

RULE 3 - PERSONNEL ADVISORY BOARD

Section 1. DUTIES AND POWERS. The duties and powers of the Personnel Advisory Board (PAB) shall be those prescribed by law and these Rules.

c. **Authority.** The Personnel Advisory Board (PAB) shall be the administrative appeals body for personnel matters authorized by the San Diego Unified Port District Personnel Rules and Regulations (Rules). Said appellate authority includes:

- (1) Hearing appeals by permanent employees in the classified service relative to any removal, demotion, or reduction in pay, and in the case of any permanent Harbor Police Officer, relative to any punitive action.
- (2) Hearing appeals of alleged violations of the Rules where the right of appeal is provided for in the Rules.
- (3) Hearing charges filed by a citizen against a person in the classified service.
- (4) Such other matters as provided for in the Rules.

b. **General Powers.** The PAB shall have the power to:

- (1) Conduct special meetings and investigations as directed by the Board of Port Commissioners or Executive Director;
- (2) Conduct disciplinary hearings as provided for elsewhere in these Rules;
- (3) Administer oaths;
- (4) Subpoena witnesses and materials;
- (5) Make any necessary findings and recommendations in conjunction with any investigation or hearing. The findings and recommendations may affirm, revoke, or modify any disciplinary order, including increasing or decreasing the discipline imposed, and may make any appropriate recommendations in connection with appeals under its jurisdiction, unless otherwise provided by law.

Section 2. ORGANIZATION OF THE PERSONNEL ADVISORY BOARD.

a. **Eight members.** The PAB shall consist of eight (8) members to be appointed by the Board of Port Commissioners. The term of

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each member of the PAB shall be for three (3) years, except as provided in this section. Each PAB member may only serve a maximum of two (2) consecutive terms. A member may be reconsidered for another appointment if the member has not served for one (1) year. Terms shall be staggered for continuity.

- b. **Terms.** The term for any of the eight (8) members shall expire during the year that completes the three (3) year term to which said member was appointed. Annually, the Board of Port Commissioners shall designate the Chairman of the PAB for that year.
- c. **Appointment.** Members of the PAB may serve until their successors are appointed and qualified. A majority vote of the Board of Port Commissioners shall be required to appoint or remove a member of the PAB.
- d. **Experience.** Members of the PAB shall possess a minimum of seven (7) years experience, in addition to related education and training, in personnel administration, human resource management, or senior management experience with authority over a personnel or human resources department. No person shall be appointed to the PAB who holds any salaried public office or employment, with the District's member cities including the City of San Diego, City of Coronado, City of Imperial Beach and the City of Chula Vista and the County of San Diego, nor shall any member, while on the PAB, or for a period of one year after his or her term expires, be eligible for appointment to any office of the District.

Section 3. POLICY. It is the goal of the Board of Port Commissioners to achieve diversity on the PAB.

Section 4. MEETINGS.

- a. **Special Meetings.** When requested by the Board of Port Commissioners or the Executive Director, the PAB shall hold special meetings and investigations and make recommendations on any matter of personnel administration within the limits of the request.
- b. **Regular Meetings.** Regular meetings of the PAB shall be held quarterly or at the request of the Executive Director as necessary to review the findings of hearing officers.
- c. **Hearings.** PAB members appointed as individual hearing officers to consider an employee's appeal shall conduct hearings as outlined in these Rules.

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- d. **Notice of the time and place** of the meetings shall be posted on the bulletin board at the District's administrative offices at least twenty-four (24) hours prior to each meeting.
- e. **The Director of Human Resources** or his or her designee shall serve as Secretary. The Secretary shall record in the minutes the time and place of each meeting of the PAB, all official acts of the PAB and shall cause the minutes to be written up and presented for approval at the next meeting of the PAB. The minutes of the meetings shall be open to the public for inspection.
- f. **Closed Meetings**. Any PAB meeting or hearing or any portion of a PAB meeting or hearing held to consider disciplinary proceedings, complaints or charges against an employee shall be closed to the public. Before holding such closed session, the employee shall be given 24 hours written notice of his or her right to demand that the meeting be held in public.

Section 5. COMPENSATION

- a. **Amount**. At all regular or special meetings of the PAB, PAB members shall be entitled to compensation of \$100.00 per meeting. PAB members acting as hearing officers on an employee's appeal shall be entitled to compensation of \$250.00 per hearing, regardless of the duration of the hearing.
- b. **Requests**. Compensation entitlements shall be requested by completing a reimbursement form provided by the Secretary of the PAB.

Section 6. HEARING OFFICER ASSIGNMENTS shall be made by rotation, except that when a designated officer is unavailable to conduct the hearing within the time limits stated in these Rules, then the next in rotation will be assigned.

Section 7. FURTHER INFORMATION. The granting of hearings and other matters before the PAB are further explained in Rules 6, 10, 11, 13, 14 and elsewhere in the Rules.