



Gavin Newsom  
Mayor

Philip A. Ginsburg  
Human Resources Director


**MEMORANDUM**  
**DHR No. 34-2006**

**DATE:** December 11, 2006

**TO:** Department Heads  
Personnel Officers

**FROM:** Philip A. Ginsburg,  
Human Resources Director

**SUBJECT:** **New Process Regarding Proposed Restrictions on Future Employment**



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As you are aware, Civil Service Rules provide an Appointing Officer the discretion to impose a restriction on future employment with a separation action when appropriate; however, an employee is also entitled to request a hearing before the Civil Service Commission (“Commission”) to appeal that decision. Because an individual is placed on general waiver from employment with the City until such appeals are resolved, regardless of the proposed restrictions, the Commission has requested that the Department of Human Resources (“DHR”) expedite all such appeals. Therefore, effective immediately, appeals of restrictions on future employment shall be automatically calendared before the Commission **within sixty (60) days** of receipt of such appeals unless there is a pending grievance or arbitration regarding the underlying separation action.

If there is no pending grievance or arbitration, departments are required to submit a staff report to Jennifer Johnston, DHR Appeals Coordinator, within two (2) weeks of the scheduled hearing date (i.e., no later than two Mondays prior to the date of the hearing) for timely transmission to the Commission. Note that DHR shall now approve staff reports as to form only, with a limited cursory review of substance. Our records indicate that a large number of such decisions are appealed to the Commission; therefore, we strongly advise departments to submit a staff report and all supporting documentation with the separation report to DHR Client Services staff when imposing a restriction on future employment. Further, departments are required to designate a representative to present the staff report at the Commission hearing and defend the decision to impose a restriction on future employment.

Please note that the Commission has the authority to remove, modify or expand upon the imposition of restrictions on future employment. The failure to submit a timely staff report and/or delegate a departmental representative to present the staff report may heavily influence the Commission’s decision.

In the event that you are unable to submit a timely staff report and/or designate a representative to present the staff report on behalf of the department at the scheduled Commission hearing, or if there is a pending grievance or arbitration underlying the separation action, you are required to notify Ms. Johnston immediately at (415) 557-4932 or via email at [Jennifer.Johnston@sfgov.org](mailto:Jennifer.Johnston@sfgov.org).

Questions or Comments

Please contact your DHR Client Services representative if you have any questions or comments with regard to these procedures.

cc: Civil Service Commission