

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
SPECIAL MEETING NOVEMBER 25, 1975

The special meeting of the Civil Service Board was called to order by President Wilfred Street at 1:35 p.m. in the Personnel Department Conference Room, 801 Ninth Street, Room 103.

Present: Alba Kuchman, Wilfred Street, Ron Wright, Jimmie Yee
Absent: None

REQUEST TO EXTEND ELIGIBLE REGISTER
Firefighter #1315

The Personnel Selection Division requested that the Firefighter #1315 eligible register be extended two months due to the delays in the current examination process for Firefighter. Motion was made by Mr. Wright, seconded by Ms. Kuchman, and carried by a unanimous vote granting extension of the Firefighter eligible register from December 1, 1975 to February 1, 1976.

CONTINUATION HEARING DATES SET FOR ROBERT D. BRILL, PATROLMAN

Motion was made by Mr. Wright, seconded by Mr. Yee and carried by a unanimous vote setting the following dates to continue the hearing to appeal disciplinary action of Robert D. Brill:

January 27, 1976	1:30 p.m.
February 3, 1976	After regular meeting
February 10, 1976	1:30 p.m.

HEARING TO APPEAL DENIAL OF IN-GRADE SALARY INCREASE PURSUANT TO GRIEVANCE PROCEDURE (Rule 25)

Mary L. Thornhill, Intermediate Typist Clerk

Mary L. Thornhill was employed as a Junior Typist Clerk by the City of Sacramento on December 11, 1972 in the Utility Service Division. On December 22, 1973 she was reallocated to Intermediate Typist Clerk and on May 11, 1974 was transferred to the Water and Sewer Division. As a result of a clerical error, Ms. Thornhill's annual increase card was incorrectly placed in the month of July file. Ms. Thornhill's first anniversary date for her annual in-grade salary increase should have been January 1, 1975, but was inadvertently given to her in July, 1974, six months prior to the actual annual increase date. The City caught the error and in an attempt to correct the error, set her anniversary date back to the correct month of January.

It was the contention of Phillip Cunningham, representing SCEA/Local 39 for Mary Thornhill, that (1) the mistake was made by the City and correcting the error should not result in withholding a planned increase from Ms. Thornhill and (2) that Civil Service Board Rule 4.7c, Reallocation as provided by job specification, is illegal, therefore, all other City employees should receive an in-grade salary increase six months after being reallocated, which by the Board's own definition is a promotion.

Larry Dow, representing the City of Sacramento, stated that the City did make an error and in an effort to correct the error adjusted Ms. Thornhill's anniversary date back to the correct date in January. Ms. Thornhill was not punished as stated in her grievance by the correction of the error, but rather gained from this error by receiving a higher but premature Step B salary increase. Mr. Dow further stated that Ms. Thornhill was reallocated in accordance with Civil Service Board Rule 4.7c, Reallocation as provided by job specification, and that she maintained her permanent employee status in accordance with Rule 4.7c.

Carl Setter, Senior Typist Clerk, Water and Sewer Division, was called to testify by Larry Dow and was sworn in by the Secretary. Mr. Setter stated that Ms. Thornhill's in-grade salary increase anniversary card had been originally misfiled in the month of July and has since been corrected. Mr. Setter was excused.

William Woska, Supervising Personnel Analyst, was called to testify by Larry Dow and was sworn in by the Secretary. Mr. Woska explained the re-allocation and the flexible staffing procedures. Mr. Woska was excused after being questioned by Phillip Cunningham and by the Board members.

Closing statements were made by Phillip Cunningham and Larry Dow.

Mr. Wright questioned William Woska as to who had the authority to allow an overpayment to a public employee, which Ms. Thornhill was receiving by being granted her in-grade salary increase to Step B six months in advance. Mr. Woska was unaware of the authority to grant an overpayment.

The Board met in executive session. (3:22 p.m.)

The meeting reconvened at 3:35 p.m. It was the decision of the Board, in executive session, to deny the appeal.

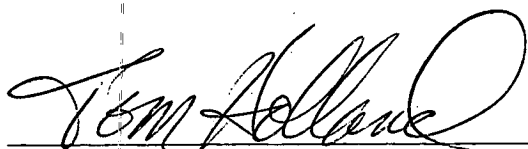
During the hearing the following exhibits were marked for identification and submitted as evidence:

<u>CITY EXHIBITS</u>	<u>DESCRIPTION</u>
1	Civil Service Board Rule 7.4c, Reallocation as provided by job specification.
2	Memorandum, dated July 30, 1971, to the Civil Service Board from William F. Danielson, Director of Personnel.
3.	City of Sacramento Charter Code Section 52a.
4	Letter, dated December 6, 1973, to Civil Service Board from Martin Allen, Director of Finance.
5	Memorandum, dated December 10, 1973, to Martin Allen, Director of Finance from William Danielson, Director of Personnel.

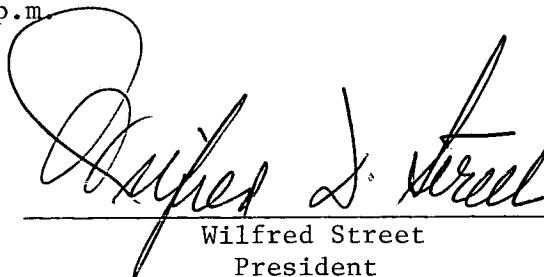
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City of Sacramento Personnel Action Request
Form of Mary (Baumgart) Thornhill reallocating
her from Junior Typist Clerk to Intermediate
Typist Clerk.

The meeting adjourned at 3:40 p.m.



Tom Holland
Acting Secretary



Wilfred Street
President