

MINUTES OF CIVIL SERVICE BOARD  
CITY OF SACRAMENTO  
SPECIAL MEETING                      OCTOBER 10, 1978

The special meeting of the Civil Service Board was called to order by President Ronald Wright at 1:40 p.m. in the Personnel Department Conference Room, 801 Ninth Street.

Present: Luis Campos, Juanita Damerell, Donna Giles, Wilfred Street,  
Ronald Wright.

Absent: None.

EXTENSION OF ELIGIBLE REGISTER #1268, SENIOR STENOGRAPHER-CLERK  
FROM 10/16/78 TO 4/15/79

MOTION: Mrs. Damerell moved to approve the above extension.

SECOND: Mrs. Giles.

CARRIED: Unanimous vote.

AMENDMENT TO CIVIL SERVICE BOARD RULES AND REGULATIONS

- a. Proposed Revision of Rule 15.6, Reinstatement After Termination of Exempt Appointment - third reading

MOTION: Mr. Street moved to approve the fourth draft of Rule 15.6 (attached).

SECOND: Mrs. Damerell.

CARRIED: Unanimous vote.

- b. Final Hearing to Consider the Following Proposed Rule Changes:

Rule 3 Position Classification - 11th draft.

Rule 4 Announcements, Applicants, and Examinations - 13th draft.

Rule 5 Eligible Lists - 13th draft.

Rule 6 Certification and Appointments - 9th draft.

Rule 7 Probationary Period - 6th draft.

Additional definitions - 2nd draft.

Renumbering of Civil Service Rules to correspond with the above proposed rule changes.

The Board members also considered the letter from Police Chief Kearns dated October 5, 1978. Chief Kearns expressed arguments against (1) the proposed deletion of Rule 4.3(a)(2) concerning the disqualification of applicants, candidates, and/or eligibles because of a record of dismissal from other previous employment; (2) Rule 4.8(e) wherein the Civil Service Board proposed that certification shall not be made for fifteen days after the mailing of examination result notices; and (3) Rule 5.6(d) wherein the Civil Service Board proposed that candidates who have been certified be allowed five working days to report to the appointive authority.

After discussion, the Board's decision was to delete Section (2) of Rule 4.3(a) and to renumber (3) to (2). The Board also decided to retain Rules 4.8(e) and 5.6(d) as proposed by the Civil Service Board.

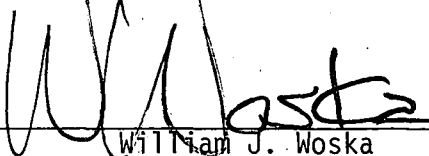
MOTION: Mrs. Giles moved to adopt the eleventh draft of Rule 3, Position Classification, as amended.  
 SECOND: Mrs. Damerell.  
 CARRIED: Unanimous vote.

MOTION: Mrs. Giles moved to adopt the thirteenth draft of Rule 4, Announcements, Applicants, and Examinations, as amended.  
 SECOND: Mr. Campos.  
 CARRIED: Unanimous vote.

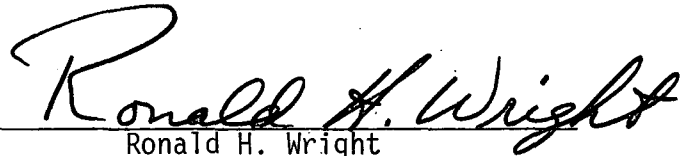
MOTION: Mrs. Giles moved to adopt the thirteenth draft of Rule 5, Eligible Lists, as amended.  
 SECOND: Mr. Street.  
 CARRIED: Unanimous vote.

The new Rules 3, 4, and 5 are attached and made a part of these minutes.

The meeting adjourned at 4:45 p.m. The remaining proposed rules will be considered on October 17, 1978.



William J. Woska  
 Acting Secretary



Ronald H. Wright  
 President

Attachments:

- Rule 3 Position Classification
- Rule 4 Announcements, Applicants, and Examinations
- Rule 5 Eligible Lists

Rule 15.6 Reinstatement After Termination of Exempt Appointment

RULE 3  
POSITION CLASSIFICATION

- 3.1 Classification Plan. The Director of Personnel shall prepare and maintain the classification plan. This plan shall consist of classes in the classified service and specifications for each.
- 3.2 Adoption of Plan. The classification plan shall become effective upon approval of the Civil Service Board.
- 3.3 Allocation of Positions to Classes. Each position in the City service shall be allocated by the Director of Personnel to a class in the classification plan. The allocation shall be based upon those factors identified within the definition of "Class or Classes of Positions."
- 3.4 Reallocations. When the duties and responsibilities of a position have changed significantly, the position may be reallocated by the Director of Personnel to a more appropriate class.
- 3.5 Right to Appeal. Any allocation decision may be appealed to the Civil Service Board within thirty (30) days from its effective date.
- 3.6 Status of Employee Whose Position is Reallocated. If an occupied position is reallocated, the incumbent shall be affected as follows, except that if the position is occupied by a probationary employee, the employee must serve the necessary time in the reallocated class to attain permanent status:
- (a) Reallocation to a Lower Class. When a position is reallocated to a lower class, the incumbent shall:
- (1) Maintain status in the class from which reallocation is made for a period of five (5) years from the date of reallocation. During this period the incumbent shall be given the opportunity to transfer to a position in the class where permanent status is held without further examination.
  - (2) Be granted permanent status in the lower class at the expiration of the five-year period.
  - (3) Suffer no reduction in salary (Y-rate).
- (b) Reallocation to a Different Class With the Same Salary Range.  
When a position is reallocated to a different class with the same

salary range, the incumbent shall be granted permanent status in the new class, shall be paid at the same step of the range, and maintain the same salary rights.

- (c) Reallocation to a Higher Class. When a position has been reallocated to a higher class, status shall be granted as follows:
- (1) Permanent status shall be granted if the reallocation was:
    - (i) Part of a study affecting several positions assigned to the same section of a department.
    - (ii) Part of a classification study affecting all positions in a class or class series.
    - (iii) Part of a classification study affecting all positions in the classified service.
  - (2) Probationary status shall be granted in all cases other than those listed in Rule 3.6(c)(1) above, providing the affected employee qualifies through the examination process. An employee coming under this provision shall become a provisional promotional appointee and shall be eligible to compete on a promotional basis for the higher class. The employee's name shall be placed upon the eligible list in accordance with the score obtained on the examination.
- (d) Failure to Obtain Certifiable Position on Eligible List Through Special Examination. An employee whose position is reallocated to a higher class and fails to obtain a certifiable position shall be subject to the following regulations as related to the class where permanent status is held:
- (1) When a vacancy exists, the employee shall be assigned to the vacant position.
  - (2) When no vacancy exists, the employee shall have the option of:
    - (i) Being placed in a vacant position and being given permanent status in a comparable class in the same occupational grouping; or
    - (ii) Being placed on the layoff list for the class where permanent status is held.

(e) Reallocations Provided by Class Specification (Flexible Staffing).

When a position is reallocated as provided for in the class specification, the incumbent shall be granted permanent status in the new class. The anniversary date for subsequent in-grade salary increases shall be the effective date of reallocation.

(f) Class Split-off. When an employee has permanent status in a class which is split into two or more classes with the duties and responsibilities once embodied within the old class concept being placed in more than one class, the incumbent shall be given permanent status in the new class in which his position has been reallocated. In addition, the incumbent shall be given the privilege of appointments within the next twelve months from the date of reallocation without further examination to positions in any of the other classes from which split-off was made providing the employee meets the qualifying standards.

(g) Certification Rights From Other Eligible Lists. An employee whose position is reallocated to a higher class may attain probationary status in the higher class if currently on an eligible list for a comparable class in the same occupational grouping.

## RULE 4

## ANNOUNCEMENTS, APPLICANTS, AND EXAMINATIONS

## Section 1. Examination Announcements

4.1 Announcements. The Director of Personnel/Secretary to the Board shall, upon Board approval, publish announcements of examinations which shall state the class title, salary, nature of work to be performed, qualification standards, when and where to file applications, special examination procedures, and other pertinent information. Where weighting is planned for an examination, such weighting shall be listed in the announcement.

Examinations may be cancelled or filing periods extended by the Director/Secretary for good cause.

Testing procedures as set forth in the announcement notice may be modified by the Director/Secretary in which event all concerned applicants shall be notified.

Qualification standards stated in the announcement shall be those established for the class as approved by the Civil Service Board. Announcements shall be considered published when they are posted on the official bulletin board maintained for that purpose in the reception area of the employment office of the Department of Personnel. Applications to take examinations must be filed on the standard City of Sacramento application form.

Completed applications must be on file by the final filing date as indicated on the announcement notice.

## Section 2. Applicants.

4.2 Qualification of Applicants. Applicants for examinations must meet the qualification standards for the class by the date set forth in the announcement.

4.3 Disqualification. The Director of Personnel/Secretary to the Board has the authority to disqualify applicants, candidates, and/or eligibles consistent with the provisions of these rules.

(a) The Director/Secretary may disqualify an applicant or a candidate for any of the following reasons:

- (1) Failure to meet any of the requirements or qualifications established for the examination.
  - (2) False statement of material fact or actual or attempted deception, fraud, or misconduct in connection with the application or the examination.
- (b) The Director/Secretary shall disqualify an applicant, candidate, or eligible for use or attempted use of political pressure or bribery to secure an advantage in an examination or appointment.
- (c) No applicant or candidate shall be disqualified for conviction (including pleas of guilty or nolo contendere) of a felony or misdemeanor, except that conviction of a felony shall automatically disqualify an applicant or candidate for any peace officer position (as defined in Penal Code §830 et seq.). It shall be the duty of the Director/Secretary to determine whether every eligible whom the appointing authority intends to appoint has been convicted of a felony or misdemeanor. The Director/Secretary shall disqualify any such eligible who has been convicted of a felony or misdemeanor if the Director/Secretary determines that said conviction has a direct relationship to the position for which application is made.

4.4 Notice of Qualification. Applicants and/or candidates shall be sent written notice of the acceptance or rejection of their application and the results of their examination. Reason for rejection shall be stated. Said notice shall be mailed to the address of record on the application filed for the position.

4.5 Confidentiality of Applicants' Names. The name of an applicant or candidate shall not be made public except by permission of the applicant and the Director of Personnel/Secretary to the Board.

### Section 3. Examinations

4.6 Types of Examinations. Eligible registers shall be established as a result of open and/or promotional examinations. If necessary, open and promotional examinations may be given concurrently.

- (a) Open Examinations shall be open to any candidate who meets the qualification standards as set forth on the examination announcement.

Open Continuous Examinations may be announced by publishing a single announcement notice without a final filing date. Once a sufficient number of applications are filed, as determined by the Director of Personnel/Secretary to the Board, a seven-calendar-day notice shall be given prior to the termination of the examination process.

- (b) Promotional Examinations shall be open to candidates who have completed a probationary period and hold permanent status in the civil service classification(s) identified as promotional within the examination announcement as of the final filing date for the examination. Candidates must also meet the desirable/minimum qualification standards stated on the examination announcement.

4.7 Types of Tests. Examination shall consist of any testing devices that will establish and confirm the qualifications of candidates as required by the class for which candidates are being examined. These may include, but not necessarily be limited to, written, oral, performance, physical agility, education and experience.

4.8 Test Administration. The Director of Personnel/Secretary to the Board shall be responsible for administering and scoring tests.

- (a) Qualifying Grades and Rating Tests. The final score of a candidate shall be based upon all tests in the examination according to the weights for each test established by the Director/Secretary. The Director/Secretary shall set minimum qualifying ratings for each phase of the examination and shall provide that all candidates failing to achieve such ratings in any phase shall be disqualified from any further participation in the examination.

- (b) Seniority Credit. For promotional examinations, credit shall be given candidates for seniority based upon the total time served in the class or classes which have been declared to be in the line of promotion on the basis of 1/4 point to be added for each complete year of permanent service in said class(es). Seniority credit shall be computed from the final filing date for the examination as set forth in the examination announcement.

- (c) Veteran's Credit. Consistent with City Charter §85, qualifying persons shall be allowed an increase of ten (10) points above the score attained in the examination.



- (d) Ties. When two or more candidates have the same final rating, placement on the eligible list shall be determined by lot.
- (e) Correction of Grading or Rating Error. An error in grading or rating, if called to the attention of the Director/Secretary within fourteen (14) calendar days after the mailing of notices of results of an examination, shall be corrected. Certification shall not be made for fifteen (15) days after mailing of notices of examination results. Correction shall not, thereafter, affect certifications or appointments already made from the eligible list.
- (f) Random Selection. When provided for on the examination announcement, the Director/Secretary may utilize random selection in the event the Director/Secretary determines that the number of candidates for the examination exceeds the practicability of staff to process the applications in light of the City's staffing needs. Under the random selection procedure the Director/Secretary shall establish the number of candidates to be invited to the examination and by lot select such invitees. Candidates who are City of Sacramento employees on the closing date of the examination announcement shall be exempt from random selection. Candidates not initially selected will be given the opportunity to compete in such subsequent examinations as will be needed during the life of the eligible list.
- (g) Random Ranking. When provided for on the examination announcement, the Director/Secretary may utilize random ranking for placement on the eligible list when the Director/Secretary determines that no valid criteria exists for ranking candidates otherwise eligible for employment.

Under the random ranking procedure the rank and score on the eligible list shall be determined by lot for the candidates otherwise eligible for employment. Candidates who are City of Sacramento employees on the closing date of the examination shall be randomly ranked on an eligible list prior to candidates not employed by the City on said date.

4.9 Appeals From Disqualification. A candidate may appeal, to the Civil Service Board, disqualification in any phase of the examination or selection process. Appeal must be made within thirty (30) days after notice

of examination results has been mailed. Appeal may be made for any of the following reasons:

- (a) Erroneous interpretation or application of the qualification standards prescribed for the class.
- (b) Improper procedure in the administration of the test.
- (c) Discrimination based on race, color, religion, national origin, political beliefs, sex, physical handicap, marital status, or age.

If the Board grants the appeal, it shall direct staff to take necessary action to provide equity to all candidates participating in the examination process.

RULE 5  
ELIGIBLE LISTS

- 5.1 Preparation. The Director of Personnel/Secretary to the Board shall prepare and maintain eligible lists as required.
- 5.2 Effective Date. Open and promotional eligible lists shall be effective on the date approved by the Director of Personnel/Secretary to the Board.
- 5.3 Types and Priority of Eligible Lists. Priority shall be given as to certification of persons for employment from eligible lists in the following order:
- (a) Layoff Lists. (Persons with permanent status laid off due to lack of work, reduction in force, or persons failing to obtain certifiable position on an open or promotional eligible list following position reallocation to a higher class.) Appointment of persons from this list is mandatory. Rule of one shall apply.
  - (b) Reinstatement Lists. (Persons granted leaves of absence.) Appointment of said persons is optional with the appointing authority with the exception of persons covered by the provisions of Civil Service Board Rule 15.4.
  - (c) Reemployment Lists. (Persons who resigned in good standing with permanent status who have petitioned for reemployment within three (3) years from the date of termination.) Appointments of said persons is optional with the appointing authority.
  - (d) Reallocation Lists. (Employees reallocated to a lower classification.) Appointment of said persons is optional with the appointing authority.
  - (e) Promotional Lists. (Employees meeting qualification standards and placing on promotional lists.)
  - (f) Open Lists. (Persons qualifying for employment consideration, not otherwise qualifying within this rule.)
- 5.4 Duration of Eligible Lists. Layoff and reallocation lists shall be effective for five (5) years. The life of other eligible lists shall be no longer than one (1) year from the date established or from the candidate's placement on the list, unless extended by the Director of

Personnel/Secretary to the Board subject to the approval of the Civil Service Board. However, in no event shall an eligible list remain in effect for longer than two (2) years.

- 5.5 Effect of Eligible Lists on Temporary Employees. Within thirty (30) days from the establishment of an eligible list, the appointing authority shall terminate the services of any temporary employee hired in a permanent position pending the establishment of the eligible list for that class.
- 5.6 Removal of Names From Eligible Lists. Names of eligibles may be removed from an eligible list by the Director of Personnel/Secretary to the Board, subject to the eligible's right to appeal to the Board within thirty (30) days from notification, for any of the following reasons:
- (a) Any of the causes set forth for rejection of applicants in Rule 4.3.
  - (b) Failure to accept appointment when certified from a layoff or reinstatement list.
  - (c) Inability of the postal authorities to deliver mail to the eligible within a reasonable length of time. (Proof of mailing shall be considered evidence that said mail was received.)
  - (d) Failure to report to the appointing authority to whom certification was made within five (5) working days from the date of certification.
  - (e) Certification to an appointing authority for permanent employment three times when candidates placing lower on the eligible list have been selected.
  - (f) Waiver of certification consistent with the provisions of Rule 6.4(b).
  - (g) Failure to pass the medical examination required prior to appointment.
- 5.7 Restoration of Names to Eligible Lists. Names which have been removed from eligible lists may be restored for good cause by the Director of Personnel/Secretary to the Board.
- 5.8 Status of Eligible Lists Affected by Classification Actions. Whenever two or more classifications are combined into a single classification, existing eligible lists for affected classifications shall be abolished.
- 5.9 Adoption of Sacramento County Eligible Lists. The Director of Personnel/Secretary to the Board may adopt eligible lists established by the County of Sacramento when appropriate, subject to the approval of the Civil Service Board.

15.6 Reinstatement After Termination of Exempt Appointment. Any employee in the classified service holding permanent status, who has been appointed to an exempt position and has been continuously employed in the City service and who is terminated or resigns from such exempt position shall have the right to be reinstated to a position in the former classification or to a position in a similar classification with an equivalent salary, providing the following conditions are met:

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- (a) The cause for termination from the exempt position shall be other than causes for termination set forth in these rules. However, termination from said exempt position as a result of incompetency or inefficiency in that position shall not affect the employee's rights to reinstatement.
- (b) The employee shall make written application to the Board within 90 calendar days from the date of resignation or notification of termination from the exempt position to be placed in the former classification or a position in a classification of similar nature with an equivalent salary range. Failure to do so shall result in forfeiture of rights under this rule.

The employee shall be given written notice prior to termination from the exempt position of the provisions of this rule.