[MS-0398.028.009.019]

ROUTE SLIP

OFFICE OF THE BOARD OF SUPERVISORS
COUNTY OF SAN DIEGO, CALIFORNIA

DATE ROUTED
3/27/90

DATE DUE
4/13/90

TO
CAO's Office

SUBJECT
Attached letter from Mr. James Priff

ACTION

- [ ] FOR YOUR INFORMATION
- [ ] INVESTIGATE AND TAKE APPROPRIATE ACTION
- [x] INVESTIGATE AND TAKE APPROPRIATE ACTION WITH REPORT TO SUPERVISOR
- [ ] YOUR COMMENTS
- [ ] OTHER

COMMENTS:

Please address the concerns of Mr. James Priff in the attached letter.

Thank you.

Benelia Santos-Hunter
Chairman's Assistant
Chairman Leon L. Williams' Office

— RETURN THIS ROUTE SLIP WITH YOUR REPLY —

SACRAMENTO ADDRESS
STATE CAPITOL
SACRAMENTO, CA 95814
PHONE: (916) 445-3731

DISTRICT OFFICE
2121 PALOMAR AIRPORT RD.
SUITE 100
CARLSBAD, CA 92009
PHONE: (619) 438-3814
FROM ESCONDIDO
AREA 744-2223

RECEIVED
MAR 0 1 1990
Ans'd.....

Senate

California Legislature

WILLIAM A. CRAVEN
SENATOR
38TH DISTRICT

VICE CHAIRMAN
COMMITTEE ON RULES

90-96

February 28, 1990

Mr. James Priff
6833 Richard Street
San Diego CA 92115

Dear Mr. Priff:

I am in receipt of your recent correspondence regarding some problems you have encountered with the County of San Diego.

Unfortunately, as a State Senator, I do not have any purview in this matter. However, since this is a county issue, I have taken the liberty of forwarding your letter to your County representative, Leon Williams.

I know he will do whatever he can to address your concerns.

Sincerely,

WILLIAM A. CRAVEN
Senator
38th District

WAC:bf

cc: w/ltr The Honorable Leon Williams
Supervisor, 4th District
County of San Diego
1600 Pacific Highway, Room 335
San Diego CA 92101

2/26

James Priff
6833 Richard St.
San Diego, Ca. 92115
February 21, 1990

To Whom It May Concern:

I am writing this letter to you inorder to ascertain if you could help resolve a part of the problem that I have had with the County of San Diego.

I recently had applied for the position of Deputy Probation Officer with the County. I felt that six years as a New Jersey Parole Officer, two years with the San Diego County's Probation Department as a Corrections Officer and the current nine plus years as a Budget Analysis with the same County's Department of Social Services more than qualified me for the position.

As part of the process, an applicant is required to have a psychological evaluation performed. The County contracts out such functions and forces applicants to be submissive to a system that is abusive, prejudice and patently inept. I,with others, was forced to take a three hour written test under inadequate and adverse testing conditions. There were no desk to write upon and some individuals were even sitting on the floor in the receptionist area. My interview with the psychologist was even more ludicrous. This psychologist showed no interest in the process. He couldn't even get my name correct. It had become merely routine procedure for him. It was obvious before the interview had started that he had made a prejudicial predetermination and that he was only proceeding because of contractual obligation. He had spent as little time as possible on the pre-interview packet, test and interview (less than ten minutes).

It was obvious from the interviewer's attitude and the wording of the disposition (copy attached) which would make it almost impossible to contest that the County had no input into the psychological screening. It was also clear that it did not have any quality control over the psychological system.

I will endeavor to repair the personel damage to me thru interaction with the County (copy of correspondence attached) or thru the courts. However, I need your assistance to compel the County to discontinue the use of contract psychologist. Those individuals who are required to have a psychological evaluation should be allowed the option of choosing the psychologist to insure a fair and detailed evaluation.

This option should be extended to cover any medical or psychiatric evaluation that may be required by the County during employment or pre-employment. I enclosed a news article that clearly demonstrates that the problems in this area are neither new nor isolated but rather endemic to the County's system of medical services.

I await your reply as to what assistance you might be able to supply.

Thank You For Your Time,

James Priff

County of San Diego

ETHEL M. CHASTAIN
DIRECTOR

DEPARTMENT OF HUMAN RESOURCES

1600 PACIFIC HIGHWAY, ROOM 207, SAN DIEGO, CALIFORNIA 92101-2463

January 18, 1990

James Priff
6833 Richard Street
San Diego, CA 92115

SS#: 140-34-4460
Position: Deputy Probation Officer

Dear Mr. Priff:

Prior to appointment to the position indicated, a candidate must meet certain conditions of employment, one of which is successful completion of a psychological screening examination. This is to respectfully advise you that you were unsuccessful in meeting this requirement. In accordance with Section 4.2.1 of the Civil Service Rules, "Conditions of Employment", your name will be removed from the employment list for the position indicated.

In accordance with Section 4.2.2(b) of the Civil Service Rules, "Candidates who fail a pre-placement psychological test may, at their own expense, obtain a second evaluation, using the original test material, from a second psychologist selected from a list furnished by the Civil Service Commission. Candidates availing themselves of this option shall notify the Commission of the intent to do so within 5 days of receiving notice of the disqualification from the director." You can consider this letter such notice. The notification to the Commission shall be in writing and sent to:

CIVIL SERVICE COMMISSION
COUNTY OF SAN DIEGO
1600 Pacific Highway, Room 458
San Diego, CA 92101

If the findings and conclusions of the second psychologist differ from that of the original evaluator, a third psychological evaluation may be ordered through the Vocational Medical Services Coordinator, Department of Human Resources, who will select the third psychologist. The third evaluation will be at County expense."

Results of the third evaluation will be provided to the Commission. The Commission will then determine whether or not to return the candidate to the employment list. The Commission's decision will be final.

Sincerely,

ETHEL M. CHASTAIN
Director, Department of Human Resources

By: Romulo Sarno Jr.
Romulo Sarno, Jr. Deputy Director

EMC/RS/AJY
cc: DHR Certifications
CSC
Personnel Analyst

EMPLOYMENT LIST

The Director may disqualify, refuse to examine, refuse to certify, make inactive or remove a person from an employment list who:

(a) fails to make application correctly, submits an employment application and/or supplemental materials which are incomplete, illegible or received after the filing deadline; or

(b) is found to lack any of the established pre-employment standards or requirements for an examination for a class; or

(c) fails to take or pass any part of the examination or any pre-employment test prior to appointment; or

(d) fails to keep the Director informed of current address; or

(e) has been dismissed, for cause, from County Service; or

(f) has made false statements or attempts to practice deception or fraud on the employment application, during an exam, or in securing eligibility or an appointment; or

(g) attempts to use any personal or political influence to further eligibility or appointment; or

(h) has been convicted of a crime which would adversely affect job performance or public safety; or

(i) fails to respond or refuses to appear for an appointment interview. Such persons shall be made inactive on the employment list until continued interest is indicated in writing; or

(j) after three certifications for employment consideration are waived. Such persons shall be made inactive on the employment list until continued interest is indicated in writing; or

(k) has been placed on a regular list as a result of a promotional examination and separates from County Service, except by reason of layoff; but shall be returned to list if reemployed before expiration of list; or

(l) the Director deems unfit for any other job related reason in order to protect the merit basis of the personnel system.

The Director shall provide written notice of removal or disqualification along with the reasons for the action. Notice of Removal shall be by certified mail. (Amended 1-15-88)

SECTION 2.1.7 PETITIONS AND APPEALS OF DISQUALIFICATION AND REMOVAL

An applicant who is disqualified from an employment list, may petition the Director within ten (10) days after the date the notice is postmarked. An applicant whose name is removed from an employment list may petition the Director within ten (10) days of the date of certified mail. Such petition shall be in writing, establish specific grounds for the petition and include additional information, evidence or facts which are contradictory to the disqualification or removal. The Director shall investigate within fourteen (14) days and notify the petitioner of the findings in writing.

If the Director does not respond or denies the petitioner's request, the petitioner may then, within ten (10) days, appeal the matter to the Civil Service Commission.

A petition or an appeal shall not delay the selection process unless the Director or Civil Service Commission determines that the relief sought by the petitioner can be granted through no other means. (Amended 1-15-88)

PART 2 - APPOINTMENT

SECTION 4.2.1 CONDITIONS OF APPOINTMENT

Prior to appointment, eligibles must meet the conditions of employment specified for a particular position, including qualification in a medical examination. For job related reasons, eligibles may have to submit to psychological, polygraph, and other similar examinations or tests. Failure of such pre-employment tests or examinations may be cause for the Director to cancel eligible's name from a certification or remove the name from an eligible list.

SECTION 4.2.2 MEDICAL/PSYCHOLOGICAL EXAMINATION

(a) Medical Examination

Prior to initial appointment, reinstatement, or appointment to a classification with different physical demands, a candidate shall undergo medical screening and/or a physical examination. The physician shall be designated by the County and a medical report certifying the medical fitness of a candidate shall be submitted to the Director. Within 30 days of receipt of notice of rejection for employment for physical reasons, an eligible may petition such decision by presenting to the Director the medical diagnosis of another physician which contradicts the diagnosis of the County physician. The cost of this second medical report shall be borne entirely by the candidate. (Amended 3-15-83)

Upon receipt of a timely petition, the Director shall refer the matter to a third physician. The Director shall then render a decision based on information provided by the third physician. The cost of the third medical examination shall be borne by the County.

The County's Medical Examination Standards and Instructions will be developed and maintained by the Office of Employee Services and will be subject to the approval of the Commission. (Amended 3-15-83)

(b) Psychological Examination

Candidates who fail a pre-employment psychological test may, at their own expense, obtain a second evaluation, using the original test material, from another psychologist, selected from a list of psychologists furnished by the Civil Service Commission. Candidates availing themselves of this option shall notify the Commission of the intent to do so within five days of receiving notice of the disqualification from the Director.

If a diagnosis of a second psychologist is different from that of a first psychologist and if a second psychologist determines that the candidate has passed the psychological evaluation, a third psychological evaluation will be ordered by the Commission or one of its members at County expense. The Commission or one of its members will select a third psychologist who will also use the original testing material.

The Commission will determine whether or not to return the candidate to the eligible list based on the majority of psychologist evaluations. The Commission's decision shall be final. (Amended 3-15-83)

SECTION 4.2.3 APPOINTMENTS

James V Prilly
6833 Richard St
San Diego, Ca. 92115
January 23, 1990

Re: Your letter dated 1/18/90 advising of psychological screening failure for Deputy Probation Officer.

Ethel M. Chastain, Director
Dept. of Human Resources
1600 Pacific Highway, Rm 207
San Diego, Ca. 92101

Ms Chastain:

This letter is being sent to advise you that since Mr. Mantell is not obligated to advise me of the reasons for my psychological screening failure, I can not challenge his findings. However, I can find cause to fault his modus operandi. The extremely inadequate testing facilities would be sufficient grounds to negate any test results. His attitude during the interview would indicate a pre-disposition based on his own bureaucratic routine and a physical prejudice. It became apparent that his perception of the process was to perform the minimum to meet his contractual obligation and not to discover a true psychological sounding.

Addressing the above issues under section 4.2.2(b) would be fruitless. Seeking a re-evaluation based on Mantell's test materials by

another contract psychologist would be patently absurd. Even to find a private psychologist who has no knowledge of me to contradict a colleague would be extremely difficult; but to find a contract psychologist, it would be nothing short of a burlesque joke.

I had thought until now that I had a work history adequate to justify not only my capabilities but also my compatibility for such employment. In the recent past, both California's and Oregon's Departments of Corrections have agreed to this assessment and that 18 years of experience that is directly (6 years as a N.J. Parole Officer, 2 years in San Diego's Probation Dept. as ADPO II) or indirectly (10 years as a Benefit Analyst for San Diego County's Dept of Social Services) were verifiable validations. I am now being told by Mr. Montell that I do not have the psychological capabilities to discharge these duties. This compels me to believe that 18 years of service were a fluke. This I have found to be traumatic and emotionally distressing, and I now find it difficult to function at my current position.

In Truth,

James V [illegible]

Postscript: To help prevent future abuse directed towards prospective employees, I am currently drafting letters to various state legislative

representatives. Hopefully, the letters will be persuasive enough to get them to abolish in California the use of contract psychologist in testing hirees as it is a noxious malfeasance.

James Pirtle (WORKER # NM37,
Dept. Social Services
5001, 73rd St
San Diego, Ca. 92115
MS - W89
January 24, 1990
589-4571 (SANCONTEL 721)

Ms Rowena Rens:

During a routine hiring process for the county, I was given a psychological test by contract psychologist, Mr. Mantell. The results were disturbing to me and it has impacted my abilities to function at my current county job.

I would like to discuss this matter with you and see what career change would now be open to me. Can you please see your way to scheduling an appointment with me.

Thanks;

James Pirtle

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