermediaries.

Possession of a valid driver's license at the appropriate level including special endorsements, as required by the State of California, may be required, depending upon assignment, to perform the essential job functions of the position.

Sec. 21-5. - Classified and unclassified service generally.

The civil service system of the county is hereby divided into the unclassified and the classified service. The unclassified service shall consist of:

- (a) All officers elected by the people and all confidential or special investigators employed by any of said elected officers;
- (b) All appointive boards and commissions;
- (c) The law library trustees;
- (d) Members of the civil service commission;
- (e) All persons serving the county without compensation;
- (f) Interns, resident physicians and student nurses;
- (g) Casual patient and inmate employees at county institutions;
- (h) Intermittently employed, hourly or seasonal employees;
- (i) Persons employed under contract to supply expert professional or technical service in a temporary position;
- (j) The director of the Sonoma County health services;
- (k) The county sanitation engineer;
- (l) The Sonoma County fair manager and Sonoma County fair or fairgrounds employees employed by Sonoma County fair and exposition, incorporated, or its successors;
- (m) The director of economic development
- (n) The two (2) assistant sheriffs;
- (o) The county administrator;
- (p) The director of permit and resource management;
- (q) The director of human services;
- (r) The director of fire services/emergency program manager;
- (s) The information systems director;
- (t) The director of transportation and public works;
- (u) The director of child support services;
- (v) The director of regional parks;
- (w) The director of health services;
- (x) The general services director;
- (y) The LAFCO executive office;
- (z) The agricultural commissioner/sealer;
- (aa) The director of human resources.
- (bb) The director, independent office of law enforcement review and outreach.

The board of supervisors may amend this section to add to the unclassified service other positions or classifications that are of a high level, policy-making nature. Such positions or classifications shall be limited to department heads. Any such amendment shall specify the exact position or classification to be added to the list of exempt positions or classifications. No such amendment shall be applied to the incumbent of any affected position in a manner that would deprive him or her of any property rights protected by the constitution.

The classified service shall comprise all positions not specifically included by this section in the unclassified service, provided, however, that in the event of the creation of a new position or in case of a vacancy in any position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competitive examinations to qualify applicants for said position are impracticable, and that the position can best be filled by the selection of a person of recognized attainments, competitive examinations may be suspended by the commission, but no such suspension shall be general in its applications to such position and all such cases of suspension shall be reported, together with the reasons therefore to the board of supervisors. This section will not apply to positions in the social service department for which there is federal or state reimbursement. At all times, at least one (1) of the assistant sheriff positions must be filled by appointment from within the Sonoma County sheriff's department.

(Ord. No. [6298](#), § I, 11-2-2010; Ord. No. [6131, § I](#), 9-15-2015; Ord. No. 5821, § 2, 12-16-08; Ord. 5719 § 2, 2007; Ord. No. 5470 § 2, 2004; Ord. No. 5347 § 2, 2002; Ord. No. 5336 § 4, 2002; Ord. No. 4609-R § 1; Ord. No. 330-7-A; Ord. No. 2324-R; Ord. No. 1794-R; Ord. Nos. 353, 353-A, 353-B; Ord. No. 305-A)