



Annual Internal Review

This report covers the time period of 7/1/2022 to 6/30/2023

Municipal Civil Service Commission

The Board/Commission mission statement is:

The Municipal Civil Service (MCS) Commission is established and governed by City Charter Article IX (*Personnel*). The purpose of the Commission is to:

1. hear appeals and make final, binding decisions in the case of municipal civil service employees covered under Article IX of the City Charter who have been discharged, suspended, demoted, denied a promotion, or put on disciplinary probation;
2. recommend the adoption of civil service rules after receipt of proposed rules by the Human Resources Director and perform services under the civil service rules as provided in Article IX, Section 2 of the City Charter;
3. perform other duties regarding the municipal civil service, not inconsistent with Article IX of the City Charter, that the City Council may require;
4. issue subpoenas and subpoenas duces tecum to witnesses, whether at the request of interested parties or on its own motion, when reasonably necessary to obtain pertinent evidence at a hearing or investigation;
5. administer oaths to witnesses appearing at a hearing or investigation; and
6. conduct any investigations it may consider desirable or which it may be required by the City Council or the City Manager concerning the administration of municipal civil service, and report its findings and recommendations to the City Council.

Further information regarding the Municipal Civil Service Commission is found in § 2-1-164 of the Austin City Code, which states:

- (A) The Municipal Civil Service Commission is established and governed by City Charter Article IX (*Personnel*). The Charter provisions supersede this chapter to the extent of conflict.
- (B) The Council Audit and Finance Committee shall review applications received by the city clerk from persons seeking appointment as a commissioner. Notwithstanding § 2-1-4(C), the Audit and Finance Committee, or any council member, may nominate a person for appointment to the commission.
- (C) A city employee may not serve as a member of the commission.
- (D) The council shall designate the commission chair annually at the time new commissioners are appointed.
- (E) Subsection (A) of Section 2-1-43 (Meeting Requirements) does not apply to the Municipal Civil Service Commission. The commission may meet as necessary to carry out its duties under City Charter Article IX (*Personnel*).

Source: Ord. 20130214-045; Ord. 20130321-043.

1. Describe the board’s actions supporting their mission during the previous calendar year. Address all elements of the board’s mission statement as provided in the relevant sections of the City Code.

This Annual Internal Review is for the period covering July 1, 2022, through June 30, 2023, for the Municipal Civil Service Commission to realign its reporting period with other Board & Commissions as requested by the Office of the City Clerk.

The Human Resources Department and the Office of the City Clerk presented to the Audit and Finance Committee on March 29, 2023, regarding the process for recruitment and appointment due to the expiration of Commissioner Kevin Mullen’s term expiring May 8, 2023. Commissioner Mullen was appointed in 2021 to fill an unexpired term. The Audit and Finance Committee made a recommendation to Council to reappoint Kevin Mullen to a full three-year term. Additionally, the Audit and Finance Committee made a recommendation to Council to appoint Andy Mormon as Chair of the Commission.

On April 20, 2023, the Austin City Council reappointed Kevin Mullen as commissioner of the Municipal Civil Service Commission for three-year term beginning May 9, 2023 and expiring May 8, 2026, and designated Andy Mormon as the Chair of the Municipal Civil Service Commission for one-year term.

The Municipal Civil Service Commission held seven (7) regularly scheduled meetings during this reporting period. Many of those meetings were to hear appeals and make decisions regarding those appeals.

Below is summary of the Municipal Civil Service Commission meetings held during this reporting period:

Reporting Period July 1, 2022 – June 30, 2023 - MCSC Meetings

| Appeal | Date | Details |
|--------------------------------|-------------|----------------------------------|
| Regular Meeting – Appeal Heard | 07/25/2022 | Denial of Promotion (Denied) |
| Regular Meeting – Appeal Heard | 09/12/2022 | Denial of Promotion (Denied) |
| Regular Meeting – No Hearing | 02/13/2023 | Business Meeting |
| Regular Meeting – Appeal Heard | 04/10/2023 | Disciplinary Probation (Granted) |
| Regular Meeting – Appeal Heard | 05/08/2023 | Discharge (Granted) |
| Regular Meeting – Appeal Heard | 05/22/2023 | Denial of Promotion (Denied) |
| Regular Meeting – Appeal Heard | 06/12/2023 | Discharge (Granted) |

In fulfillment of Article IX of the City Charter, the Commission hears appeals and makes final, binding decisions in the case of any municipal civil service employee who is discharged, suspended, demoted, denied a promotion, or put on disciplinary probation; issues subpoenas and subpoenas duces tecum to witnesses, when reasonably necessary to obtain pertinent evidence at a hearing or investigation; and administers oaths to witnesses appearing at a hearing or investigation.

2. Determine if the board's actions throughout the year comply with the mission statement.

All actions of the Municipal Civil Service Commission comply with Article IX of the City Charter, which serves as the Commission's Mission Statement.

3. List the board's goals and objectives for the new calendar year.

In calendar year 2023, the MCS Commission (in accord with Article IX of the City Charter) will:

1. Schedule and hold as many meetings as necessary to hear appeals for any municipal civil service employee who is discharged, suspended, demoted, denied a promotion, or put on disciplinary probation.
2. Fulfill any other requirements under Article IX that become apparent and necessary throughout the year.