

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING OCTOBER 19, 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, 801 Ninth Street.

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

MINUTES OF REGULAR MEETING, OCTOBER 5, 1976: Approved as submitted.

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam.</u>	<u>Class Title</u>	<u>Effective</u>	<u>Expiration</u>
#1352-F	Equipment Mechanic I	10/1/76	9/30/77
#1459	Parking Meter Checker	9/15/76	9/14/77
#1464	Gardener	10/6/76	10/5/77
#1471	Recreation Supervisor (Promotional)	9/7/76	9/6/77

NEW EXAMINATIONS ANNOUNCED

#1486 Senior Dispatcher Clerk (Promotional)

Mr. Street moved to approve the above announcement as submitted, seconded by Mrs. Hausey, and carried by the following vote:

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

EXTENSION OF ELIGIBLE REGISTER

1. Upon request by the Personnel Management Services Division staff to extend Eligible Register #1426 for Carpenter from November 19, 1976, to November 18, 1977, Mr. Street moved to approve the extension. The motion was seconded by Mrs. Kuchman and carried by the following vote:

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

(Board member Ronald Wright arrived at 1:45 p.m.)

2. An extension of the Eligible Register #1419 for Traffic Control Maintenance Man II from October 29, 1976, to April 28, 1977, was also requested by the Personnel Management Services Division staff. At the request of the Board, Mr. Tony Vasquez, Senior Personnel Analyst, reviewed the statistics of this list.

After discussion, Mr. Street moved to approve the extension. Mr. Wright seconded the motion which carried by the following vote:

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

LEGAL OPINION RE WHETHER CIVIL SERVICE BOARD MAY USE HEARING OFFICERS TO HEAR APPEALS CONCERNING DECISION OF QUALIFICATION APPRAISAL BOARD

Deputy City Attorney Elizabeth H. Silver's legal opinion of October 18, 1976, indicated that, by authority of Charter Section 52a(b), the Board may use hearing officers to hear only those matters which are appealable to the Board pursuant to Charter Section 52a(a)(3) and (4); that, inasmuch as the Board's jurisdiction to hear appeals from determinations of a Qualification Appraisal Board is derived from Charter Section 52a(a)(2), the Board may not use a hearing officer concerning such appeals, and the Civil Service Board must hear such appeals itself.

HEARING DATE TO APPEAL DISQUALIFICATION BY QUALIFICATION APPRAISAL BOARD

Shirley A. Harvey, Assistant Box Office Supervisor Applicant

(Reference: Minutes of 10/5/76.) Prior to this meeting, Mr. Lawrence Girolami, attorney for Mrs. Harvey, informed the Personnel Department staff by telephone that he would be away from his office on vacation until November 11. He therefore requested that the hearing date be set on or after November 16.

Mr. William Woska, Personnel Management Administrator, informed the Board that his staff would not participate at the hearing. It was his recommendation that the Board assign Mrs. Harvey a score.

After discussion, Mr. Wright moved that the hearing for Mrs. Harvey be set for the next regular meeting (November 3). Mrs. Kuchman seconded the motion, which failed by the following vote:

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

After further discussion, Mr. Wright moved to set the hearing for November 16, 1976. Mrs. Kuchman seconded the motion, which carried by unanimous vote.

CHANGE OF DATE FOR NEXT REGULAR CIVIL SERVICE BOARD MEETING

Mr. Wright moved that the next regular meeting date be changed to Wednesday, November 3, 1976, due to November 2 election day. Mrs. Kuchman seconded the motion, which carried by the following vote:

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

VOLUNTARY DEMOTIONS AS A RESULT OF SPECIAL TRANSFER PROGRAM

a. Earnest Johnson, from Maintenance Man (Truck Driver) to Maintenance Man II

Mr. Street moved to approve the request for voluntary demotion as a result of the special transfer program following the consolidation of the Street Cleaning and Waste Removal functions for Mr. Johnson from Maintenance Man (Truck Driver) to Maintenance Man II at the "y-rated" salary of \$1071 per month (Step "E" of the salary range for Maintenance Man (Truck Driver)).

Mr. Wright seconded the motion, which carried by the following vote:

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

VOLUNTARY DEMOTIONS AS A RESULT OF SPECIAL TRANSFER PROGRAM (continued)b. Emeal Brown, from Refuse Collector to Parking Lot Attendant

Mr. Wright moved to approve the request for voluntary demotion as a result of the special transfer program following the consolidation of the Street Cleaning and Waste Removal functions for Mr. Brown from Refuse Collector to Parking Lot Attendant at the "y-rated" salary of \$1009 per month (Step "E" of the salary range for Refuse Collector).

Mrs. Hausey seconded the motion, which carried by the following vote:

Ayes: Hausey, Street, Wright, Yee.

Noes: Kuchman.

WITHDRAWAL OF REQUEST FOR VOLUNTARY DEMOTION - TABLED

Francis D. Dupell, Parking Meter Checker

(Reference: Minutes of 10/5/76.) Mrs. Verna Banks, Senior Personnel Analyst, informed the Board that Mr. Dupell's driver license had been suspended effective today and that he is off work without pay. She further requested that this item be held over until the next regular meeting.

Mr. Wright moved to defer this matter until the next regular meeting. Mr. Street seconded the motion, which carried by unanimous vote.

LEAVE OF ABSENCE EXTENSION

Michael Masier, Firefighter

Mr. Masier's request for another 90-day extension of his medical leave of absence, Dr. Clancy's statement, and Fire Chief Powell's recommendation were submitted. The staff recommendation was to approve the extension for the period from September 6, 1976, through January 20, 1977.

Mr. Wright moved to approve the leave of absence extension; Mrs. Kuchman seconded the motion; and the motion carried by unanimous vote.

COMMUNICATION RECEIVED FROM NOGINDER S. RYE, POLICE OFFICER APPLICANT - TABLED

Mr. Rye protested the conditions under which the recent Police Officer written test was given. He stated that he had audio and visual problems with the movie which was shown for the Police Officer written test and, therefore, had difficulty responding to the questions. He requested that he be allowed to retake the Police Officer written test.

Staff reported that out of 281 who took the written test, 30 had failed. After discussion, Mrs. Kuchman moved that this matter be tabled until the next regular meeting to give Mr. Rye the opportunity to provide the Board with further documentation. The motion was seconded by Mrs. Hausey and carried by the following vote:

Ayes: Hausey, Kuchman, Street, Wright.

Noes: Yee.

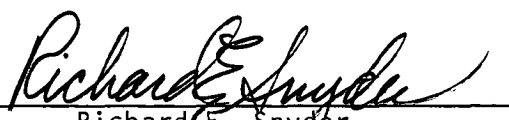
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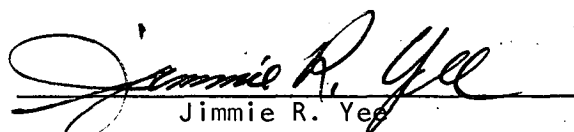
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LEGAL OPINION ON THE EFFECT OF A TWO-TO-ONE VOTE ON DISCIPLINARY APPEALS HEARD BY
THREE MEMBERS OF THE FIVE-MEMBER CIVIL SERVICE BOARD

At the recent Gillies and Jones hearing, three members of the Board participated. A legal opinion was requested regarding the legality of a two-to-one vote when three members of a five-member board participate. The legal opinion indicated that the action by the majority of a quorum is valid and binding on the Board as a whole.

The meeting adjourned at 3:00 p.m.


Richard E. Snyder
Acting Secretary


Jimmie R. Yee
President