

anthony@dc16.us, charlie@local377.com,mbeauchamp@oe3.org, ccarr@oe3.org,
pking@uapd.com, pfinn@ibt856.org,mleach@ibt856.org, plangrooferlocal40@gmail.com,
laborers261@gmail.com, nick@dc16.us,PSCreview@seiu1021.org, lvega@nccrc.org,
president@twusf.org, PSCreview@seiu1021.org, pking@uapd.com, mleach@ibt856.org,
cpark@local39.org, jvarga@ibt856.org, PSCreview@seiu1021.org,
L21pscreview@ifpte21.org, president@twusf.org,president@sfsheriffmsa.org,
cjohnson@bac3-ca.org, mhenneberry@teamsters853.org,staff@sfmea.com,
mleach@ibt856.org, laborers261@gmail.com, president@twusf.org,
jb@local16.org, local22publicsector@nccrc.org, john.lenny@sfgov.org,
sfcwupresidentjmleonard@yahoo.com, local200twu@sbcglobal.net, staff@sfmea.com,
Louis@sfpoa.org, joshv@smw104.org, administration@sffdlocal798.org,
PSCreview@seiu1021.org, pmendeziamaw@comcast.net, dvickers@iam1414.org,
administration@sffdlocal798.org, larryjr@ualocal38.org, president@twusf.org,
WOrellana@opcmialocal300.org, L21pscreview@ifpte21.org, PSCreview@seiu1021.org,
President@sanfranciscodsa.com, staff@sfmea.com, mleach@ibt856.org, ibew6@ibew6.org,
oashworth@ibew6.org, sfdpoa@yahoo.com

**MEMORANDUM
CSC STAFF REPORT**

DATE: March 4, 2026

TO: Kate Favetti, President, Civil Service Commission
Sandra Eng, Executive Director, Civil Service Commission
Members of Civil Service Commission

FROM: Lyslynn Lacoste, Chief of Staff *LL*

RE: Personal Service Contract DHRPSC0005857 (PSC 5857)

DEPARTMENT: Office of the Public Defender (PDR)

I. BACKGROUND

The City and County of San Francisco Office of the Public Defender (PDR) recently executed a lease for approximately 4,009 rentable square feet of privately owned office space at 8 Boardman Place, San Francisco. The lease term runs from October 1, 2025 through October 1, 2030. The lease agreement does not include janitorial or custodial services.

In preparation for occupying the new space, PDR identified the need for routine janitorial services to maintain a clean, safe, and healthy work environment for staff. Between September 24 and October 2, 2025, PDR contacted the Office of the City Administrator, Real Estate Division (RED) to inquire about obtaining janitorial services via departmental work order. RED determined it was unable to fulfill PDR's request, leaving PDR with no alternative but to contract with a City-approved vendor.

PDR does not currently employ any custodial or janitorial staff, including classification 2708 – Custodian or 2719 – Janitorial Services Assistant Supervisor. PDR's other locations, including its main office at 555 7th Street, have historically relied on contracted janitorial services or janitorial services provided by the building owner or lessee.

On October 30, 2025, PDR submitted a PSC Form to contract for standard janitorial services at 8 Boardman (Attachment A). The proposed duration of PSC No. 5857 was 60 months, with a total authorized spend of \$200,000. On the same day, the City notified SEIU, Local 1021 (SEIU) of PSC 5857. SEIU submitted an initial objection and requested to meet. The parties met on November 17, 2025. On November 21, 2025, SEIU filed a Written Objection Initiating Fact-finding Review. The factfinding hearing was conducted on February 3, 2026.

II. ISSUES

The parties agreed that the purpose of the hearing is to determine whether the circumstances described by the City as the basis for contracting out under PSC No. 5857 exist under the applicable MOU and Civil Service Commission (CSC) requirements. Specifically, the issues presented are:

- Whether the circumstances, as described by the City, exist as the basis for contracting out under Civil Service Commission (CSC) Policy at Section III (A) and (B).
- Whether PSC 5857 should be affirmed, modified, or rejected under the standards established by the December 2023 CSC Policy Concerning Personal Service Contracts, the Agreement Regarding PSC Pilot Program Procedure, and applicable MOU provisions.

III. AUTHORITY / STANDARDS

The following authorities and standards govern the review of PSC 5857:

- Civil Service Commission (CSC) Policy Concerning Personal Service Contracts (December 2023), Sections III(A) and III(B), which establish the permissible bases for contracting out City services.
- Applicable Memorandum of Understanding (MOU) provisions governing contracting out and the rights of SEIU bargaining unit members.

Under CSC Policy Section III(A) and (B), contracting out may be permissible where, among other circumstances, the volume of work does not justify a full-time City position, no City classification exists to perform the work within the department, or the work cannot be performed through a departmental work order or by available City staff.

IV. FINDINGS

Based on the record presented, including the PSC Form, exhibits, and the parties' submissions, the following findings are made:

- PDR does not have any custodial positions, including classification 2708 – Custodian or 2719 – Janitorial Services Assistant Supervisor. Accordingly, PSC 5857 would not displace any current bargaining unit members.
- The 8 Boardman office space encompasses approximately 4,009 rentable square feet. The volume of custodial work required is estimated at no more than 10 hours per week (approximately 2 hours per evening, Monday through Friday), which does not constitute a full-time workload.
- The janitorial services required are routine cleaning tasks that do not require specialized knowledge, skills, or training.
- PDR contacted RED to explore whether janitorial services could be provided via departmental work order. RED determined it was unable to fulfill the request, leaving contracting as PDR's only available option.
- There are no regulatory or legal requirements mandating outsourcing of the services covered by PSC 5857.

- The services under PSC 5857 do not create a conflict of interest and do not cover proprietary services the City is not authorized to perform.
- PDR has historically contracted for janitorial services at its main office (555 7th Street) and its other locations either include janitorial services provided by the building owner or lessee.

V. DISCUSSION AND ANALYSIS

The central question is whether the circumstances described by PDR provide a sufficient basis for contracting out under CSC Policy Section III(A) and (B).

The record establishes that PDR lacks the necessary City employee classification (2708 – Custodian) to perform custodial work at 8 Boardman. Because PDR does not employ custodial staff, contracting out does not result in the displacement of any bargaining unit member. This factor weighs in favor of affirming the PSC.

Additionally, the scope of work—approximately 10 hours per week for a 4,009 square foot office—does not support the creation of a full-time City position. The work is routine in nature and requires no specialized skills. Under CSC Policy, insufficient work volume to justify a full-time position is a recognized basis for contracting out.

PDR explored the alternative of obtaining services through a departmental work order with RED but was informed that RED could not accommodate the request. PDR therefore had no viable alternative to contracting with a City-approved vendor.

Following opening statements and discussion of exhibits at the February 3, 2026 Fact-finding hearing, the parties engaged in settlement discussions and reached the following key agreements (Attachment B):

- PDR will amend the duration of PSC 5857 from 60 months to one year.
- PDR will submit a request to fund one full-time classification 2708 Custodian position during the current City's February budget cycle.
- SEIU waives any applicable review period and agrees not to object to the amended PSC 5857.

This resolution appropriately balances the City's immediate operational need for janitorial services at 8 Boardman with the Union's interest in protecting bargaining unit work. The amendment of PSC 5857 to a one-year term, combined with PDR's commitment to pursue a full-time Custodian position through the budget process, reflects a reasonable and good-faith compromise.

VI. CONCLUSION

The circumstances described by PDR constitute a valid basis for contracting out under CSC Policy Section III(A) and (B). PDR currently lacks the employee classification necessary to perform custodial work, the volume of work does not justify a full-time City position, and no departmental work order option was available. PSC 5857, as amended to a one-year term, is warranted under the applicable standards.

The parties' agreed resolution, including PDR's commitment to seek funding for a full-time 2708 Custodian position in the next budget cycle, reflects a good-faith effort to transition from contracted services to City employment in the longer term.

VII. RECOMMENDATION

Based on the foregoing, it is recommended that:

- PSC No. 5857 be AFFIRMED AS MODIFIED, with the duration amended from 60 months to one year, consistent with the parties' settlement agreement reached at the February 3, 2026 fact-finding hearing.
- PDR fulfill its commitment to submit a request to fund one full-time classification 2708 – Custodian position during the City's February budget cycle.
- SEIU's waiver of the applicable review period and agreement not to object to the amended PSC 5857 be acknowledged and given effect.
- Upon expiration of the amended one-year PSC 5857, PDR reassess its staffing needs and, to the extent a Custodian position has been funded and filled, transition the janitorial services at 8 Boardman to a City employee.

Attachments:

Attachment A PSC Form-DHRPSC0005857

Attachment B Agreement to Amend Propose PSC-DHRPSC0005857

ATTACHMENT A

PSC Form-DHRPSC0005857

Personal Service Contract Summary (PSC Form 1)

PSC Basic Information

Submitting Department: PDR

ServiceNow Number: DHRPSC0005857

Submitted By: Jinkyung Kim

Version: 0.01

Department Coordinator: Jinkyung Kim,

Version Type: New

jinkyung.kim@sfgov.org

Project Manager: Lyslynn Lacoste

Brief description of proposed work: Janitorial services are needed for one of the Public Defender's office spaces located at 8 Boardman.

Amount

PSC Amount: \$200,000

Does contract include items other than services?: No

Duration

Is PSC by Duration or Continuing: Duration

PSC Duration (Months): 60

Funding

Funding Source: City Funds

Special circumstances related to funding: No

Scope of Work

Clearly describe scope and detail the services to be performed: Standard janitorial services are needed for the new PDR office space located at 8 Boardman. The lease contract for this space was recently executed with a 60-month term beginning on a commencement date that's currently pending confirmation. Services will include routine cleaning as listed in OCA's Term Contract.

Why are these services required and what are the consequences of denial?: Janitorial services are necessary to ensure a clean, safe, and healthy work environment. When the lease contract was finalized by the Department of Real Estate, they were not able to provide janitorial services and bill PDR via departmental workorder; therefore, PDR will need to contract the services through the existing OCA Term Contract. The 8 Boardman office is approximately 4,009 rentable square feet, and the volume of custodial work needed is significantly less than a full-time workload. Hiring a full-time City custodian is neither practical nor cost-effective. Contracting these services provides the necessary flexibility to meet the department's operational needs.

Has your department contracted out these services in the last three years?: No

Board and Commission Approvals

Will any contracts under this PSC require department Commission approval: No

Will any contracts under this PSC require Board of Supervisors approval: No

Justification

Q1 - Are there any regulatory or legal requirements supporting outsourcing of this work?:

No

Q2 - Does performing these services cause a conflict of interest?: No

Q3 - Are these proprietary services City is not authorized to do?: No

Q4 - Does City lacks necessary facilities/equipment?: No

Q5 - Are the services required on a temporary basis or on a long-term basis?: Long-term Basis

Q5a) Are the services required on an as-needed, intermittent, or periodic basis?: No

Q5b) Do the services require specialized expertise, knowledge experience?: No

Q5c) Does City have classifications with the required specialized skills or expertise?: Yes

Q5c1) Identify the classifications: 2708 - Custodian, 2719 - Janitorial Svcs Asst Sprv

Q5c2) Does the Department have employees in these classifications?: No

Q5c3) Will you be hiring employees in these classifications?: No

Q5c4) Explain why you are not hiring in these classifications: There is an insufficient amount of daily work to hire full-time city employees.

Q5d) Will contractor directly supervise City employees?: No

Q5e) Will contractor train City employees?: No

Q5e1) Explain why training of City employees is not required: The needed services are general janitorial tasks that do not require specialized knowledge or skills. Also, the department does not currently have, nor does it anticipate hiring, a custodian to perform related duties.

Q5f) Is there a plan to transition this work back to the City?: Yes

Q5f1) Describe the transition plan, including the anticipated timeline: PDR discussed the option with OCA's Real Estate Dvion to use its janitorial staff to perform the needed service, but they are not able to fulfill the request. It's ideal if Real Estate can perform the work and workorder PDR.

Additional information to support your request (Optional):

Union Notifications

Job Class(es): -None- - None Selected

Labor Unions: No Union Selected -

Labor Union Email Addresses: anthony@dc16.us, charlie@local377.com, mbeauchamp@oe3.org, ccarr@oe3.org, pking@uapd.com, pfinn@ibt856.org,

mleach@ibt856.org, plangrooferslocal40@gmail.com, laborers261@gmail.com, nick@dc16.us, PSCreview@seiu1021.org, lvega@nccrc.org, president@twusf.org, PSCreview@seiu1021.org, PSCreview@seiu1021.org, pking@uapd.com, mleach@ibt856.org, cpark@local39.org, jvarga@ibt856.org, PSCreview@seiu1021.org, L21pscreview@ifpte21.org, president@twusf.org, president@sfsheriffsmsa.org, cjohnson@bac3-ca.org, mhenneberry@teamsters853.org, staff@sfmea.com, mleach@ibt856.org, laborers261@gmail.com, president@twusf.org, jb@local16.org, local22publicsector@nccrc.org, john.lenny@sfgov.org, sfcwupresidentjmleonard@yahoo.com, local200twu@sbcglobal.net, staff@sfmea.com, Louis@sfpoa.org, joshv@smw104.org, administration@sffdlocal798.org, PSCreview@seiu1021.org, pmendeziamaw@comcast.net, dvickers@iam1414.org, administration@sffdlocal798.org, larryjr@ualocal38.org, president@twusf.org, WOrellana@opcmialocal300.org, L21pscreview@ifpte21.org, PSCreview@seiu1021.org, President@sanfranciscodsa.com, staff@sfmea.com, mleach@ibt856.org, ibew6@ibew6.org, oashworth@ibew6.org, sfdpoa@yahoo.com

Union Review Sent On: 10/30/2025

Union Review End Date: 11/6/2025

Union Review Duration Met On: 11/6/2025

ATTACHMENT B

Agreement to Amend Propose PSC-DHRPSC0005857

City and County of San Francisco
Carol Isen
Human Resources Director



Department of Human Resources
Connecting People with Purpose
www.sfdhr.org

AGREEMENT TO AMEND PROPOSED PERSONAL SERVICE CONTRACT
DHRPSC0005857

This Agreement (Agreement) memorializes the understanding between the City and County of San Francisco (City) Office of The Public Defender (PDR) and the Service Employees International Union, Local 1021 (SEIU or Union) regarding Personal Service Contract DHRPSC0005857 (PSC 5857). On October 30, 2025, the City sent SEIU notification of PSC 5857. SEIU submitted an initial objection to PSC 5857 on the same day (10/30/2025) and requested to meet. The parties met on November 17, 2025. Following that meeting, on November 21, 2025, SEIU submitted a Written Objection Initiating Factfinding Review. On December 2, 2025, Factfinder Gina Rocanova delivered an initial determination finding that a hearing was warranted. The parties agreed to conduct a factfinding hearing on February 3, 2026. Following opening statements and a discussion of the exhibits, the parties discussed settlement.

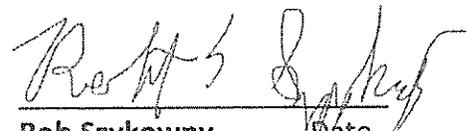
The parties agreed to the following terms regarding PSC 5857:

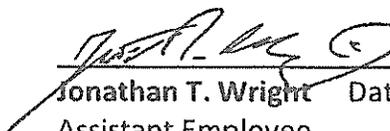
- PDR will amend the duration of PSC 5857 to one year.
- PDR will submit a request to fund one full-time classification 2708 Custodian position in their FY 2026-27 and FY 2027-28 Department Budget Submissions.
- SEIU waives any applicable review period and agrees not to object to the amended PSC 5857. SEIU reserves its rights to appeal any future extension of, or amendment to, PSC 5857.

FOR THE CITY


Lyslynn Lacoste 2/5/26
Chief of Staff Date
Office of the Public Defender

FOR SEIU LOCAL 1021


Rob Szykowny Date
Counsel for SEIU Local 1021

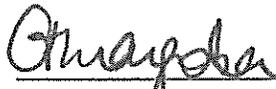

Jonathan T. Wright 2/5/2026
Assistant Employee Date


Michelle Wright 2/5/26
Labor Representative Date

Relations Director

SEIU Local 1021

APPROVED AS TO FORM

 2/6/2026
Cecilia T. Mangoba Date
Chief Labor Attorney