

CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22MTA) Applicable to Municipal Transportation Agency Service-Critical Classes

Refer to Civil Service Commission Procedure for Staff - Submission of Written Reports MTA for Instructions on completing and processing this Form

1.	Civil Service Commission Register Number:							
2.	For Civil Service Commission Meeting of: September 15, 2025							
3.	Check One:	Ratification Agenda Consent Agenda Regular Agenda	X					
4.	Subject: SFMTA Provisional Appointment Report FY25							
5.	Recommendation: Adopt the report.							
6.	Report prepared by: William Miles II Telephone number: 415-646-2863							
7.	Notifications: (Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A							
8.	Reviewed and approv	Reviewed and approved for Civil Service Commission Agenda:						
	Municipal Transportation Agency Director: Limberly ackerman							
		Date:	September 3, 2025	5				
9.	Submit the original time-stamped copy of this form and person(s) to be notified (see Iten above) along with the required copies of the report to:							
	Executive Of Civil Service 25 Van Ness San Francisc	Commission Avenue, Suite 720						
10.		rm in the ACSC RECE the time-stamp in the		CSC RECEIPT STAMP				
Attach	ment							
CSC-2	22MTA (9/00)							

Notifications

Julie Kirschbaum
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TWU Local 200 local200twu@sbcglobal.net



MEMORANDUM

DATE: September 4, 2025

TO: Honorable Civil Service Commission

THROUGH: Kimberly Ackerman w

Human Resources Director, SFMTA Human Resources

FROM: William (Bill) Miles II WEM

Talent Acquisition Senior Manager, SFMTA Human Resources

Shivani Nath

Examinations and Classification Manager, SFMTA Human Resources

SUBJECT: SFMTA Provisional Appointment Report FY25

This report provides an update on provisional appointments at SFMTA as of July 1, 2025 and plans to transition such positions to Permanent Civil Service (PCS) appointments.

As of July 1, 2025, the San Francisco Municipal Transportation Agency (SFMTA) had a total of seven (7) provisional appointments in Service-Critical classes.

The classes for these provisional appointments are as follows:

CLASS	Prov.
CLASS	#
1314 Public Relations Officer	1
5289 Transportation Planner III	2
9136 Transit Training Specialist	4



1314 Public Relations Officer

The provisional appointee in this classification was appointed on 9/14/2024.

Eligible list CBT-1314-T00102 was adopted for this classification 10/21/2024 with 84 eligibles on the list. The certification rule is Rule of Five Scores.

The provisional appointee is not within the top five scores on the resulting eligible list and thus cannot be automatically considered for Permanent Civil Service (PCS) appointment. Due to budgetary delays, MTA was unable to proceed with hiring of this role in October 2024. However, we now have budgetary permission to fill the Permanent Civil Service (PCS) vacancy. Interviews have been conducted, a finalist has been determined, and pre-employment vetting is in progress.

5289 Transportation Planner III

The provisional appointees in this classification were appointed on 8/17/2024 and 11/9/2024.

Provisional appointments were made in this classification while a review of the minimum qualifications for the Transportation Planner series were being reviewed, amended and finalized. The purpose of the amendments was to ensure progressive minimum qualifications with consistent applicability of education substitution throughout the Transportation Planner series. The class spec was amended on 6/11/2025.

MTA staff are currently finalizing the next examination process and tentatively project a new exam announcement in September 2025.

9136 Transit Training Specialists

SFMTA worked closely with Local 200 when training restarted during the pandemic to agree to provisional hiring in the 9136 classification so that we could increase the staff available to train new Transit Operators. As a result of this collaboration, SFMTA was able to increase our training sizes from 18-21 candidates to classes of up to 45 candidates. Due to this joined effort, SFMTA has now filled over 98% of Transit Operator budgeted positions and is hiring Operators today solely according to attrition.

As an agreement to proceeding with provisional appointments, as this type of process was new to Local 200 leadership, SFMTA agreed for this specific recruitment to not automatically hire any of the provisional appointments to PCS roles should they make it on the eligible list and be reachable, but instead to conduct a brand new selection process once the next 9136 eligible list



were to be adopted, in which all reachable eligibles would be able compete for the positions temporarily filled via provisional appointments.

Additionally, SFMTA worked with Local 200 leadership and our Transit Division to review the Minimum Qualifications for Local 200 positions to propose standards around performance and safety.

The first batch of provisional 9136s were hired 5/9/2022 with additional appointments made up until 4/29/2023.

The SFMTA exam team adopted an eligible list for the 9136 classification on 2/29/2024 with 322 eligibles on the list. The certification rule is Rule of Five Scores. Given hiring priorities at the time and needing a post-list process to be developed to fill these positions PCS, SFMTA was unable to immediately proceed with hires from this list.

With the adoption date in February of 2024, MTA expected to complete the hiring process for these positions well before provisional appointees would reach their expiration dates. However, in July of 2024, SFMTA HR was informed to halt the hiring of almost all positions due to budgetary concerns. All positions would undergo a review process to determine hiring priorities with MTA budget approval and Director of Transportation (DOT) approval being necessary to proceed.

In December of 2024, SFMTA HR was able to come to a mutual understanding with SFMTA Budget to allow positions held by provisional appointments to proceed so that we could fill positions before their 3-year limits expired.

With permission to proceed, SFMTA began the process of getting positions approved and started developing a questionnaire to determine which candidates to invite to interview. Interviews were conducted 3/24/25 through 3/28/25.

New performance standards were built into the Minimum Qualifications for 9136 positions as follows:

- 1. No accidents where applicant contributed to the cause (i.e., preventable) in the previous thirty-six (36) months; AND
- 2. No preventable non-collision safety incidents in the previous twelve (12) months; AND
- 3. No suspensions in the previous twelve (12) months; AND



4. No Performance Appraisals within the previous twelve (12) months with an overall determination of unsatisfactory performance.

These performance standards were reviewed for individuals who performed best in the interview process to ensure that the minimum qualifications would be possessed by all finalists.

Unfortunately, the delays with the budget and the lengthy review process resulted in some appointees approaching their three-year limit in provisional status. Although scores were finalized, the review process for the above performance standards and the possibility of individuals declining job offers could mean that individuals who were not finalists based solely on interview results could potentially *become* finalists. In order to not negatively impact such individuals, MTA allowed some appointments to go beyond their original expiration date until all finalists were known.

SFMTA notified Local 200 of this decision via email on 5/5/2024. Local 200 expressed some concerns around the possibility of such individuals staying in provisional status indefinitely and also expressed concerns about certification rule compliance. SFMTA responded to Local 200's concerns and questions in a follow-up message on 5/13/2025. Local 200 was also advised of Civil Service reporting requirements and that they would be given a copy of our staff report to the Commission. [Attachment A]

SFMTA's Transit Division informed SFMTA HR that due to restrictions on training, that not all individuals would be appointed at the same time. Additionally, as only 11 provisional appointees were successful in obtaining PCS status, the division was concerned that separating provisional employees would leave the division with a real lack of trainers while new PCS appointees were going through training.

As MTA must remove such individuals from their provisional appointments to have the permanent funding available for PCS positions, it was decided that seven individuals who were unexpired in their provisional appointments and competed in the interview process would be offered temporary exempt appointments to remain short-term in class 9136, to expire after completion of the training period. As not all individuals needed to be separated from provisional appointments, the decision on who to offer exempt positions was based on interview score results. This information was provided by SFMTA's Employee and Labor Relations team to Local 200 on May 19, 2025. [Attachment B]



To date, 22 of 27 Permanent Civil Service positions connected to the eligible list have been filled. A second batch of training is expected later in 2025, which will result in the remaining four provisional appointees vacating their positions before their expiration dates in April of 2026.

Recommendation

Adopt the report.

ATTACHMENT A

Miles II, William

From: Miles II, William

Sent: Tuesday, September 2, 2025 2:57 PM

To: local200twu

Cc: Dines, Shana; Ackerman, Kimberly; Williams, Romika

Subject: RE: Status Update on Provisional 9136s

Hello TWU 200.

I hope you are all doing well. As a part of the previous communications on provisional 9136s, I had advised that Local 200 would receive a copy of the provisional report that we submit to CSC, which was originally intended to be heard at the second CSC meeting in August.

Unfortunately, I had to take an emergency leave in August and due to this, the report was not able to be finalized for that meeting.

Through this email, I just wanted to reach out to advise that we are currently working on the report. We hope to submit the report for the September 15th CSC meeting.

Note: This kind of report is on the consent agenda, which means the Commission reads the report and if they are satisfied with it, they may approve it with no questions asked of the department. We won't know if this is the case until the day of when Commissioners decide which ones to separate for discussion. Even if they do not have questions though, you will receive the report and there would be a time for public comment.

William (Bill) Miles II Talent Acquisition Senior Manager, SFMTA 415.646.2863

From: Miles II, William

Sent: Tuesday, May 13, 2025 12:36 PM

To: TWU Local 200 <local200twu@sbcglobal.net>

Cc: Dines, Shana <Shana.Dines@sfmta.com>; Ackerman, Kimberly <Kimberly.Ackerman@sfmta.com>; Williams, Romika

<Romika.Williams@sfmta.com>

Subject: RE: Status Update on Provisional 9136s

Hi Sienna (and all other Local 200 leadership members):

Thank you for your questions.

Rule of Three calculations:

This admittedly is an area which is sometimes difficult to easily grasp for those not in this area of HR, but I hope I can explain it well enough. The reachability applies to the number of positions approved to fill and the certification rule. The calculation is as follows: Reachability = (Cert Rule + Number of Positions) – 1.

Here are two examples:

One position with Rule of Three: Reachability = (3 + 1) - 1 = The top three available ranks are able to be considered for appointment.

o Four positions with Rule of Three: Reachability = (3 + 4) - 1 = The top six available ranks are able to be considered for appointment.

In the case of this certification, there are 27 positions for which will be filled with Permanent Civil Service appointments making the calculation (3 + 27) – 1. With this, MTA is allowed to consider candidates from the top 29 available ranks. For convenience, I am sharing a link to the eligible list score report: 9136-T00038-02292024.pdf. There are 24 ranks on the eligible list, and thus given the number of positions that are available for filling (27), everyone on the list is considered reachable for this certification process.

Although it doesn't apply here given that information, reachable ranks can also change from this original calculation based on responsiveness of candidates. If candidates at an *entire* rank do not respond with interest in the position, that could make an additional rank available to be considered. The availability of an extra rank must be something on the part of the candidates being unresponsive and not something the department can achieve unilaterally. This could be unresponsiveness to show interest in the position or being a no show/no response to selection procedures, including interviews.

There is one caveat to this and that is if the position has a special condition associated. Some positions in the City have additional requirements beyond the minimum qualifications. These are called "special conditions". A common example of this is a position with a language special condition or a general classification like a Senior Administrative Analyst where a position requires a person to have an understanding in a specific area (Budget, Finance, Contracts, Grants, etc.) on the first day to be successful. In this case, reachability would be applicable to the top ranks of individuals who possess these extra requirements. **This doesn't apply to these 9136 positions**, but wanted to mention for the union's awareness.

Regarding interviews, departments are allowed to invite people who are not reachable at the time of interviews. These individuals are known informally as "alternates". Such individuals can be allowed to interview so that the department has the ability to consider them, in the most common case of no shows to the interview process which then could change an alternate into a reachable candidate. If alternate ranks do not become reachable due to no shows, then such candidates cannot be hired, no matter how well they might have performed in the interviews.

An important note I want to share is that our current applicant tracking system has validation of hires to ensure that departments cannot hire outside of reachable ranks. The system performs the calculation of reachability and will update according to responsiveness statuses of candidates. A person outside of the calculated ranks would result in an error and the appointment would not be allowed to proceed. This serves as a check-and-balance for the hiring teams in the city.

Provisional appointments and expirations:

I understand the concern about remaining in the status indefinitely, at least for those who rated high enough in interviews to become PCS. Their interest is becoming PCS as soon as possible, and not staying stuck in Provisional status. For the others, it is actually to their advantage to be allowed to stay in the class until permanent placements have been made as they are able to keep their higher pay and position until that time. Can you please share the concerns from individuals who didn't rate high enough?

For those who participated in interviews and rated high enough to achieve PCS appointments, it would be detrimental to need to return to their lower classification for a couple months, get lower pay for those months, need to be retrained (for those reverting to be a Transit Operator) and then get appointed again as a 9136 Transit Training Specialist. The union would also lose their membership during this transition until the new appointment occurs.

Department requirement to report to CSC

The union should be aware that the department is required to report non-compliance of appointment limits to the Civil Service Commission. The department will be producing a report to the Civil Service Commission, to be heard in August, regarding provisional appointments. As a part of that report, the department must provide information related to provisional appointments within the department effective as of July 1, 2025. If there are any positions which have exceeded the Charter limits, the department must explain the reasons why and corrective actions that will be taken. If any of the individuals on expired provisional appointments in class 9136 have not been separated by July 1, we would thus include that information in our report with the same corrective actions I am specifying to the union through these messages. Since Local 200 has a direct interest in the next report, I will make sure Local 200 is notified of the report and the meeting for which it will be heard.

Interviews have been completed for a total number of 27 positions to be filled Permanent Civil Service. As mentioned in my email below, we know that some individuals who are provisional will be successful in obtaining PCS appointments, while others will not be and will need to revert back to their underlying classes. For the union's benefit of understanding the amount of people whose provisional appointments could expire between now and July 31:

- 8 individuals were hired 5/9/22
- 1 individual was hired 5/14/22
- 2 individuals were hired 6/21/22
- 1 individual was hired 7/9/22 (I am including this individual in this email as although their provisional appointments won't have expired by the time of the report criteria to CSC, they might expire before the first round of appointments are finalized)
- All other individuals I will address further down this email but their provisional appointments do not expire until April of 2026

Of the 12 individuals mentioned above, at least 5 will be offered PCS appointments. The other seven did not rate high enough in the interview process and will *potentially* revert to their underlying positions. I say "potentially" because there is still a chance that these individuals could become available for appointment if others are unable to pass the pre-employment processes I mentioned in my previous email (performance standards reviews, medicals, drug testing, or simply declining the position).

It is the intention of the MTA to not negatively and unnecessarily impact these individuals until the group of finalists is settled. For the five who rated high enough to be appointed in a PCS role, it is in their best interest to remain provisional until the permanent appointments can be made officially. For the others, there may be no change, but if any of them were to become available for appointment as we complete the pre-employment process, they would have been negatively impacted by reverting back to their underlying position before this information was known.

We expect the final group of individuals who are finalists for the PCS appointments to be **known in or before**July. At that time, the following would occur:

- Of the 12 individuals listed above, those who were successful in the hiring process will achieve PCS appointment status.
- Those who were unsuccessful and their provisional appointments have expired will be separated from their provisional appointment and return to their underlying classes

As mentioned, the division has informed us that they will need to hire 9136 appointees in waves. However, for individuals beyond the 12 mentioned above, all appointments to the 27 PCS positions we expect to be made well before anyone else's provisional appointments would expire. Once all 27 appointments are made, all provisional appointees who were unsuccessful in the PCS process will have reverted to their underlying class.

I hope this has provided more clarity to the expected process moving forward regarding provisional appointments in class 9136, but please advise if any further clarifications are needed.

William (Bill) Miles II Talent Acquisition Senior Manager, SFMTA 415.646.2863

From: TWU Local 200 < local 200 twu@sbcglobal.net >

Sent: Wednesday, May 7, 2025 12:29 AM

To: Miles II, William < William. Miles II@sfmta.com>

Cc: Dines, Shana < Shana. Dines@sfmta.com >; Ackerman, Kimberly < Kimberly. Ackerman@sfmta.com >; Williams, Romika

<Romika.Williams@sfmta.com>

Subject: Re: Status Update on Provisional 9136s

EXT

Dear Bill,

I hope this message finds you well.

I'm writing to follow up and clarify the union's understanding of the recent decisions surrounding the 9136 appointments. As you know, the decision between management and the union was mutual and reached through collaborative discussion. During those talks, management made it clear that there would be no extension for current provisional employees — a position that raised concerns given the complications experienced in the past with the continuous extensions of temporary exempt appointments.

Given this context, we are requesting clarification on the following key points:

The first being the Civil Service Commission Involvement.

Was a formal request made to the Board of SFMTA to extend the provisional appointments? This step was previously communicated to the union as part of the hiring process for the 9136 classification.

As a reminder, Civil Service Rule 414.5.10 on restrictions for provisional appointments states:

- Provisional appointments for civil service positions for which no eligible list exists shall not exceed three years.
- Provisional appointments may only be renewed beyond three years with the approval of the Board of Supervisors and upon certification by the MTA Director of Transportation/Designee that, for reasons beyond its control, MTA has been unable to conduct examinations for these positions.

The next regarding the Rule of Three Compliance.

Is the current 9136 appointment process being conducted in compliance with the Civil Service Rule of Three calculations? Specifically, how many individuals is the agency hiring, and how many candidates were interviewed under the Rule of Three? We have received reports raising concern that the agency may have exceeded the number of interviews permitted, and we would appreciate clarification on how the list was managed and selections were determined.

Finally, the use of "Yet" in the hiring communication in the recent communications from management referenced individuals not being selected "yet." Could you clarify what is meant by "yet" in this context? Does this refer to pending selections, anticipated future requisitions, or another status?

Additionally, we are concerned that the most recent letter from management conflicts with the original agreement — namely, that no provisional employee would be allowed to exceed the three-year limit in their appointment. This mirrors the same issue encountered with temporary exempt staff, where the agency ultimately could not fulfill hiring expectations after repeated extensions.

Accordingly, we are requesting a definitive timeline and a clear process for how provisional appointments will be handled moving forward. Many employees are increasingly concerned that they will remain in provisional status indefinitely until a permanent selection is made — a problematic scenario when the agency lacks the necessary requisitions to make those appointments permanent.

This uncertainty also puts us in a difficult position when communicating with impacted staff. Without consistent and accurate information from management, we are left to navigate conflicting messages, which can erode trust and create confusion among the workforce.

We appreciate your attention to these concerns and look forward to your response with the requested clarifications.

Best regards,

Sienna B Dunn

From: Miles II, William < William. Miles II@sfmta.com>

Sent: Monday, May 5, 2025 4:48:44 PM

To: local200twu < local200twu@sbcglobal.net>

Cc: Dines, Shana < Shana.Dines@sfmta.com >; Ackerman, Kimberly < Kimberly.Ackerman@sfmta.com >; Williams, Romika

<Romika.Williams@sfmta.com>

Subject: Status Update on Provisional 9136s

Hello Local 200,

A few Civil Service meetings ago, I met with some of you after the meeting to discuss various topics. One item discussed was whether or not Provisional 9136s could go past their three year duration in such appointments.

Based on the current results of the 9136 interviews, not all individuals who were appointed Provisionally will be successful in obtaining Permanent Civil Service appointments due to others outperforming them in the eligible list selection process.

I want to remind the union—even though some of the leadership has changed since these talks began—that we only did a competitive hiring process after creating the eligible list because the union didn't wish to agree to provisional appointments without it. Technically, SFMTA doesn't need the union's permission to do provisional hiring. However, because of concerns about how things were handled in the past, SFMTA and the union worked together to come to agreeable terms to ensure that trainers could be hired efficiently coming out of the pandemic, while also giving time for other matters to be reviewed such as adding performance standards to the minimum qualifications.

Normally, under Civil Service rules, SFMTA can move someone from a provisional appointment to a permanent one if they pass the exam and are high enough on the eligible list without any additional process being necessary. Local 200 leadership didn't want that at the time and asked us to run a full competitive process after the list came out, and SFMTA agreed. This information was stated to candidates on the Provisional job announcement. We wanted to be clear that a provisional appointment through the recruitment didn't mean a guaranteed permanent position.

We have now completed the interview part of the selection procedures and individuals who did not score high enough in the eligible list selection process will be released from their provisional 9136 appointment and revert back to their previously held classification. For most individuals, this will be reverting to the class of 9163 Transit Operator.

However, eight individuals are set to hit their three years at the end of this week.

I am emailing to advise you that in order to avoid potential adverse impacts to these individuals, and any individuals that would hit their three years before the PCS appointments are made, that we will not be reverting these individuals back to their lower classification <u>yet</u>.

As it currently stands, some of these eight individuals scored high enough to achieve a PCS appointment. It would be a loss of compensation and standing to have such individuals revert back at this time until the PCS appointments were officially made. Other individuals did not score high enough, at this moment, in the interview process to be considered, but there are still pre-employment processes to take place that could impact this.

Namely:

- Individuals were not filtered out of interviews based on the performance standards listed in the minimum qualifications. This is so that interview results can be efficiently reused should more positions become vacant in the future due to attrition. Filtering out people based on performance standards up front would have resulted in less efficient future hiring should, for example, a person's driving infraction be right around the end of the time period before reviewed, and thus they should be considered for the next time hires are made (assuming everything else remains clear). MTA HR still needs to review the top performing candidates in the interview process to ensure that they meet the performance standards of the minimum qualifications.
- Individuals have to pass some other pre-employment steps such as medicals and drug testing (though I do
 imagine this to not be a major factor since most are current operators)
- It is possible some might receive an offer and decline, thus making others available for appointment

Given the above factors, we would like to ensure that all finalists are known before we proceed with releasing individuals from their Provisional appointments, so that those being appointed PCS have continuance of service and union membership continuously.

I know the union was worried in the past about temporary job appointments that kept getting extended for years. I want to make it clear that this will not happen this time. We expect to have a list of final candidates who meet all the job requirements by the end of July. Once we have that list, any provisional appointee who has been in their job for three years or more will be separated from the 9136 class.

Please be advised that we will train new hires in groups. Any remaining provisional appointees who haven't reached the three-year limit, but didn't rate high enough to get a permanent job, will stay in their appointments until either their role is filled permanently or they reach the three-year limit. By the time we finish the last round of permanent hires, there will be no provisional appointees left.

We appreciate your understanding and I hope that the above helps to explain our steps to remedying the need to end provisional appointments while also not negatively impacting personnel being considered for PCS appointments.

Please let me know if you need any clarification regarding these next steps or would like to discuss further.

Thanks.

William (Bill) Miles II Talent Acquisition Senior Manager, SFMTA 415.646.2863

This message is from outside of the SFMTA email system. Please review the email carefully before responding, clicking links, or opening attachments.

M SFMTA

ATTACHMENT B

Office of the Chief Transportation Officer

Transit Management - Transit Services - Transportation Management Center – Schedules & Service Planning

Date: Monday, May 19, 2025

To: Shana Dines

Senior Employee & Labor Relations Manager

Through: Brent E. Jones

Director of Transit

From: Lupita Ibarra

Chief Transportation Officer

Subject: Phased Hiring for 9136 Transit Training Specialist Positions

This letter serves as formal notification of Management's intent to implement a phased approach for filling twenty-seven (27) permanent civil service (PCS) 9136 Transit Training Specialist positions. This strategy is designed to ensure the continuity of SFMTA operator training, maintain adequate staffing for scheduled bus and rail service, and provide comprehensive training for new hires.

The phased approach is as follows:

- Phase One: Eleven (11) provisional 9136 training specialists who were successful in the selection process will be transitioned to PCS positions in June 2025.
- Phase Two: Nine (9) provisional employees who either did not make it onto the 9136 eligible
 list or have provisional appointments that are expiring will return to their underlying
 classifications in June 2025. Concurrently, eleven (11) selected candidates will begin 9136
 PCS training. MTA must move eleven (11) additional provisional appointees to make
 permanent funding available to fill these positions.

To maintain adequate training capacity during this period, seven (7) non-expired provisional employees will be retained in Temporary Exempt (TEX) positions until the eleven (11) new permanent hires complete their training and certification. These individuals will revert to their underlying classes upon the completion of training.

 Phase Three: The remaining selected candidates will be called into the 9136 PCS training in the later part of 2025. Similarly, to maintain training capacity, the remaining non-expired provisional employees will be retained in Temporary Exempt (TEX) positions until the completion of this training. All provisional and temporary exempt employees are expected to return to their underlying classifications no later than Spring 2026, consistent with their respective hire dates.

This phased approach is intended to support the Agency's ongoing operational needs while ensuring a smooth transition for our training staff.