

MINUTES OF REGULAR MEETING
CIVIL SERVICE BOARD
CITY OF SACRAMENTO
July 7, 1987

The meeting of the City of Sacramento Civil Service Board was called to order by President Bill White in Conference Room 103, Department of Personnel, 801 9th Street, Sacramento, CA at 1:35 p.m.

MEMBERS PRESENT: Ms. Catherine Harris
Mr. Jonathan Mayhew
Mr. Joseph Russell
Ms. Dora Huntzing
Mr. Bill White

MINUTES OF REGULAR MEETING OF JUNE 16, 1987

A motion was made to approve the minutes of the June 16, 1987 Civil Service Board meeting.

Motion: Ms. Harris
Second: Ms. Huntzing

The motion was approved by the following roll call vote:

Ayes: Ms. Harris
Mr. Russell
Ms. Huntzing
Mr. White

Abstain: Mr. Mayhew

REPORTS OF DIRECTOR OF PERSONNEL

Ms. Donna Giles, Director of Personnel, informed the Board that a leave of absence has been approved for Katherine Torres, Stenographer Clerk III.

ELIGIBLE LISTS ESTABLISHED

Information item only.

EXTENSION OF ELIGIBLE LIST

Information item only.

EXAMINATIONS ANNOUNCED

Information item only.

CITIZENS ADDRESSING THE CIVIL SERVICE BOARD ON MATTERS NOT ON THE AGENDA

Information item only.

RECOMMENDED DECISION OF THE ADMINISTRATIVE LAW JUDGE IN THE MATTER OF THE APPEAL
OF PAUL EDWARDS, SANITATION WORKER II

Mr. Richard Antoine, Deputy City Attorney, addressed the Board on this issue. Mr. Antoine gave a brief outline of the proposed decision and requested the Board to adopt the recommended decision of the Administrative Law Judge.

Mr. W. Daniel Boone, Attorney at Law and representing Mr. Edwards addressed the Board. Mr. Boone informed the Board that Mr. Edwards was present. Mr. Boone requested permission from the Board to pass out a written evaluation of the Administrative Judge's proposed decision for the Board to read.

After the Board and Mr. Antoine read Mr. Boone's remarks considerable discussion followed with questions from the Board to Mr. Boone and Mr. Antoine. Both attorneys responded to the Board's questions.

A motion was made that Mr. Edwards be reinstated to his former position conditioned upon the following:

1. He is to submit to and pass a mandatory drug test, to be scheduled at a time which does not involve any schedule conflicts. The test shall be conducted according to normal City procedures for conducting such tests. Local 39 shall be notified of the date, time and place of the test simultaneously with notice to Mr. Edwards.
2. He is to submit to and successfully pass random drug testing during the six month period following his actual date of return to work.

Motion: Mr. Russell
Second: Mr. Mayhew

The motion was approved by unanimous roll call vote.

A motion was made if Mr. Edwards successfully passes the initial drug test, he is awarded (i) back pay from July 24, 1986 to the date of his actual return-to-work; and (ii) all benefits and seniority retroactive to July 24, 1986. Mr. Edwards shall pay the employee contribution to the retirement system for the period of time July 24, 1986 to the date of return to work.

Motion: Mr. Mayhew
Second: Mr. Russell

The motion was approved by the following roll call vote:

Ayes: Mr. Mayhew
Mr. Russell
Mr. White
No: Ms. Harris
Ms. Huntzing

Ms. Catherine Harris left the meeting at 3:25 p.m.

RECOMMENDED DECISION OF THE ADMINISTRATIVE LAW JUDGE IN THE MATTER OF NICOLAS
A. MORENO, JR., PARK MAINTENANCE WORKER I

Mr. Richard J. Twohy, Attorney at Law, addressed the Board. Mr. Twohy informed the Board that Mr. Moreno was present.

Ms. Tamara Milligan-Harmon, Deputy City Attorney, addressed the Board and asked them to adopt the proposed decision of the Administrative Law Judge.

The purpose of this hearing was to allow comments from the Board and both attorneys regarding the transcripts pertaining to the expert testimony in the matter of intoxication.

After considerable discussion and questions by the Board, Mr. Twohy and Ms. Milligan-Harmon regarding the matter of intoxication a motion was made to adopt the proposed decision of the Administrative Law Judge with the following deletions:

Under Findings of Fact, Section V, paragraph 1, second line, delete "alcoholic beverages and"; paragraph 2, second line, delete "which indicated that appellant had consumed little more than one ounce of alcohol immediately preceding the accident as alcohol is generally metabolized at a rate of approximately one ounce per hour"; and under Determination of Issues, Paragraph III, third line delete "alcoholic beverages and".

Motion:	Mr. Mayhew
Second:	Mr. Russell

The motion was approved by unanimous roll call vote.

There was no further business, President White declared the meeting adjourned at 4:35 p.m.

Bill White

Bill White
President

Donna L. Giles

Donna L. Giles
Secretary