

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING AUGUST 3, 1971

The Civil Service Board met in regular session in the City Hall Council Chambers, 915 I Street, at 1:30 p.m., with Acting Chairman Joseph Yew presiding.

Present: Members Alexander, Street, Yew.
Absent: Members Reynoso, Woods.

Minutes of the meeting of July 20 were approved as presented to the Board.

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam. No.</u>	<u>Classification</u>	<u>Date of Written Test</u>	<u>Effective Date</u>
#1149	Plant Utilityman	4/17/71	7/22/71
#1154	Water and Sewer Serviceman I	5/ 8/71	7/28/71
#1166	Assistant Structural Engineer	7/22/71	7/29/71

AFFIRMATIVE ACTION: CIVIL SERVICE RULE CHANGES

The Secretary reported to the Board that at the June 1, 1971, meeting when the rule changes were first considered by the Board, Mr. Apolinar Aguilar, representing the Sacramento City Employees' Association, had requested that meeting and conferring concerning the proposed rule changes take place before final consideration by the Board. Mr. Aguilar's request was made pursuant to the City of Sacramento employee relation ordinance. The Secretary reported that each of the six recognized employee organizations were invited to meet and confer concerning the proposed civil service rule changes. During the week of July 26, representatives of the City met with representatives of Fire Fighters' Union Local 522, the Sacramento City Employees' Association, and the Sacramento Police Officers' Association, and concurrence was reached on the proposed rule changes. Because the remaining three recognized employee organizations had not replied to the invitation to meet and confer, it was understood by the City that there is no objection to the rule changes.

Present at this hearing were, among others, the following persons: Mr. Charles Wilson, Chief Counsel of the State of California Fair Employment Practice Commission; Mr. Chester Relyea, Regional Attorney for U. S. Equal Employment Opportunity Commission; Mr. Robert Branam, National Civil Service League representative of the PACE MAKER team, with Mr. Tim Roesler, an Urban Fellow from the National Civil Service League Fellowship Program from the State of Illinois; Mr. Harry Osborne, representing Sacramento Area Economic Opportunity Council; Messrs. L. E. Beane and Wayne Curtis, representing the State Division of Fair Employment Practices Affirmative Action staff; and

Mr. Sam Mitchell from the Office of the Lt. Governor, representing the Institute for Local Self-Government.

A request was made by representatives of the National Organization for Women that "women" be included wherever women would qualify in the proposed rule 11.12. This request had the concurrence of Mr. Relyea and Mr. Wilson as being appropriate. Mr. Relyea's letter in support of his statement that women should be included has been placed on file.

Mr. Wilson stated that the proposed civil service rule changes are consistent with the State FEP policy and that FEP would heartily support the Civil Service Board if it adopts this rule.

President Marion Woods' letter to the Board was presented to the members in session. President Woods, in his letter, wholeheartedly supported the proposed rule changes and urged its adoption by the Board.

Mr. Sam Mitchell's statement in support of the rule changes was accepted by the Board and placed on file.

After discussion, motion was made by Mr. Street, seconded by Mr. Alexander, and carried by unanimous vote that the Civil Service Board adopt the changes and additions to the civil service rules as proposed in Mr. Danielson's letter to the Board dated May 27, 1971, as well as the changes which were made at this hearing on rule 11.12, Selective Certification.

Rules 4.7 and 4.75 shall read as follows:

4.7 Status of Employee Whose Position is Reallocated: If an occupied position is reallocated, the incumbent shall be promoted, transferred, or granted status in the new class in accordance with these rules:

- (a) Reallocation to a lower class: When a position is reallocated to a lower class, the incumbent
- (1) although assigned to the lower class, shall maintain status in the class from which reallocation is made for a period of twelve (12) months from the date of reallocation. During this period he shall be given the opportunity to transfer to a position where permanent status is held without further examination, subject to the approval of the department heads involved;
 - (2) at the expiration of the twelve-month period, under Rule 4.7 (a) (1), providing the employee is still in the lower class, he shall be granted permanent status in the class;
 - (3) shall suffer no reduction in salary in accordance with provisions of the salary ordinance;
 - (4) may be placed on the reinstatement list for the class in which he held permanent status prior to the reallocation if such class still exists.

- (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 and maintain the same salary rights.
- (c) Reallocation as provided by job specifications: When a position has been reallocated as specified in the job specification of the class from which reallocation is made, the incumbent shall be granted permanent status in the new class with his anniversary date for subsequent in-grade salary increases being the effective date of reallocation.
- (d) Reallocation to a higher class: When a position has been reallocated to a higher class, permanent status may be granted only as part of a general reclassification affecting an entire classification series or a general reclassification affecting the entire classified service. In all other cases, status shall be gained in the following manner:

The employee shall be considered to be a provisional promotional appointee, and, as such, shall be eligible to immediately compete on a promotional basis through a special examination for the reallocated position notwithstanding qualification requirements or existing eligible lists for the higher class. Such examination shall be comparable to any examination which may have been given to establish the existing eligible list for the class. An employee coming under this provision shall have his name placed upon such eligible list in accordance with his final score on the examination and, if appointed, shall attain probationary status. Normal certification procedures will be used in filling the reallocated position.

- (e) Class split-off: When an employee who 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.
- (f) Transfer rights from other eligible lists: An employee whose position has been reallocated to a higher class may attain probationary status in the higher class from an eligible list in effect for a class of the same or higher equivalency in the same occupational grouping as the class to which he has been reallocated. This section shall apply only to eligible lists effective at the time of reallocation.

4.75 Status of Employee Who Fails Qualifying Examination after Position Reallocation: If an employee whose position is reallocated is not successful in the special examination, or if he should not place in a position on the eligible list whereby he is certified to fill the reallocated position, he shall be subject to the following regulations:

- (a) If serving a provisional promotional appointment and there is not an immediate vacancy in City service in the class where permanent status is held, the incumbent shall (1) continue in the reallocated position on a provisional appointment until appointment is made from eligible list. Temporary appointment is not to exceed forty-five (45) days, and (2) be added to the top of the eligible list in the class where permanent status is held so that certification may be made to the first vacancy in accordance with Section 11.3(a) of the rules.
- (b) If applicable, the employee may be given employment with permanent status in a class with an equivalent salary range and the same occupational grouping as the class in which permanent status is held.

Rule 9.3 shall read as follows:

9.3 Life of Eligible Lists: Eligible lists shall expire one year from the effective date of such list, unless extended prior to the expiration of said one-year period by action of the Board, or unless exhausted prior to the expiration of the one-year period, or for any reason cancelled by action of the Board at any time during the one-year period. In no case, however, shall an eligible list be extended beyond one year after the normal expiration date.

At any time during the life of an eligible list established as the result of a continuous examination, the Personnel Officer may add names to the list. The names shall be added and merged with the existing list in order of final ratings of those added and those already on the list.

Rule 11.12 shall read as follows: (Changes made at this hearing are underlined.)

11.12 Selective Certification: If a vacancy exists in a position which represents a specialization within a class, the appointing authority may request a selective certification of eligibles having the specialized qualifications required if such request is made prior to certification. If the Personnel Officer, after investigation, determines that the facts and reasons justify such selective certification, he shall certify the highest ranking eligibles who possess the special qualifications. Except as provided below, certification of eligibles of only one sex shall not be made unless there is clear evidence that efficient performance of duties to be assigned could be performed by only the sex specified. Notwithstanding any other provision of these rules, selective certification may be initiated by the Personnel Officer to increase employment of women and minority personnel at all levels. which For purposes of this regulation, minority personnel shall include Blacks, Orientals, other

non-whites, and Spanish-speaking/surname eligibles. Such selective certification may be initiated when the Personnel Officer determines that minority personnel are, in proportion to the total minority population of the City of Sacramento, under-represented either within City employment as a whole or in an occupational area of employment.

Motion was then made by Mr. Street that the Personnel Officer advise the Civil Service Board of any action taken in the way of selective certification by placing such action as a regular item on the agenda of the following meeting. The motion was seconded by Mr. Alexander and carried by the following vote:

Ayes: Members Alexander, Street, Yew.

Absent: Members Reynoso, Woods.

Noes: None

ADOPTION OF NEW AND REVISED CLASS SPECIFICATIONS

Greenskeeper, Maintenance Man I, Maintenance Man II - III, Maintenance Man IV, Street Cleaning Foreman

Elimination of the classifications of Maintenance Man I (Greenskeeping) Street Cleaning Foreman I, and Street Cleaning Foreman II

The Secretary reported to the Board members that the City Council had approved the provisions of the Memorandum of Understanding dated June 30, 1971, between the City and the Sacramento City Employees' Association and that the proposed new and revised classifications are identified within the Memorandum of Understanding.

Motion was made by Mr. Street that adoption of the new and revised class specifications be taken under consideration by the Board at its next meeting. The motion was seconded by Mr. Alexander, and the vote was unanimous.

EMPLOYEE STATUS FOLLOWING POSITION REALLOCATION

Clyde L. Scott, Engineering Aide II to Construction Inspector I

Communication was received from Ronald Parker, City Engineer, requesting reallocation of a position presently occupied by Clyde Scott who has been performing out-of-classification duties of a Construction Inspector I for the past fifteen months.

After discussion, Mr. Street moved to grant probationary status to Mr. Scott in the higher classification of Construction Inspector I, effective August 1, 1971. The motion was seconded by Mr. Alexander and the vote was unanimous.

REQUEST FOR HEARING TO APPEAL DISCIPLINARY ACTION

Suzanne L. Pierce, Senior Typist-Clerk

Communication was received from Miss Suzanne Pierce, Senior Typist-Clerk in the Retirement office, requesting a hearing to appeal a two-day suspension.

The Board, by unanimous vote, approved the granting of a hearing, the date to be set between the Personnel Officer and Miss Pierce and/or her attorney.

REQUEST FOR REVIEW OF VISUAL ACUITY STANDARD FOR PATROLMAN
Brian Kennedy, Applicant

Communication from Mr. Allen Fields, Attorney for Brian Kennedy, requesting a review of visual acuity standards for the classification of Patrolman was considered by the Board.

After discussion, motion was made by Mr. Street and seconded by Mr. Alexander to deny the request. The motion was carried by unanimous vote.

The meeting was adjourned at 4:00 p.m.


SECRETARY


ACTING PRESIDENT