

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING NOVEMBER 16, 1976

The regular meeting of the Civil Service Board was called to order by President Jimmie R. Yee at 1:30 p.m. in the Personnel Department Conference Room 103, 801 Ninth Street.

Present: Oreitha Eggleston-Hausey, Alba Kuchman, Wilfred Street, Jimmie Yee.
Absent: Ronald Wright.

REQUEST FOR LEAVE OF ABSENCE EXTENSION
Johnnie Nelson, Industrial Painter

Attorney Melvyn CoBen, on behalf of Johnnie Nelson, requested an extension of leave of absence until Mr. Nelson's appeal before the Retirement Board is resolved.

Mr. Harry Behrens, Water and Sewer Division Manager, by letter of November 9, 1976, recommended that a ninety-day leave of absence extension be granted. Mr. Behren's recommendation had the approval of the City Engineer and the City Manager. Staff recommendation was to grant the request.

It was moved by Mrs. Kuchman, seconded by Mr. Street, and carried by unanimous vote to approve the request for the period October 15, 1976, through January 14, 1977.

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam.</u>	<u>Class Title</u>	<u>Effective</u>	<u>Expiration</u>
#1474	Maintenance Man III (Promotional)	11/1/76	10/31/77
#1469	Parking Meter Repairman	10/28/76	10/27/77
#1491	Traffic Control Maintenance Man III (Promotional)	11/9/76	11/8/77

ENTRY-LEVEL CAREER EMPLOYMENT - RANDOM RANKING

Mr. William Woska, Personnel Management Administrator, informed the Board that approximately 6000 applications had been received for the fourteen classes listed on the Entry-Level Career Employment announcement. It was staff recommendation that the random ranking procedure be used pursuant to Rule 7.4(k), which states:

"Random Ranking. When provided for on the examination announcement, the Personnel Director may utilize random ranking for ranking on the eligible list when in his determination no valid criteria exist for ranking applicants otherwise eligible for employment. Under the random ranking procedure, the rank and score on the eligible list shall be determined by lot for those applicants otherwise eligible for employment."

It was recommended that the Comprehensive Employment and Training Act (CETA), limited-term, seasonal, and other non-career employees as of September 8, 1976,

who applied for the Entry-Level Career Employment be randomly ranked separately and prior to the non-City applicants.

(Mr. Wright arrived at 1:45 p.m.)

Mr. Jim Rötz, Plumbers and Pipefitters Union, objected to the elimination of the previously prescribed experience requirement for the class of Water and Sewer Serviceman I, which is one of the fourteen classes included in the Entry-Level Career Employment announcement.

After discussion, Mr. Wright moved that this item be tabled until the next regular meeting, with the request that Mr. Woska, in conjunction with the City Attorney's Office, submit a proposed rule to authorize random ranking for, first, the City employees as of September 8, 1976, to be followed by random ranking for non-City applicants. The motion was seconded by Mrs. Hausey and carried by unanimous vote.

AMENDMENT TO CLASSIFICATION PLAN

Proposed Revision of Class Specification - first reading

EDP Programmer Trainee
EDP Programmer I and II
EDP Programmer Analyst

Proposed revised specifications for the above-listed classes were submitted. The major change recommended was that the flexible staffing concept be broadened to include the analyst level.

Mr. Phillip Cunningham, Operating Engineers, Local 39, representing the above classes, indicated approval of the proposed revisions by his letter dated November 9, 1976.

In accordance with Civil Service Board procedure, this item was held over to the next regular meeting.

REQUEST FOR REINSTATEMENT AFTER RESIGNATION

Patsy Louie Leung, former Intermediate Typist-Clerk

Ms. Leung's request for reinstatement after resignation on July 16, 1976, was recommended for Civil Service Board approval by Police Chief Kinney. Ms. Leung had not met the policy requirement of having five years of career employment and, therefore, the staff recommendation was to deny the request. It was pointed out by staff, however, that Ms. Leung had worked as a Student Trainee for two and a half years prior to her appointment as Junior Typist-Clerk in April 1974, and that the combination of non-career and career employment approximated five years.

It was moved by Mr. Wright to approve the request for reinstatement based on Chief Kinney's recommendation and the fact that Ms. Leung had worked as a Student Trainee prior to career appointment. Mr. Street seconded the motion which carried by unanimous vote.

REQUEST FOR VOLUNTARY DEMOTION AS A RESULT OF SPECIAL TRANSFER PROGRAM
Edward Mendez, Refuse Collector to Parking Meter Checker

Mr. Street moved to approve Mr. Mendez' request for voluntary demotion from Refuse Collector to Parking Meter Checker as a result of the special transfer program following the consolidation of the Waste Removal/Street Cleaning functions, with Mr. Mendez' salary "y-rated" at \$1009 per month (Step "E" of the salary range for Refuse Collector). Mr. Wright seconded the motion which carried by the following vote:

Ayes: Hausey, Street, Wright, Yee.
Noes: Kuchman.

REQUEST FOR LEAVE OF ABSENCE
Judy L. Surjan, Senior Typist-Clerk

Mrs. Surjan requested a five-month maternity leave of absence from November 8, 1976, through March 20, 1977. Her request was supported by a statement from Dr. William Lloyd, by approval by the Director of Building Inspections and the City Manager, and by staff recommendation.

It was moved by Mrs. Kuchman; seconded by Mr. Street, and carried by unanimous vote to approve the leave of absence request.

WITHDRAWAL OF APPEAL RE-DISCIPLINARY ACTION
Charles Thompson, Dispatcher Clerk

(Reference: Minutes of 9/21/76.) By letter of October 29, 1976, Mr. Phillip Cunningham of Operating Engineers Local 39 withdrew the appeal of Charles Thompson.

REQUEST FOR HEARING TO APPEAL DISCIPLINARY ACTION
John L. Smith, Refuse Collector (Truck Driver)

Mr. Smith, by letter of October 26, 1976, had been suspended from work for a period of five days. He was charged with violation of Rules 17.2(c), (e), and (t): inefficiency, insubordination, and conduct which impairs, disrupts or causes discredit to the employee's employment or the public service, respectively.

Mr. Smith's appeal was timely received on November 9, 1976.

Mr. Wright moved to grant the request for hearing. Mrs. Kuchman seconded the motion which carried by unanimous vote.

A mutually agreeable date is to be arranged with the state Office of Administrative Hearings.

COMMUNICATION RECEIVED FROM NOGINDER S. RYE, POLICE OFFICER APPLICANT
(continued from 10/19 and 11/3/76)

This matter had been postponed from the previous meeting to receive legal advice from the City Attorney's Office concerning Civil Service Board Rule(s) under which the Board may adjust a score which had been received by an examination applicant. Deputy City Attorney Elizabeth Silver reported that the only rules under which the Board could act were 7.4(c) and 7.4(g). She indicated that the better of these two rules would be 7.4(c).

Mr. Street moved to grant Mr. Rye a passing score (70%) under 7.4(g). His motion failed due to lack of a second.

No further action was taken by the Board, and Mr. Rye's request to retake the Police Officer written test was not granted.

STAFF REPORT PER CIVIL SERVICE BOARD REQUEST

Appointments made from Previous Fire Captain Eligible List;
Completion of Fire Science Courses Previously Required of Fire Captains.

The staff report showed that fourteen Fire Captains previously appointed, who had been required to complete the twelve units of specified Fire Science and management courses within two years, had completed these courses within the required time period. The report indicated that two Fire Captains who had not yet completed these requirements still had time remaining within the two years following appointment to complete their course work.

APPEAL OF FIRE CHIEF WILLIAM R. POWELL RE REMOVAL OF ACADEMIC REQUIREMENT FOR FIRE CAPTAIN BY CIVIL SERVICE BOARD

Fire Chief Powell read into the record his letter to the Board dated November 16, 1976. Chief Powell requested the Board to reconsider its decision of September 8, 1976, to eliminate the four Fire Science and management courses (12 units) required to apply for the Fire Captain promotional examination. Chief Powell requested reestablishment of the academic requirement previously adopted by the Civil Service Board.

Chief Powell requested reconsideration by the Board of its decision made on September 8 as the matter had not been calendared on the September 8 agenda and no one from the Fire Chief's office was present to speak regarding the change in promotional standards. Also, Chief Powell said that during the past ten years there has been a very active movement by the fire service to professionalize all ranks from firefighter through chief officers. Chief Powell reviewed the Sacramento Fire Department's experience with the use of educational standards for the rank of Deputy Fire Marshal and the action by the Civil Service Board first taken on December 31, 1971, to include the four specific courses as being required in future Fire Captain promotional examinations. Chief Powell reported that a sampling of 133 names of applicants for the current Fire Captain examination indicated that, from just one Fire Science college program in this area, there were an average credit units achieved of 17.2, with 27 firefighters holding Fire Science AA degrees and 17 firefighters with Fire Science certificates which require 24 units. Chief Powell reported that there are two colleges which have Fire Science courses available in the Sacramento area. He said that many fire departments throughout the nation require at least a Fire Science certificate of 24 units to qualify for the Fire Captain position.

Mr. Wright indicated that it was his understanding that the educational requirement was to be placed at the entry-level Firefighter class rather than at the Fire Captain level. Mr. Danielson replied that the Civil Service Board, at its September 8 meeting, had requested a staff report regarding possible desirable educational requirements for the entry-level class of Firefighter. Mr. Danielson said that staff work is being done on this report. Mr. Danielson indicated that in a recent court case, LULAC vs. City of Santa Ana (see 5/4/76 minutes), the high

school educational requirement was struck down by the federal court for the class of Firefighter. The court requires that educational requirements must be shown to be job related. Mr. Danielson indicated that the report on entry-level educational requirements for Firefighter would be presented at a later date.

Mr. Amos Syas and Mr. Ed Merrill, on behalf of Local 522, supported the Board's recent action to eliminate the academic requirement for Fire Captain.

After discussion, Mrs. Hausey moved to deny the request of Fire Chief Powell. The motion was seconded by Mr. Street and carried by the following vote:

Ayes: Hausey, Street, Wright.
Noes: Kuchman, Yee.

CITY COUNCIL RESOLUTION REQUESTING CIVIL SERVICE BOARD TO ESTABLISH EMPLOYEE DEVELOPMENT PROGRAMS

The City Council resolution requesting the Civil Service Board to establish Employee Development Programs applicable to Comprehensive Employment and Training Act (CETA), limited-term, and seasonal classifications within the City of Sacramento in conformance with the provisions of Charter Section 49 was received. With the adoption of this resolution by the Board, the City may begin the use of transitioning (Rule 11.13) as an alternative means of entry into the career service.

It was moved by Mr. Street, seconded by Mrs. Hausey, and carried by unanimous vote to approve the request of the City Council which was made in accordance with Charter Section 48.

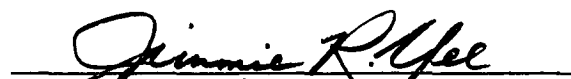
RANDOM SELECTION

#1434-A Junior Typist-Clerk

This item was postponed to the next regular meeting, pending the outcome of the proposed rule concerning random ranking which is to be considered by the Board at that time.

The regular meeting adjourned at 3:15 p.m.


William F. Danielson
Secretary


Jimmie R. Yee
President

Mrs. Shirley Harvey's hearing to appeal the decision of the Qualification Appraisal Board for the Assistant Box Office Supervisor examination was conducted following the regular items on the agenda, with Mr. William Woska, Personnel Management Administrator, as Acting Secretary.

HEARING TO APPEAL DISQUALIFICATION BY QUALIFICATION APPRAISAL BOARD
Shirley A. Harvey, Assistant Box Office Supervisor Applicant

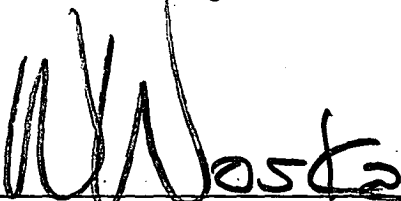
(Reference: Minutes of 10/5/76 and 10/19/76)

Attorney Lawrence Girolami was in attendance with his client, Mrs. Shirley Harvey. Mr. Girolami indicated that, under the specifications set forth in the job description for Assistant Box Office Supervisor, his client is qualified and should have been placed on the eligible list.

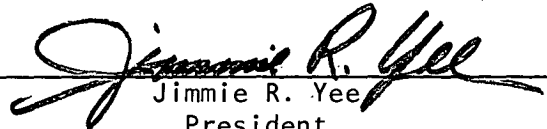
The Personnel Department staff did not present a case, as was indicated by Mr. Woska, Personnel Management Administrator, at the Board meeting of October 19.

Mr. Wright moved to grant Mrs. Harvey a passing score (70%) and that her name be placed on the eligible list for Assistant Box Office Supervisor. Mr. Street seconded the motion, which carried by unanimous vote.

The hearing concluded at approximately 3:45 p.m.



William J. Woska
Acting Secretary



Jimmie R. Yee
President