

MINUTES OF THE CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING FEBRUARY 7, 1978

The regular meeting of the Civil Service Board was called to order by President Alba Kuchman at 1:30 p.m., in the Personnel Department Conference Room, 801 Ninth Street.

Present: Alba Kuchman, Wilfred Street, Ronald Wright.
Absent: Donna Giles.

MINUTES OF REGULAR MEETING HELD JANUARY 24, 1978:

The minutes were approved as corrected to read "eligible lists" instead of "classes" under the item regarding Entry-Level Career Employment on page 4.

REPORTS OF THE DIRECTOR OF PERSONNEL

a. The appeal of Michael Spiro, Police Officer, was withdrawn by David Simmons, Attorney for Officer Spiro. Board members requested that a report be made at the next regular meeting as to how this issue had been resolved.

b. Requests for hearing were granted by the Personnel Director, as agent of the Board, and the following dates have been set before an Administrative Law Judge:

<u>Name and Classification</u>	<u>Dates</u>
Harold C. Anderson, Police Officer	March 14, 15, and 16, 1978
Warren Lee Steinert, Animal Control Officer	March 27 and 28, 1978

c. Voting Procedure for Boards and Commission

Following the executive session to consider the Administrative Law Judge's recommended decision at the meeting of January 24, a question arose as to whether the decision of the Board in executive session could be reported without the roll call vote.

A copy of City Code Article VII, Voting Procedure for Boards and Commission, Section 2.127, Record of Vote, was provided Board members. It states as follows:

"On all matters acted upon by each city board, commission, agency or authority appointed by the city council, the voting shall be by roll call, and the ayes and noes and members present and not voting shall be entered upon the minutes or other record of the meeting by the clerk or secretary. This section shall not apply to elections of officers, which may be by ballot. (Ord. No. 2535, Section 1)"

d. A letter from Alice Fielman concerning the recently revised Firefighter qualification standards had been received by Board member Ronald Wright. Mr. Wright, at the January 24 meeting, requested staff to respond. A copy of the response, together with Ms. Fielman's letter, was provided Board members for their information.

e. A copy of the Investigative Findings and Proposed Resolution Agreement received from the Office of Civil Rights Compliance of the Law Enforcement Assistance Administration (LEAA) of the U.S. Department of Justice was provided Board members because the police promotional examination is a civil service examination.

Further information will be provided at a later date.

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam.</u>	<u>Classification</u>	<u>Effective</u>	<u>Expiration</u>
#1559	Stagehand I	1/25/78	1/24/79
#1562	Junior Typist-Clerk (Police)	1/5/78	1/4/79
#1586	Library Assistant I (City/County Joint List)	12/1/77	11/30/78
#1587	Library Assistant II (City/County Joint List)	12/8/77	12/7/78

EXAMINATIONS TO BE ANNOUNCED

#1588 Zoo Attendant I
 #1589 Identification Technician II
 #1590 Plant Operator I

Discussion was held concerning the Zoo Attendant I and Plant Operator I announcements where the experience requirement is stated as "six months' experience....." The class specification states "some experience....." Mr. Woska, Personnel Management Administrator, stated that the Personnel Department is attempting to be more specific in terms of experience and that "some experience" is interpreted to be "six months' of experience".

Also concerning the above-listed announcements, staff was requested to evaluate the possibility of using the following: "Work is performed on an assigned shift and may include working evenings, weekends, and holidays as well as days" in the place of "...working days, evening, weekends and holidays."

It was suggested that staff evaluate and consider the use of "post-high school" instead of "completion of one year of study in an accredited college or university" for the Identification Technician II examination announcement.

MOTION: Mr. Wright moved to approve the above-listed examination announcements, with the suggestions to be considered by staff.

SECOND: Mr. Street.

CARRIED: Unanimous vote.

REQUEST FOR VOLUNTARY DEMOTION

Sandra J. Nicholls, Dispatcher Clerk to Parking Meter Checker

Ms. Nicholls' request had the approval of the Traffic Engineer and the Chief of Police. The staff recommendation was to approve her request.

MOTION: After discussion with Ms. Nicholls, motion was made by Mr. Street to approve her request for voluntary demotion.

SECOND: Mr. Wright.

CARRIED: Unanimous vote.

REQUEST FOR REINSTATEMENT AFTER RESIGNATION

a. Regina Canady, former Library Assistant I

Ms. Canady's request for reinstatement had the approval of her former supervisor and of the City-County Librarian. The staff recommendation was to approve her reinstatement at \$884 per month, Step "E" of the salary range for Library Assistant I.

In considering Ms. Canady's request, a discussion was held concerning the recommended salary for Ms. Canady, if reinstated. A question was raised if the Board would have discretion to reinstate a former employee at other than the step at which the employee had resigned (\$830 per month, Step "E").

David Benjamin, Deputy City Attorney, advised the Board that, under Civil Service Rule 15.7(b), the former employee must be reinstated at the same salary step from which the employee has resigned unless "... the application of this policy would create a hardship or inequity." If the Board determines that there is an inequity, the Board could then waive the mandatory language. Attorney Benjamin advised that the former employee could be reinstated at a different step by changing the Civil Service Rule.

MOTION: Mr. Street moved to approve the request for reinstatement.

SECOND: Mr. Wright.

CARRIED: Ayes: Street, Wright.
Noes: Kuchman.
Absent: Giles.

b. Philip Anglesey, former Engineering Aide II

Mr. Anglesey's request for reinstatement after resignation had the approval of the City Engineer. The City Engineer, however, indicated that there were no openings at this time. Mr. Anglesey did not meet the requirement of five years' City service as stipulated in the Civil Service Board's policy on request for reinstatement privileges following resignation.

MOTION: Mr. Street moved to approve the request for reinstatement.

SECOND: Mr. Wright.

Mr. Wright's concern was, if Mr. Anglesey should be placed on the reinstatement list for Engineering Aide II, it would be effective until his name is certified. He stated that this would then be contrary to the proposed new rule covering reinstatement.

Mr. Woska reported that the proposed rules would be discussed with department heads within two to three weeks; the rules then would be discussed with the employee unions; and in about six weeks the proposed rules would be submitted for Board consideration and action.

MOTION: Mr. Wright moved to postpone this item until the first meeting in April.

FAILED: The motion failed for lack of a second.

Mr. Street's motion to approve the request for reinstatement failed by the following vote:

- Ayes: Street.
- Noes: Kuchman, Wright.
- Absent: Giles.

MOTION: Mr. Wright moved to continue this matter to the first regular meeting in April.

SECOND: Mr. Street.

CARRIED: Ayes: Kuchman, Street, Wright.
 Noes: None.
 Absent: Giles.

LEGAL OPINION RE ELIGIBLE REGISTER FOR ENTRY-LEVEL CAREER EMPLOYMENT

At its meeting of January 24, the Board requested legal opinion concerning whether the Board could legally extend eight lists out of the fourteen classifications listed within the Entry-Level Career Employment eligible register. Deputy City Attorney David Benjamin's legal opinion was that, at the time applications were received, each applicant was asked to state the classification(s) to which the applicant wished to be certified; therefore, fourteen eligible lists were created within the Entry-Level Career Employment Eligible Register No. 1472.

The legal opinion was that the Civil Service Board may, under Rule 9.3, properly extend, or allow to expire, all, some, or none of such eligible lists.

EXTENSION OF THE FOLLOWING ELIGIBLE LISTS WITHIN THE ENTRY-LEVEL CAREER EMPLOYMENT ELIGIBLE REGISTER #1472 (continued from 1/24/78)

- Building Attendant)
- Custodian I)
- Equipment Serviceman I)
- Kennel Attendant) from 2/27/78 to 1/26/79
- Maintenance Man I)
- Refuse Collector)
- Traffic Control Maintenance Man I)
- Watchman)

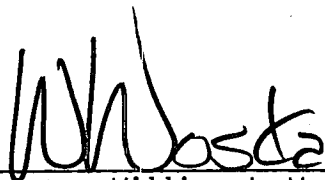
MOTION: Mr. Wright moved to approve the extension of the above-listed eligible lists for eleven months from February 27, 1978 (the Board having extended the entire list #1472 for one month at the previous meeting) to January 26, 1979.

SECOND: Mr. Street.

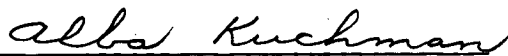
CARRIED: Unanimous vote.

EXECUTIVE SESSION RE LITIGATION MATTER

Following the regular meeting, which adjourned at 2:20 p.m., the Board met in executive session at the request of Deputy City Attorney David Benjamin. The purpose of the executive session was to discuss a litigation matter. Acting Secretary William Woska was requested to remain for the executive session.



William J. Woska
Acting Secretary



Alba Kuchman
President