



Department of Human Resources

MAYOR

Renard U. Johnson

TO: Benjamin Minjares, General Services Lead Worker

FROM: Mary Wiggins, Chief Human Resources Officer *MW*

DATE: February 4, 2025

SUBJECT: Discussion and Action on Disqualification Appeal to take Examination and/or Removal of Names from Eligible List for Streets and Maintenance Department, in accordance with C.S.C. Rule 5.1. (A), City's Application and Appeals Policy and Promotional Process Policy

CITY COUNCIL

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Your appeal has been placed on the Civil Service Commission Agenda as Item #7 for their meeting to be held on **Thursday evening, February 13, 2025**. The meeting will be at **6:00 P.M.**, in the **Main Conference Room, 2nd Floor, City Hall (300 N. Campbell)**. Please attend the meeting to answer any questions the Commission may have regarding this matter. Failure to attend the meeting to address the Commission may result in your appeal being deemed withdrawn.

Please call Claudia Cancellare, Employee Relations Officer, at (915) 212-1498 or Cecy Mungaray, Employee Relations Officer at (915) 212-1430 if you have any questions.

If you have any questions, please call Symone Menchaca at (915) 212-1242.

CITY MANAGER

Dionne Mack

Signature: *Mary Wiggins*

Email: WigginsML@elpasotexas.gov

Mary Wiggins PHR, SHRM-CP – Chief Human Resources Officer
Department of Human Resources | 300 N. Campbell | El Paso, TX 79901
O: (915) 212-0045 | Email: WigginsML@elpasotexas.gov





Civil Service Commission Appeal

Applicant Name: Benjamin Minjares
Current Position and Grade: General Services Lead Worker GS 049
Position and Grade Applying For: Electrician GS 054
Exam Plan: 18630-1124

Reason for Disqualification:
 Applicant is barred from applying due to failure of promotional probation on 11/6/2024 and is ineligible to take any Civil Service examination for a period of twelve (12) months from the probation failure date.

Minimum Qualifications:

Education and Experience: High School Diploma, GED or higher and two (2) years of experience as a journey level electrician.
Licenses and Certificates: Texas Class "C" Driver's License or equivalent from another state. Some positions may require a Texas Class "B" Commercial Driver's License or equivalent from another state. Texas Journey Level Electrician's License required at time of application.

Applicant Qualifications:

Education: High School Diploma

Experience: General Service Lead Worker Electrician	09/2021 – 2/2024	1 yrs 5 mos
	02/2024 – 11/2024	0 yrs 9 mos

Comments:

Mr. Minjares promoted to Electrician with the Streets and Maintenance Department on 02/2024. Mr. Minjares failed his promotional probation on 11/6/2024. Per the Promotional Process Policy, Section D. Involuntary Removal During Probationary Period: 1. "A regular employee who is unsuccessful in completing a promotional probation is ineligible to take any Civil Service examination for a period of twelve (12) months from the date of removal."

Applicable City Rules and Policies:

Ordinance 8065 – Civil Service Commission Rule 5, Section 1 (a).
 Application and Appeals Policy
 Promotional Process Policy

(Please refer to Attachment A)
 (Please refer to Attachment B)
 (Please refer to Attachment C)



Prepared By: Jennifer Fulmer
Reviewed By: Karla Mora

HR-HCM Review: Erica Salamanca



Date: 12/18/2024



Civil Service Commission Appeal

Recruitment Factsheet

Exam Plan Title: Electrician 18630-1124

Recruiting Department: Streets and Maintenance

Total Applications

Rec'd/took the Exam: 20

of Internal Applicants: 3

of External Applicants: 17

Total # of Applicants who failed the Exam

(supplemental questions): 17

Lacked Education: 0

Lacked Experience: 0

Lacked Ed & Exp: 0

Other: 17

Total # of Applicants who failed the application

review 2

Lacked Education: 0

Lacked Experience: 0

Lacked Ed. & Exp.: 0

Other: 2

Total # of Applicants who passed the application

review 1

Qualified City Employees 1

Qualified External Applicants: 0



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Appeal Form

To Whom It May Concern:

I, Benjamin Mejias, hereby appeal my disqualification to take the examination for: Electrician [Examination Title]

Date notified of disqualification: 11/25/2024

Disqualified Under CIVIL SERVICE RULE (C.S.C.) and/or HUMAN RESOURCES (HR) POLICY:
Check all boxes that are applicable.

Lacks Minimum Qualification - Rule 5.1.(a) <input type="checkbox"/>	Convicted of a felony, or a misdemeanor - Rule 5.1.(b) <input type="checkbox"/>
Human Resources Policy: Dismissed from Public Service <input type="checkbox"/>	Dismissed from City Employment <input type="checkbox"/>
OTHER <input checked="" type="checkbox"/> (write specific C.S.C. Rule or HR Policy you are appealing)	

C.S.C. Rule 5.1.(a) Applicant Does Not Meet Minimum Qualification	YES	NO
Do you meet the educational requirements as stated in the job specification for this position?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Can you provide official proof of Education or other requirements, official transcripts, original or certified copies of diplomas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do you meet the minimum required experience as stated in the job specification for this position?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you list your education and/or experience on your application?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Detail your qualifying experience (use additional paper if necessary)

I started working as an electrician apprentice in 2021. I attended El Paso Community College in 2022 to become an Electrician. While in school, I was still working as an apprentice. I passed my classes w/ high scores. I graduated Dec 2023. The reason I did not pass my probation was because I was retaliated against. I had filed a complaint against my supervisor for abusive supervision. My probation evaluation was not based on my ability to perform my job duties. I applied for the same position I was on probation for, and I was disqualified for lack of experience, failed probation.

C.S.C. Rule 5.1.(b) Conviction of Felony or Misdemeanor	YES	NO
Is your conviction job related to the position sought? <u>N/A</u>	<input type="checkbox"/>	<input type="checkbox"/>
Will the conviction hinder your ability to perform the duties of this position?	<input type="checkbox"/>	<input type="checkbox"/>

Please detail why your conviction will not affect your job performance. Please submit any supporting documentation regarding this issue.

N/A

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HR Policy: Dismissed from Public Service	YES	NO
HR Policy: Dismissed from City Employment		

Are the circumstances of your dismissal related to the duties of the position being sought? YES NO

Please detail the circumstances involving your dismissal from public service. Please provide any supporting documentation regarding this issue.

N/A

Other _____ (cite specific Rule or HR Policy you are appealing).

Please explain what you are appealing

The disqualification to take the examination. I believe the decision was based on misleading information given in my probation evaluation by my previous supervisor. I had filed a formal complaint against him. And I believe my demotion is part of his retaliation against me.

Name: Benjamin Minjares Address: [Redacted] City/State/Zip: EL PASO TEXAS
 Telephone: [Redacted] Person ID #: [Redacted] (Neogov)
 Applicant Signature: Benjamin Minjares Date: 11-26-202

Please note: In accordance with the Texas Public Information Act, information from your application and/or resumé is subject to release to the public.

The electronic transmission of this appeal form via e-mail will constitute a signature:
 Check signifies electronic signature

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SUPPLEMENTARY WORK EXPERIENCE

City of El Paso
300N Campbell, 1st Floor, El Paso, TX 79901
915-712-0540
http://www.elpaso.gov

NAME (Last, First, Middle) Minjares, Benjamin PERSON ID # [REDACTED] SS # (Last 4 digits) [REDACTED]
Additional experience for the position of:

WORK EXPERIENCE
DATES: From 5/2018 to 4/2024 EMPLOYER: City of El Paso PHONE NUMBER: 915 774-8573
ADDRESS (Street, City, State, Zip Code): 1059 Lafayette
POSITION TITLE: General Service Lead Worker SUPERVISOR: Carlos Jimenez
HOURS PER WEEK: 40 SALARY: 12.30/hourly MAY WE CONTACT THIS EMPLOYER? Yes No

DUTIES: 5/2018 Began to work overtime w/ Street Lights Department. Helped trouble shoot, maintain street lights learn to operate bucket trucks.
9/2021 Transferred to Street Lights Department. Doing repair, rewiring, replace streets lights, with guidance from an Electrician. By this time I obtained my apprentice license.
4/2022 Enrolled in Community College for Electrician.
4/2023 Obtained Journeyman Electrician License.
12/2023 Graduated from Community College as an Electrician. All this time my duties continued to be the same as an Electrician Apprentice.

REASON FOR LEAVING:
2-11-2024 Began working as an Electrician in the same department

Note: I understand that this information will not be added to my original online application and will only be used to further evaluate the position indicated on this form. Bill check for electric bills

Signature [Signature] Date 11-27-2024
Please note: The electronic transmission of this supplementary form will constitute a signature

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SUPPLEMENTARY WORK EXPERIENCE

City of El Paso

300 N. Campbell St., 1st Floor, El Paso, TX 79901
915-212-6646
HRD / www.cityofelpaso.gov

NAME (Last, First, Middle)

Minjares, Benjamin

PERM ID #

SSN (last 4 digits)

Additional experience for the position of:

WORK EXPERIENCE

DATE: 2/2024

From 02/2024 To 11/2024

EMPLOYER:

City of El Paso

PHONE NUMBER:

ADDRESS (Street, City, State, Zip Code)

1059 Lafayette

POSITION TITLE:

Electrician

SUPERVISOR:

Carlos Jaquez

HOURS PER WEEK:

40

SALARY:

\$25.94 hourly

MAY WE CONTACT THIS EMPLOYER?

Yes No

DUTIES: Rewire streets lights. Repair and replace lights. Worked on lights at various parks. Replaced wires if damaged. Drove + operated Bucket truck. Also drove the Auger.

Also did trouble shooting and repaired traffic control & street lights. Installed electrical conduit, wire system, Electrical box, pole to connect and feet.

REASON FOR LEAVING:

I was demoted for not passing probation. My probation Evaluation was based on misleading information provided by my previous supervisor.

Note: I understand that this information will not be added to my original online application and will only be used to further evaluate the position indicated on this form. B.M. emails or check for electronic emails

Signature Benjamin Minjares

Date 11-26-2024

Please note: The electronic transmission of this supplement via e-mail will constitute a signature.



18630-1124 - Electrician

Contact Information -- Person ID: [REDACTED]

Name: BENJAMIN MINJARES Address: [REDACTED]
 Home Phone: [REDACTED] Alternate Phone: [REDACTED]
 Text Messaging Mobile No: [REDACTED] Email: [REDACTED]
 Former Last Name: Month and Day of Birth: [REDACTED]

Personal Information

Driver's License: Yes, Texas, [REDACTED]
 Can you, after employment, submit proof of your legal right to work in the United States? Yes
 What is your highest level of education? Some College

Preferences

Are you willing to relocate?
 Types of positions you will accept: Regular
 Types of work you will accept: Full Time
 Types of shifts you will accept: Day, Evening, Night

Objective

Education

College/University
 El Paso Community College
 8/2021 - Present
 El Paso, Texas
 Did you graduate: Yes
 Major/Minor: Electrical Technology
 Degree Received: No Degree

High School
 Orion High School
 www.orionhs.org
 5/2016 - 9/2016
 Midland, Texas
 Did you graduate: Yes
 Highest Level Completed: Other
 Did you receive a GED? No
 Degree Received: High School Diploma



Work Experience

General Services Lead Worker
 9/2021 - Present
 City of El Paso
 1059 Lafayette El Paso, TX 79907 US
 El Paso, Texas 79907
 915-474-8575
 Hours worked per week: 40
 Monthly Salary: \$0.00
 # of Employees Supervised: 0
 Name of Supervisor: Carlos Jaquez - Electrical Supervisor
 May we contact this employer? Yes



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Duties

Perform on-site investigation to determine the adequacy of streetlight. Determine if I need to be maintenance, repair, or installed of electrical box, pole, wires, or light head. engage in manual labor if needed. Install and maintenance electronic or electromechanical lighting systems. includes troubleshooting and repairing traffic control and streetlights. Inspect equipment like test and validate results using variety of test and use of equipment. Install electrical conduit, wire system, electrical box, pole to connect and test. installing, repairing, and maintenance on traffic control devices. Operate variety of heavy motorized equipment including bobcat, bucket loader, Crain-Auger

through City traffic.
Four years journeyman level electrician with Streetlight Department.

General Services Lead Worker
5/2018 - 9/2021

City of El Paso
www.elpasotexas.gov
1059 Lafayette
El Paso, Texas 79907
915-474-8575

Hours worked per week: 40
Monthly Salary: \$2,032.89
of Employees Supervised: 5
Name of Supervisor: Connie Magana - 915-212-8029
May we contact this employer? Yes

Duties

Plan and organize my staff on incoming work orders. Pick up or move furniture. Deliver and pick up supplies to city building. Take all city items to Property Control. Call and communicate with city employees for pick up and deliver on a timely schedule. Have city employees sign work order and ask if job was done to their satisfaction. Drive city vehicle to all city facilities. Clean and disinfect buildings, grounds, facilities and related systems to all departments. Like: Establish and prioritize work and related repair, maintenance and other needs of departments. Prepare and log work orders. Oversee, scheduled, unscheduled and other work orders to inspections and reviews. Oversee preparation of work schedules involving multiple shifts and locations for daily work. Assign work to staff. Review, evaluate and assess work undertaken. Conduct daily inspections to ensure that services meet the needs of the department. Recommend techniques, supplies, materials, and provide suggestions to assist staff. Identify, determine, review and approve supplies, and materials and other inventory items of the area of assignment. Provides continuity of maintenance, custodial and other services under emergency conditions or unique circumstances assigned, set up and dismantle walls, move items around office, and other systems. Comply with and enforce safety regulations.

Reason for Leaving

Was working to help Streets Lights on Fridays and Saturdays, then got transferred to evolve my interest in the field at Street Lighting.

Bus Driver
9/2013 - 5/2018

MVT Transportation (Sun Metro Lift) 5811
5801 Fred Wilson
El Paso, Texas 79925
915 212-0100

Hours worked per week: 40
Monthly Salary: \$1,800.00
Name of Supervisor: Rafael Fernandez - Supervisor
May we contact this employer? Yes

Duties

Responsibilities include transportation the elderly and disable securely to their destination. Extremely detail oriented with the ability to focus on the task. Willing to work overtime when required accomplishing the mission. CDL.

Reason for Leaving

Start working for the City of El Paso

Tow Truck Driver
7/2011 - 7/2013

Sun City Towing & Recovery
9365 Escobar
EL PASO, Texas 79936
915 852-6640

Hours worked per week: 40
Monthly Salary: \$1,400.00
of Employees Supervised: 0
Name of Supervisor: Mario Maisa - Supervisor
May we contact this employer? Yes

Duties

915-852-6640
Responsibilities included taking inventory of the vehicles and the personal property left inside. Inspect the vehicle for damages/discrepancies. Taking photographs, Customer Service, Book



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ITEM #7



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keeping invoices, Data Entry. Working with the forklift to move vehicles as necessary.

Reason for Leaving

Company went out of Business

Machine Operator

2/2011 - 7/2011

Delfingen US Inc
12270 Rojas
El Paso, Texas 79936
915 858-5577

Hours worked per week: 40
Monthly Salary: \$0.00
Name of Supervisor: Luis Delgado - Supervisor
May we contact this employer? Yes

Duties

915-858-5577

Responsibilities included being a machine operator for six machines that made the plastic harness for automobiles, Shrink wrap operator and pallet organizer.

Reason for Leaving

Better Job opportunity

Maintenance

9/2010 - 2/2011

Holy Spirit Catholic Church
14132 McMahon
El Paso, Texas 79928
915 852-3582

Hours worked per week: 20
Monthly Salary: \$640.00
of Employees Supervised: 0
Name of Supervisor: Alfredo Chapparro - Supervisor
May we contact this employer? Yes

Duties

915-852-3582

Responsibilities included being in charge of building and grounds maintenance, Customer Service, planning and executing the set up for special events and church functions. Operate Lawnmower and Wax's stripper.

Reason for Leaving

Seeking full time employment (working part time)

Manual Labor

6/2010 - 8/2010

T&T Staff Management Inc
511 Executive Center Blvd
El Paso, Texas 79902
915 771-0393

Hours worked per week: 40
Monthly Salary: \$0.00
Name of Supervisor: Jaime Juarez - Supervisor
May we contact this employer? Yes

Duties

Responsibilities: Machine Operator. Erected steel buildings. Operated Fork lift to unload building materials from truck to construction site and onto the floors as needed on job site. In charge of inventory of materials.

Reason for Leaving

Job ended, Temporary Staffing

Manual Labor

2/2010 - 5/2010

Livas Construction
704 Gonzales

Hours worked per week: 40
Monthly Salary: \$1,400.00
Name of Supervisor: Danny Livas - Owner
May we contact this employer? Yes



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El Paso, Texas 79907
915 328-1890

Duties

Responsibilities included general construction labor, which included installing dry wall. Painting both interior and exterior and tile installation. Fix sprinklers and cut grass.

Reason for Leaving

Contract work

Pipe Fitter

1/2009 - 2/2010

Reycon Construction Solutions
11375 Lee Blvd
El Paso, Texas 79936
915 633-1600

Hours worked per week: 40

Monthly Salary: \$1,200.00

of Employees Supervised: 0

Name of Supervisor: Miguel Reyes - Supervisor

May we contact this employer? Yes

Duties

Responsibilities: Operate Backhoe, Loader, and Tamper. Installing and maintaining several miles of pipeline, repaired 50,000 gallon tanks, pipe fitter and general labor.

Maintenance

6/2000 - 10/2005

Raytheon Services
7201 Montana
El Paso, Texas 79925

Hours worked per week: 40

Monthly Salary: \$1,480.00

of Employees Supervised: 0

Name of Supervisor: Arturo Acosta - Supervisor

May we contact this employer? Yes

Duties

Facility, Grounds, Landscape, and Parking lot Maintenances. Like: to repair holes and paint line on parking lot, paint walls, make walls in office, clean ACs, fix sprinkler system, put rocks for landscape, repair for building need, install, and repair water heaters. Purchase supplies for facility, parking, and grounds maintenance, keep inventory on tools for building maintenance. Fix leaks inside and outside, broken tile, holes in walls, and floor. Operate Forklift, Lawnmower, and Chainsaw.

Reason for Leaving

Personal

Certificates and Licenses

Type: Class B Commercial License/Haz Mat

Number: [REDACTED]

Issued by: Texas

Date Issued: 3 /2023 Date Expires: 3 /2031

Type: Journeyman Electrician

Number: [REDACTED]

Issued by: TDLR

Date Issued: 8 /2024 Date Expires: 8 /2024

Skills

Office Skills

Typing: 35

Data Entry: 0



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Languages

English - Speak, Read, Write

Spanish - Speak, Read, Write

Additional Information

References

City of El Paso has chosen not to collect this information for this job posting.

Resume

Text Resume

Attachments

Attachment	File Name	File Type	Created By
EPCC Electrical Technology Certificate	Electrical Technology Certificate EPCC	Proof of Education	Jennifer Fulmer

Supplemental Questions

1. Q: Required supplemental questions and answers are considered an examination component and will generate a score.

A: I understand my answers to the supplemental questions will generate a score.

2. Q: I understand that I am being tested on a conditional basis pending review of minimum qualifications. Note: Only applications that pass the Supplemental Questions exam will be reviewed.

A: I understand that I am being tested on a conditional basis pending review of my minimum qualifications.

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**Electrical
Group**

Job Code	Current Job Title	Type of Position	Current Grade	FLSA Status	Education Requirement	Experience Requirement	Lead or Supervisory Experience Requirement
18601	Industrial Electrician Supervisor	Classified	GS 60	Exempt	HS/GED	5	1
18604	Senior Industrial Electrician	Classified	GS 58	Exempt	HS/GED	3	0
18605	Electrician Supervisor	Classified	GS 56	Non-Exempt	HS/GED	4	2
18610	Industrial Electrician	Classified	GS 55	Non-Exempt	HS/GED	2	0
18615	Electronics Lead Technician	Classified	GS 58	Non-Exempt	HS/GED	4	0
18630	Electrician	Classified	GS 54	Non-Exempt	HS/GED	2	0
18650	Electronics Technician	Classified	GS 55	Non-Exempt	HS/GED	2	0



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City of El Paso
Electrician

CLASS CODE	18630 GS 054	SALARY	\$19.85 - \$33.03 Hourly \$1,588.08 - \$2,642.69 Biweekly \$3,440.83 - \$5,725.83 Monthly \$41,290.00 - \$68,710.00 Annually
ESTABLISHED DATE	August 20, 2006	REVISION DATE	September 08, 2024

Minimum Qualifications

Education and Experience: High School Diploma, GED or higher and two (2) years of experience as a journey level electrician.

Licenses and Certificates: Texas Class "C" Driver's License or equivalent from another state. Some positions may require a Texas Class "B" Commercial Driver's License or equivalent from another state. Texas Journey Level Electrician's License required at time of application.

Special Requirements: Positions requiring a CDL or positions of a safety sensitive are subject to drug and alcohol testing in accordance with federal regulations.

General Purpose

Under general supervision, perform and undertake a variety of skilled electrical service, equipment and system repair, maintenance, testing and installation tasks.

Typical Duties

Repair, replace and/or troubleshoot electrical equipment. Involves: Respond to scheduled or emergency situations. Identify, undertake, recommend and/or oversee parts purchase and inventory, repair, replacement, maintenance and/or other work required. Inspect electrical equipment and/or systems. Repair and/or provide preventative maintenance services. Test and validate results. Operate standard or specialized vehicles and/or equipment utilized to perform duties. Maintain/update files, records, reports and logs.

Install new and/or enhanced electrical services, equipment and/or systems. Involves: Research and identify costs, problems, parts, supplies, equipment and materials. Calculate electrical circuit requirements for present and future needs. Gather materials and supplies. Wire, connect, test, validate and maintain new service or systems. Coordinate electrical service needs and schedules with other trades, vendors, contractors, departments and others. Installation, removal, construction, welding, painting, refurbishing and/or performing other tasks associated with electrical installation and depending on area of assignment.

Direct work of others. Involves: As assigned or authorized, may direct laborers, trades helpers or others in routine, non-personnel areas. As assigned/authorized, may participate in personnel-related duties including, but not limited

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12/13/24, 4:36 PM

City of El Paso - Class Specification Bulletin

to, directing or recommending assignment/delegation of work, review/inspection/acceptance of work, training/development of employees, and/or other assigned responsibilities.

Knowledge, Skills, and Abilities

- Application of good knowledge of relevant federal, state and local laws, regulations, rules and ordinances, National Electrical Code (NEC) and City and departmental policies and procedures related to electrical work and/or area of responsibility.
- Application of good knowledge of the maintenance, repair and installation of electrical circuits, the proper use of tools and equipment, and occupational health and safety precautions applicable to maintenance and repair of electrical equipment and circuitry.
- Application of good knowledge of blueprints, plans, schematics and other construction-related documents.
- Application of some knowledge of supervisory principles.
- Ability to establish and maintain effective working relationships with vendors, contractors, city officials, employees, department heads, other departments and the general public.
- Ability to safely operate City vehicles, equipment and tools and to work in potentially hazardous areas, around moving equipment and in a variety of work areas.
- Ability to express oneself clearly and concisely, orally and in writing.

Other Job Characteristics

- Potential exposure to extreme weather conditions, infectious diseases, physical harm, insects, reptiles, vermin and dangerous chemicals/machines.
- Subject to emergency recall during off working hours.
- Lift and/or carry heavy, bulky items, material and/or supplies weighing up to 50 pounds.
- Some positions must pass a criminal background check and obtain and maintain federally mandated security clearance for working at an airport.

Classification Status

Ord. 016439 08/22/06). (CC 01/27/09), (HR 05/12/10), (HR 07/04/10), (CC 07/29/12), (HR 06/09/22), (HR 05/22/22), (HR 09/11/22), (HR 01/11/23). (HR 03/12/23), (HR 09/10/23), (HR 09/08/2024)

As provided under Classification and Compensation Ordinance 8064, Section 2.2, General purpose and typical duties summarized are only illustrative of work customarily assigned and performed. Typical requirements shown may be more specifically defined by additional job analysis. Equivalencies for education or experience shown may be more specifically defined by CSC approved guidelines.



ADA Compliance



Attachment A



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RULE 5

Application and Promotional Process and Lateral Transfer Process

Section 1. Filing of Applications.

Except as otherwise provided for herein, applicants for all positions, must file an application with the Human Resource Department not later than the date specified in the job posting and in the manner prescribed in the job posting.

The Human Resources Director, subject to appeal to the Commission, will refuse to examine an applicant, or after examination to certify him as eligible and will remove his name from the eligible list for any of the following reasons, in each case to be fully documented:

- (a) He is found to lack any of the minimum requirements established in the classification for the position and grade for which he applies; or
- (b) He has been convicted of a felony, or a misdemeanor within seven (7) years from date of conviction, end of parole, or release from prison, which is determined to be job related to the position sought; or (Amended 8/25/09, 11/2/10)
- (c) He is found by the Commission to have committed any act, either while in the service of the City or otherwise, or to have any deficiency or disqualification which, in the judgment of the Commission, would be sufficient to constitute a just cause for discharge from the Civil Service as defined in Article VI, Section 6.13-3 of the Charter.

Section 2. Appeals from Disqualification from Examination.

a. Applicants who are disqualified from taking an examination may appeal to the Civil Service Commission provided they appeal within three (3) working days from the date of the notice. The three (3) working day period begins the date the notice was emailed. Individuals who appeal must file a written rebuttal in a format prescribed by the Human Resources Director. If the applicant fails to update their contact information or respond within the timelines set, no further action will be taken. (Amended 8/21/07, 8/25/09, 9/17/13)

b. Untimely appeals will not be accepted.

c. If the examination is held before the appeal is heard and determined by the Commission, the Human Resources Director may allow the applicant to take the examination conditionally pending the Commission's determination. If a conditional applicant fails to achieve a passing grade on an examination, the appeal shall be administratively dismissed and the appeal will not be forwarded to the Commission and no further action will be taken. (Amended 8/25/09)

Section 3. Frequency and Examination.

Examinations will be given whenever needed to fill a vacancy for which an adequate list does not exist. (Amended 12/11/84, 1/24/89, 8/21/07)

Section 4. Eligibility.

A person is eligible to take promotional examinations after actual service in a regular position for six months and when he fully meets the qualifications for the class as specified in the job description. The six months of actual service will be deemed to have been met if the employee successfully completes the six months of service by the date the first component of the examination is administered, and the employee is recommended for regular status. (Amended 10/21/97, 8/21/07, 8/25/09, 9/17/13)

REVISED 1/20/15; 11/15/16; 3/7/17; 9/19/17; 11/28/17



Section 5. Seniority and Efficiency Points

Seniority points will be awarded to the score of City Employees provided that the minimum passing grade is achieved on the examination or evaluation. City Employees may receive a maximum of five additional points that can be added to their score for seniority points. (Amended 3/6/12, 3/7/17)

Section 6. Special Credit

Ratings for Veterans

A veteran, who has obtained a passing score, shall have his rating on an original entrance examination advanced five points. A veteran is defined as any person who has served on active duty in the Armed Forces of the United States, or any division thereof, including the Coast Guard, for a period of 180 days and presents a DD 214 indicating an honorable discharge from said service. (Amended 8/21/07, 8/25/09)

- a. To qualify for an additional five-point increment based on disability, such disability must be at least 30 percent, certified by the most recent letter from the Veteran's Administration. (Amended 8/21/07)
- b. Nothing in this provision will be construed to authorize or direct the placing of the name of any person on any eligible list who does not meet the physical standards set by the Human Resources Director for the position for which the eligible list has been created.

Section 7. Penalty for Deceit in Examination.

Where deceit in an examination is alleged, and the examinee denies the fact of deceit, or if the examiner in charge of the examination believes extenuating circumstances to exist, the examinee will be permitted to finish the examination, and a full report shall be submitted immediately to the Human Resources Director, who will conduct an appropriate investigation. Should the Director find that the applicant engaged in deceitful conduct in connection with the examination, the applicant will be disqualified. (Amended 8/21/07, 9/17/13)

Section 8. Duration of Eligible Lists.

The Human Resources Director will compile lists of eligible promotional candidates for job classifications and maintain them as necessary and appropriate. Eligible lists other than reinstatement and transfer lists will normally expire 6 months from the date they are certified unless extended by the Human Resources Director.. (Amended 1/24/89, 8/21/07, 9/17/13)

Section 9. Removal from the Promotional List of Persons Permanently Separated from Service.

The names of persons permanently separated from the service on account of resignation, discharge or other cause, will be removed from all promotional applicant lists by the Human Resources Director.

Section 10. Removal from Lower List if Appointed from Higher List.

Regular employees whose names are on promotional eligible lists of different grades or lists with different salary schedules will be removed from the lower grade promotional eligible lists or promotional lists with a lower salary schedule upon promotion to a higher grade position or one with a higher salary schedule. (Passed 3/28/91 and Amended 8/21/07)

Section 11. Required Licenses or Certificates

All employees who are required to have a license or certificate as a condition of employment shall maintain such licenses or certificates in a current status as long as their job specification requires it. Failure to maintain or obtain such license or certificate as required by the employee's job specification shall constitute just cause for disciplinary action as described in Rule 8. (Passed 8/25/09)

REVISED 1/20/15; 11/15/16; 3/7/17; 9/19/17; 11/28/17



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Section 12. Transfer to Same Class and Grade.

Whenever an employee in any department of the City wishes to transfer to a position in another department, the employee must be recommended by the transferring department and must have not been disciplined or placed on a performance improvement plan in the last 12 months. Employee shall retain his grade and pay rate, provided: (Amended 7/31/07, 8/25/09, 9/17/13)

- a. The position is in the same class and grade as the one from which transfer is made; or
- b. The employee has been performing services substantially similar in nature and having similar requirements as to education and experience to those of the new position, as determined by the Human Resources Director. Seniority credit where applicable will be given to the employee for the number of years he has been performing similar work in the former department. (Amended 2/1/94 and 7/31/07)

Section 13. Transfer During Probationary Period.

- a. In order to have a request for a transfer approved, a person must have completed a probationary period in the class to which transfer is being requested, except as provided in paragraph b.
- b. In cases where a position is abolished, a transfer request may be made by either the employee or the City. In such cases, a transfer may be approved while the employee is still serving in a probationary period for the class to which transfer is requested, provided that the balance of the employee's probationary period not yet served be retained by the employee in the new department, and that the rules regarding transfer and the order of certification and all provisions regarding transfers are met. (Passed 1/2/85) (Amended 9/13/05)

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Attachment B



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ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Applications and Appeals Policy

Creation Date: October 18, 2011

Revision Date: August 5, 2013; May 30, 2015

Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

DESCRIPTION: APPLICATIONS AND APPEALS POLICY

I. POLICY

It is the City's policy to allow all interested job seekers to apply for available positions and to provide a method for appealing a disqualification determination, pursuant to the procedures set forth in this policy.

II. PROCEDURES

A. Acceptance of Applications

1. The Human Resources Director or Designee will establish a filing period to accept applications for a particular position
 - a. All job seekers must complete an application for a particular position through the City's online application system.
 - b. A filing period with a specific closing date may be established for a job posting.
 - c. When the need exists for a limited number of applicants, the filing period will only remain open until an adequate number of applications have been received.
 - d. When necessary to fill positions for which there is a constant need for qualified applicants, or for hard to fill positions, the Human Resources Director may establish an open filing period and accept applications for employment on a continuous basis until all anticipated vacancies are filled, or the need for accepting and processing of applications no longer exists.



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B. Review of Applications

1. Human Resources Director: As required, the Human Resources Director or designee will review applications and identify candidates based solely on qualifications.

The Human Resources Director will permit education to substitute for experience as stated in the Equivalency Guidelines. Experience will be counted from the first day of entry into a qualifying job, to the day of the first component of the examination for which they have applied.

2. Hiring Official: When requested and as appropriate, applications may be referred to the hiring official to pre-screen.

C. Disqualification:

1. The Human Resources Director will refuse to examine an applicant, or after examination refuse to certify the applicant as eligible and will remove the name from the eligible list, for any of the following reasons, in each case to be fully documented:

- a) Lacks Minimum Qualifications: The applicant lacks the minimum qualifications established in the classification for the position:

- Applicants lacking three (3) months or less of the required job related work experience at the time of list promulgation may be placed on the eligible list. However, applicants lacking the required experience will not be certified for the appointment until after it is determined by the Human Resources Director that they have met the minimum experience required. Applicants may be asked to provide additional details concerning current or past work experience.

- b) Criminal History: The applicant has a criminal history within the seven (7) years preceding the date the application was submitted, which is determined to be job related to the position sought. For purposes of this subsection, criminal history includes conviction of a felony or misdemeanor. Additionally, the dates of release from prison, probation and/or parole for the relevant convictions will be evaluated and factored into the determination. *All applicants for Public Safety positions may be subject to more stringent criminal history standards deemed to be job related by the respective department or as required by regulatory agencies, or;*



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- c) Dismissed from Public Service: The applicant has been dismissed from public service (to include City employment) for delinquency or misconduct, which is determined to be job-related to the position sought.

D. False Statement on Application

- 1. Any false statement knowingly made by an applicant in an application for admission to an examination or any other fraudulent conduct related to the application process will cause the Human Resources Director to:
 - a) Exclude the applicant from such examination;
 - b) Remove the applicant's name from any eligible list;
 - c) Remove the applicant permanently from the position if the applicant has secured appointment from such examination; and/or
 - d) Exclude the applicant from consideration for any City position for a period of two (2) years from the date the falsified application was submitted or discovered, whichever is later.

E. Appeals from Disqualification:

- 1. Appeals for disqualification from taking an examination, or from not being certified after examination, or from being removed from an eligible list, may be submitted as follows:
 - a) Regular Employee: A regular employee may file a written appeal to the Civil Service Commission. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed to the applicant. Late appeals will not be accepted.
 - b) Original Applicant: With the exception of C.1.(b) above, Criminal History, which applicants may file a written appeal to the Civil Service Commission in the form and manner described, original applicants who are not regular employees may file a written appeal to the Human Resources Director. The appeal must be filed within three (3) working days on a form prescribed by the Human Resources Director. The three (3) working days period begins the date the notice was emailed. Late appeals will not be accepted.
 - c) Appeal Form: Applicants may obtain an appeal form by visiting the Human Resources Department website or office.



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- d) **Timeline:** Untimely appeals will not be accepted. If the employee or applicant fails to update their contact information or respond within the timelines set, no further action will be taken.

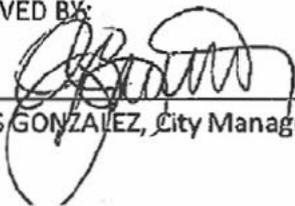
- e) **Administrative Dismissal:** If the examination is held before the appeal is reviewed, the Human Resources Director may allow the applicant to take the examination pending the disposition of the appeal. If the applicant fails to achieve a passing grade on the examination, the appeal shall be administratively dismissed.

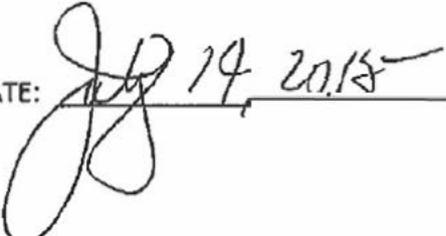
- F. **Application Retention and Reuse:** Applications and/or supporting documentation filed with the City will become the property of the City. Applications for one examination will not be used for any other or later examinations.

- G. **Contact Information:** An applicant may update contact information by logging onto their Personal Account Profile. All applicants have the responsibility to update their Personal Account Profile through the City's online application system with any changes in their contact information.

- H. **Non-Disclosure of Examinations:** Examination questions, and answers to test questions that do or may reveal examination questions, are exempt from public disclosure under the Texas Public Information Act (the "Act"). Accordingly, requests for a copy of the examinations and/or such examination answers will be denied pursuant to the relevant provisions of the Act.

APPROVED BY:

FOR 
TOMAS GONZALEZ, City Manager

DATE: 
July 14, 2015



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ADMINISTRATIVE POLICIES AND PROCEDURES

Policy ID: Promotional Process Policy
Date: October 18, 2011
Revision Dates: August 5, 2013; May 30, 2015
Prepared By: Human Resources Department
Approved By: City Manager
Legal Review: Elizabeth Ruhmann

DESCRIPTION: PROMOTIONAL PROCESS POLICY

The City of El Paso has guidelines for the promotion and internal recruitment of its employees. Many City positions are open to City employees before they are advertised, if at all, to the public. The purpose of this policy is to outline the requirements for the City's promotional and internal recruitment process.

I. DEFINITIONS:

Regular Employee: A classified employee who has completed an original probationary period.

II. PROCEDURES:

A. Promotion within City or Department: Examinations for promotional positions will be open to all regular employees.

1. City-Wide-Recruitments: Upon request of a Department Head, City-wide examinations may be limited to current regular city employees, so long as it is anticipated that there is a minimum of three (3) qualified candidates.
2. Department-Only Recruitments: Upon request of a Department Head, promotional examinations for promotional positions may be limited to employees presently working within the requesting department, so long as it is anticipated that there is a minimum of three (3) qualified applicants.

B. Eligibility and Qualifications:

1. Regular employee: A regular employee in the classified service is eligible to take a promotional examination:

 COPY



paperwork
submitted by appellant
for Commission Review

ITEM #7

Hello

My name is Benjamin Minjares. I've worked with the city now for 6 years. I began working with the movers, as a lead. Then I transferred to the Streets Department in 2021. I obtained my apprentice license. I began doing electrical work with the guidance of an electrician. I began an Electrician course at El Paso Community College, which was paid for by the City of El Paso. I continued to work with the electricians Monday through Friday from 6am – 5pm. While attending school Monday – Friday, 6 – 10pm, for a year and a half. On August 30, 2023, I took the Electrician Journeymen Test and passed. But for me to test I needed a total of 800 hours of apprentice hours. So, Mr. Jaquez signed for my hours.

On February 11, 2024, I was hired by the Streets Department as an Electrician. I was then placed on probation. At that point things changed as far as my work duties. I was told by Mr. Jaquez to perform job duties the other Electricians refused to do or were not asked to do. I felt I had to follow his orders since I was on probation, and he made it a point to bring up the fact he signed for my hours so I could take the journeymen test. I spoke to him about it several times. He continued doing it. Once he even referred to himself as “my master”. I told him I was going to file a complaint against him. He then extended my probation to retaliate against me. Mr. Jaquez said H.R. was the one extending it, but I investigated it, and H.R. had nothing to do with the extension it came from Mr. Jaquez.

I then decided to file a formal complaint against Mr. Jaquez, on the advice of my union representative. On August 18, 2024, I filed a formal complaint against Mr. Jaquez for abusive supervision. I told him on August 16, I was not going to continue operating the Auger, since I was on probation, and I was not going to risk an incident jeopardizing my probation. That's when he denied me the overtime, he had offered everyone else on our team.

Then the situation got worse once he found out about the complaint. I was sent to Mr. Bristol, the Director of Streets. A representative of the H.R. department was also there. Mr. Bristol stated was there for a “no call, no show”. After I informed him, I had just called in late. He had been led to believe I had violated my probation multiple times. H.R. had nothing to show I had done so. Mr. Bristol walked me out and asked what was really happening. I let him know I had filed a complaint against my supervisor Mr. Jaquez. He then said he would investigate it. A representative from H.R. came and spoke to myself and my coworkers, but i never heard anything from them regarding the complaint.

I knew me filing the complaint upset Mr. Jaquez just by his demeanor towards me. On November 5, 2024, was my last day on probation after the extension. It was then I found out I had not passed probation, and I was being demoted. I was told i was no longer working



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ITEM #7

with Streets Department. I was offered a position with Streets and Maintenance, repairing potholes. If I refused to accept the position November 5, 2024, would be my last day working with the city. I was demoted and I'm no longer an Electrician. I went from earning \$25.96 hr. to earning \$18.09 hr. My probation was not based on my ability to perform my job. I know how to perform my job and would take pride in my work. I would complete my duties and close out my work orders in a timely manner. My evaluation was based on one incident of me not wearing my P.P.E. and another incident where I questioned Mr. Jaquez orders. I believe my demotion was solely based on the fact I filed a complaint against him, After months of not hearing anything regarding my complaint, H.R. reaches out to me once they find out I have taken steps to appeal my demotion. And state that my formal complaint against Mr. Jaquez was closed. Without any explanation.

This is the reason I'm here now to have someone listen to my side and look at the facts. All I wanted was to be an Electrician. I have worked hard since 2021 to achieve my goal and once I accomplish it. It's all taken away by someone who took a work situation and made it personal. I did the work myself to better myself. And I take pride in the work I do as an Electrician. I just hope you all look at the facts and give me the opportunity to speak up for myself.

Thank you for your time.



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I, Benjamin Minjares, am filing a formal complaint against my immediate supervisor, Mr. Carlos Jaquez. **ITEM**

IN 2022, I began school to obtain my electrical journey license. **#7**
At that time Mr. Jaquez signed that i had completed my 800hrs of apprentice.

So now that I'm an electrician in his department i feel he uses the fact he signed my hours to hold that over my head. I feel I'm working in a hostile environment. I have spoken to him on a few occasions, but nothing has change. And now it seems things are getting worse.

I had to do this now because there was an instance when he referred to him self as "my Master". He did this in front of the whole team. When he made that comment i felt he did it to humiliate me and be little me. Thats when the hazing began from some of my coworkers. They made comments like "who's your master" and laughing.

My works speaks for itself. I complete my work orders in a timely manner. I help out my co workers when needed. I just hope me speaking out doesn't affect my probation. My probation should be based on my job performance. I just felt this had to be done now since the situation at work has become very stressful. I believe Mr. Jaquez is making this personal. He has begun to retaliate against me. On August 16, 2024, he denied me the overtime he offered everyone else on our team. I have always asked for over time. And now i feel he's using his position to retaliate and turn my co-workers against me.

I have spoken to David Guzman, a union rep, for advice. At which point he advised me to follow the chain of command. So this is why i wrote this email to you all. I tried to handle this manner with Mr. Jaquez but it nothing has changed. This why I'm now reaching out to you. Hoping this situation can be resolved in a timely and satisfying manner.

I hope to hear from you soon. Thank you in advance for your time.



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Benjamin Minjares

Direct Manager:
Carlos Jaquez



Benjamin Minjares

Probationary City of El Paso 6 Month Review Evaluation (due 08 / 09 / 2024)
Due Date: Fri, Nov 8, 2024

General Information

Position Electrician	Division	Evaluation Type Probation
Department ENGR TRAFFIC-ST	Class Spec Electrician	

Ratings Summary : Carlos Jaquez

Total Score	Overall Rating
128 (32%)	

Rater	Type	Total Score	Overall Rating	Weight
Carlos Jaquez	Rater	128 (32%)		100 %

Content

Performance Factor Section 1 4 Point Scale Section Weight 30 %

Organizational Values

Integrity

Item Weight 20 %

Trusted to do the right thing Adheres to the City's values and conducts themselves in a truthful, honest and highly credible manner.

Rater & Rating

Carlos Jaquez
1 Unsatisfactory

Comment

Mr. Benjamin Minjares has demonstrated behavior that raises concerns about their adherence to the City's values, particularly in regard to conducting themselves in a truthful, honest, and high-credible manner.

4/4/2024 – Failure to cooperate with a supervisor or co-worker, impairment of function of a work unit or disruptive conduct.

Mr. Benjamin Minjares was asked to help out with the solar installations at Austin Ponder Park (did not want to dig with -Hydro Vacuum equipment) He was told several times to help out. Verbal counsel and job description were explained to him

*Operating Auger
Got and dugged
with shovel.*

No other Electrician worked Auger.



Respect

Recognize the value and dignity of all individuals. Promotes dignity, consideration, and fairness by engaging in behaviors/language that serve as positive examples to all.

ITEM #7

Rater & Rating

Comment

Carlos Jaquez
1 Unsatisfactory

Mr. Benjamin Minjares does not recognize the value and dignity of all individuals. Mr. Benjamin Minjares does not work well with others. He disobeys direct orders from supervisors, does not follow City of El Paso PPE policy.

For Example

*Operating Auger -
Got off a dug with -
shovel*

4/4/2024 - Failure to cooperate with a supervisor or co-worker, impairment of function of a work unit or disruptive conduct. Mr. Benjamin Minjares was asked to help out with the solar installations at Austin Ponder Park (did not want to dig with -Hydro Vacuum equipment) He was told several times to help out. Verbal counsel and job description were explained to him.

*Vincente Saenz,
My self given up /
John Bodden was not
He had no P.P.E. & on Probation*

6/13/2024 - NO PPE - Mr. Benjamin Minjares was not wearing PPE at Paisano and Tobin while installing a knockdown electrical service. Explained that PPE is a requirement while working on the field. Fail to comply with PPE after verbal counseling.

Excellence

Perfect effort. Strives to achieve high quality results by using sound judgement, critical thinking, and clear reasoning. Offers innovative and progressive solutions to enhance positive outcomes.

Rater & Rating

Comment

Carlos Jaquez
1 Unsatisfactory

Mr. Benjamin Minjares does not achieve high quality results when using sound judgment results in poor choices that ultimately harm the Street Light Department performance and morale.

Same as above

- 6/13/2024 - NO PPE

Mr. Benjamin Minjares was not wearing PPE at Paisano and Tobin while installing a knockdown electrical service. Explained that PPE is a requirement while working on the field. Fail to comply with PPE after verbal counseling.

Accountability

Passionate and determined. Follows through on commitments, meet deadlines, takes responsibility for actions and assigned duties. arrives on time and stays on task during work hours.

Rater & Rating

Comment

Carlos Jaquez
1 Unsatisfactory

Mr. Benjamin Minjares does not follow through on commitments, meets deadlines, and takes responsibility for actions and assigned duties.

*He would send you
to help other Electrician
to cause you to fall
behind on work orders*

- 8/14/2024 - Insubordination

Mr. Benjamin Minjares was instructed to install a knockdown pole and his response was that he was not

going to do it. Even though this is a regular task as an electrician

*I made comment no other
Electrician operates Auger. So
why was he only pushing me
to do it.*

But I still did it.

*I was always told to do things
the other Electricians refused to*



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People

Item Weight 20 %

Our teams are problem-solvers and collaborate with our customers. Provides high quality customer service both internally and externally, cooperates, fosters, and provides full support to the work unit, department and on citywide projects.

ITEM #7

Rater & Rating

Comment

Carlos Jaquez
1 Unsatisfactory

Mr. Benjamin Minjares performance, specifically focusing on his customer service quality, both internally and externally, as well as his cooperation and support with his work unit.

Same as Before

4/4/2024 - Failure to cooperate with a supervisor or co-worker, impairment of function of a work unit or disruptive conduct. Mr. Benjamin Minjares was asked to help out with the solar installations at Austin Ponder Park (did not want to dig with -Hydro Vacuum equipment) He was told several times to help out. Verbal counsel and job description were explained to him.

Not true pole was installed at that time.

8/14/2024 - Insubordination - Mr. Benjamin Minjares was instructed to install a knockdown pole and his response was that he was not going to do it. Even though this is a regular task as an electrician. This behavior delayed a deadline for project installation.

Performance Factor Section I 4 Point Scale

Section Weight 70 %

Evaluation Factors

Factor 1 - Knowledgeable

Item Weight 20 %

Complies with all City of El Paso and departmental policies and procedures.

Rater & Rating

Comment

Carlos Jaquez
1 Unsatisfactory

Mr. Benjamin Minjares fails to comply with City of El Paso and departmental policies and procedures

Phone records will show I called in at 6:40

4/23/2024 - NO CALL NO SHOW- Mr. Benjamin Minjares did not call in nor did he show up to work. Explained the General Rules and Regulations of City of El Paso SAM. He did not agree with it.

May 2024 - Meeting with Project Manager. Mr. Benjamin Minjares had a meeting to review the expectations required for the position of electrician for probational period. Items included: • Not wearing Personal Protective Equipment on site at Yarbrough and Montana. • Review of Streets and Maintenance Handbook. • Explained the probation period extended and he needed to comply with the expectations, goals and regulations.

Did Happen.

Vicente, John, myself No PPE
Vicente - write up
Myself - write up
John - nothing.
while on probation

6/13/2024 - NO PPE - Mr. Benjamin Minjares was not wearing PPE at Palsano and Tobin while installing a knockdown electrical service. Explained that PPE is a requirement while working on the field. Fail to comply with PPE after verbal counseling.

8/14/2024 - Insubordination - Mr. Benjamin Minjares was instructed to install a knockdown pole and his response was that he was not going to do it. Even though this is a regular task as an electrician. - poled was install that day

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Factor 2 - Professional Conduct

Item Weight 20 %

Remains respectful, courteous and communicates effectively with others while being adaptive to changes in the work environment.

Rater & Rating

Carlos Jaquez
1 Unsatisfactory

Comment

Mr. Minjares has always been a talented individual, but when it comes to teamwork, his strong-willed nature often leads to friction. He tends to dominate discussions, insisting on his ideas without considering others' input. While his skills are undeniable, his inability to work well with others has become a significant hurdle in achieving team success.

ITEM #7

I was always given to new employees to train.

4/4/2024 - Failure to cooperate with a supervisor or co-worker, impairment of function of a work unit or disruptive conduct. Mr. Benjamin Minjares was asked to help out with the solar installations at Austin Ponder Park (did not want to dig with -Hydro Vacuum equipment) He was told several times to help out. Verbal counsel and job description were explained to him.

8/14/2024 - Insubordination

Mr. Benjamin Minjares was instructed to install a knockdown pole and his response was that he was not

going to do it. Even though this is a regular task as an electrician.

Doing task ^{other} no Electricians refused to do

Factor 3 - Professionalism

Item Weight 20 %

Clearly demonstrates a commitment to attain departmental goals supporting the organizational mission, vision and strategic plan.

Rater & Rating

Carlos Jaquez
2 Improvement Needed

Comment

Mr. Benjamin Minjares has consistently shown a strong aptitude in his individual responsibilities, but there are concerns regarding his alignment with departmental goals that support the broader organizational mission, vision, and strategic plan. While his work is of high quality, he does not actively engage in initiatives that align with the department's objectives.

Send to Bristol at that point he called this "called in late"

Here he said it a "no call no show" phone records will show call in late

Bristol said this was miss information.

4/23/2024 - NO CALL NO SHOW - Mr. Benjamin Minjares did not call in nor did he show up to work. Explained the General Rules and Regulations of City of El Paso SAM. He did not agree with it.

4/4/2024 - Failure to cooperate with a supervisor or co-worker, impairment of function of a work unit or disruptive conduct. Mr. Benjamin Minjares was asked to help out with the solar installations at Austin Ponder Park (did not want to dig with -Hydro Vacuum equipment) He was told several times to help out. Verbal counsel and job description were explained to him.

6/13/2024 - NO PPE - Mr. Benjamin Minjares was not wearing PPE at Paisano and Tobin while installing a knockdown electrical service. Explained that PPE is a requirement while working on the field. Fail to comply with PPE after verbal counseling.

H.R. said they were given miss information



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Factor 4 - Promptness

Item Weight 20 %

(Focus Delivery) Remains on task to prioritize and complete work effectively while taking responsibility for the amount and quality of work.

Rater & Rating

Comment

Carlos Jaquez
2 Improvement Needed

Despite being capable and knowledgeable, Mr. Benjamin Minjares often struggles to remain on task, which impacts their ability to prioritize and complete work effectively. This has begun to affect the overall productivity of the team, as other have to step in to ensure that projects are complete to the required standard

ITEM #7

*I help others & there's time I need help also to meet deadlines
we have always helped each other.*

Factor 5 - Willingness to Help

Item Weight 20 %

Works well with others to assess situations, propose solutions and participates in team building to improve processes and deliver exceptional service.

Rater & Rating

Comment

Carlos Jaquez
1 Unsatisfactory

Mr. Benjamin Minjares often struggles to collaborate effectively with others, which hinders their ability to assess situations, propose solutions, and participate in team-building efforts. He tends to work in isolation, focusing on their own perspective without considering alternative viewpoints. He has expressed discomfort during work assignments involving specific co-workers.

He tends to show favoritism for some employees. And I keep to myself to avoid singled out.

For example

4/4/2024 - Failure to cooperate with a supervisor or co-worker, impairment of function of a work unit or disruptive conduct. Mr. Benjamin Minjares was asked to help out with the solar installations at Austin Ponder Park (did not want to dig with -Hydro Vacuum equipment) He was told several times to help out. Verbal counsel and job description were explained to him.

Goal Section | Goal Progress

Goals from Prior Evaluation Period (Manager to Provide)

(Manager provides feedback/summary of Goals from previous evaluation cycle).

Electrical License

Due Date 03/01/2024

Goal to get his Electrical License

Rater & Rating

Comment

Carlos Jaquez

Mr. Benjamin Minjares received his Journeyman electrical license 8/30/2023

signed for my 800hrs / makes it a point to throw it in my face

On line Employee Training

Improve effectiveness in current role by attending City/departmental training

Rater & Rating

Comment

Carlos Jaquez

Mr. Minjares has not reported he has taken any training.

Crane operator - learned to operate Auger with the help of another supervisor. I did this on my own time.



**Goals for the Next Rating Period
(Employee to Provide)**

Please provide at least one S.M.A.R.T goal for the next evaluation rating period. Up to three goals may be entered. Please see S.M.A.R.T goal instructions and Personal Strategic Plan document as a guide/tool for goal creation.

List 1-3 SMART Goals for the next rating period utilizing the SMART example

Rater	Comment
Carlos Jaquez	

Goal Section | Future/List

**Goals for the Next Rating Period
(Manager to Provide)**

Please add up to 3 goals for your employee to work on over the next evaluation period. At least 1 goal needs to be aligned with the City's Strategic Plan Goals. Please see the Strategic Plan Goal and Strategy listing (located in the Notes and Attachments section).

Learning the City's Rules, Regulations, and Policies

Becoming more proficient in learning and applying the City's Rules, Regulations, and department Policies as they apply to exceptional customer services and assist our customers in providing guidance and solutions

Better communication with her supervisor
will need to better communicate with her supervisor.

I would not socialize with him. would only communicate work related

Machine Operator

Training to operate Auger to install Street Light Poles

I learned on my own. I was the only one operating Auger.

Evaluation Overall Section | Overall Rating Scale

Overall Comment

Rater & Rating	Comment
Carlos Jaquez	Mr. Benjamin Minjares will not pass probationary period due to incident report history. <u>Timeline</u> 3/3/2023 – NO PPE Mr. Benjamin Minjares was not wearing his PPE while working at Saul Kleinfeld and John Weir Dr. Explained that PPE is a requirement while working on the field.

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Incident Report no PPE on 3/22/23 at 1700 Old Paint Dr. Mr. Benjamin Minjares was not wearing his

PPE. Explained that PPE is a requirement while working on the field. Fail to comply with PPE after verbal

counseling.

ITEM #7

Can't NO avoid — 4/4/2023 – Broken Windshield

Mr. Benjamin Minjares reported a rock hitting front windshield at Highway 54 on unit 21009

4/14/2023 - NO PPE

Incident Report on NO PPE. Mr. Benjamin Minjares was working at Skyline Park and was asked to wear

his PPE and he replied that he didn't see the need to wear his PPE because was not working in a

construction site. Explained that PPE is a requirement while working on the field. Fail to comply with PPE

after verbal counseling.

4/19/2023 – Traffic Operations Meeting

Mr. Benjamin Minjares was part of the meeting where the assistant director and city traffic engineer

discussed the importance of wearing PPE and stating it is mandatory to wear during working hours on

the field. The meeting was held at the STAR room in building 3 with all the operations and field worker

personnel.

1/31/2024 – Loss of Tools

Benjamin Minjares lost an Impact Driver Drill at 9013 Sinaloa St. Mr. Minjares went back to site and

Impact Driver drill was gone.

2/11/2024 – Electrician position start date

Benjamin Minjares starting date as an electrician

4/4/2024 – Failure to cooperate with a supervisor or co-worker, impairment of function of a work unit

or disruptive conduct.

Mr. Benjamin Minjares was asked to help out with the solar installations at Austin Ponder Park (did not

want to dig with -Hydro Vacuum equipment) He was told several times to help out. Verbal counsel and

job description were explained to him

4/23/2024 – NO CALL NO SHOW

Mr. Benjamin Minjares did not call in nor did he show up to work. Explained the General Rules and

Regulations of City of El Paso SAM. He did not agree with it.

May 2024 – Meeting with Project Manager



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*Everyone was there -
John was there too.
-13-2- No P.P.E, NO write up,
Passed Probation*

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Mr. Benjamin Minjares had a meeting to review the expectations required for the position of electrician

for probational period. Items Included:

ITEM #7

- Not wearing Personal Protective Equipment on site at Yarbrough and Montana.
- Review of Streets and Maintenance Handbook.
- Explained the probation period extended and he needed to comply with the expectations, goals and regulations.

6/13/2024 - NO PPE

Mr. Benjamin Minjares was not wearing PPE at Paisano and Tobin while installing a knockdown

electrical service. Explained that PPE is a requirement while working on the field. Fail to comply with PPE

after verbal counseling.

8/14/2024 - Insubordination

Mr. Benjamin Minjares was instructed to install a knockdown pole and his response was that he was not

going to do it. Even though this is a regular task as an electrician.

Same incidents as before. Repeats to add more sheets.

Notes & Attachments

Created By
System
Note
S.M.A.R.T Goals Instructions

Created On
Tue, Jun 25, 2024

Attachment
Writing SMART Goals.pdf

Created By
System
Note
Strategic Plan Goal and Strategy Listing reference to populate 1 SMART Goal at the Organizational Level

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Tue, Jun 25, 2024

Attachment
CoEP Strategic Plan_ Goal + Strategy Listing.pdf

*Retaliation - Demoted
Based on miss information.
Contridits myself. Shows favortism
Retaliated / over complaint I filed
Abuses his position - humiliate &
Be littles*



STREETS AND MAINTENANCE INCIDENT REPORT

DATE OF INCIDENT: 07-17-2024

TIME OF INCIDENT: 4:00pm

ITEM #7

TYPE OF INCIDENT:
Abusive Supervision

LOCATION OF INCIDENT:
1059 Lafayette

FULL NAME:
Benjamin Miniaves

Job Title:
Electrician

Give a brief description of incident. Be specific with details, names, witnesses, locations, agencies and times:

On July 17, 2024, Mr. Jaquez received a notice from H.R. that I had been invited to a luncheon for graduates. At that time he asked me why I didn't tell him. I left him know H.R. has said they would let him know. It was then that he made the comment "I'm your master, your suppose to tell me everything". He said it in front of our whole team. This included Mauro Sigala, Michael Morales, Vincent Saenz, Silvia Sifuentes, Richard Rodriguez and John Bodden.

I replied by saying "you're not my master, so stop throwing the fact you signed for my hours in my face." I know it took some time for me to file the complaint. I felt intimidated by him because he is my supervisor. But I finally decided to stand up for myself. Once I did he retaliated against me. On August 16, 2024, I was denied the overtime he offered everyone else in our team. Mr. Jaquez made ~~that~~^A comment that he didn't need me. I have always worked overtime when it available.

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SIGNATURE: *Ben Miniaves*

DATE: 8-19-2024