

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING FEBRUARY 1, 1972

The regular meeting of the Civil Service Board was called to order by Acting President James Alexander at 1:30 p.m. in the City Hall Council Chamber.

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

The minutes of the meeting of January 25 were approved as presented to the Board.

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam. No.</u>	<u>Classification</u>	<u>Personal Interview Only</u>	<u>Effective</u>
#1137	Park Foreman (Promotional)	Jan. 18, 19 & 20, 1972	Jan. 24, 1972
#1180	General Repairman (Prom.)	Jan. 24, 1972	Jan. 25, 1972

COMMUNICATION FROM SACRAMENTO FIRE FIGHTERS LOCAL 522 REGARDING MILITARY LEAVE - WEEKEND DRILLS (Continued from January 25, 1972)

Communication dated January 11, 1972, to the Civil Service Board from Robert A. Kern, Vice President of the Sacramento Fire Fighters Local 522, requesting permission to appear before the Board regarding continuation of compensation for weekend military leave was presented to the Board on January 25. The complaint of Local 522 was that the City's prior policy of compensating employees on military leave had been terminated effective January 1972. Therefore, request was being made to the Board to review this matter.

Mr. Kern presented to the Board copies of various documents in support of his contention that the City should continue to compensate employees on military weekend drills. He further stated that Local 522 had requested for an opinion on this matter from the Legislative Counsel's office of the State of California, but a reply had not been received as yet.

David McMurtry, Assistant City Attorney, reported that the 1969 Attorney General's opinion held the position that employees on military leave were entitled to payment; however, in 1970 this opinion was reversed and, therefore, compensation for City employees going on military leave for weekend drills was terminated by the City. Mr. McMurtry also informed the Board that the Civil Service Board did not have jurisdiction over this matter.

After discussion, it was moved by Mr. Reynoso to withhold any action until the Board is apprised of the position of the Legislative Counsel's

office of the State of California insofar as the City is concerned in this matter. The motion was seconded by Mr. Street and carried by unanimous vote.

COMMUNICATION FROM SACRAMENTO FIRE FIGHTERS LOCAL 522 REGARDING PROMOTIONAL EXAMINATION FOR FIRE CAPTAIN (continued from January 25, 1972)

Communication dated January 11, 1972, from Robert A. Kern, Vice President of the Sacramento Fire Fighters Local 522, requesting permission to appear before the Board to discuss the promotional examination for Fire Captain was presented to the Board at its meeting of January 25. Mr. Kern, on behalf of Local 522, stated his objections to the requirements and qualifications set forth in the announcement for the Fire Captain promotional examination. Tim McCormack and William Bruce were also in attendance.

The Secretary reported that, after the Board meeting of January 25, a meeting was held between Robert Kern, Tim McCormack and William Bruce of Local 522, and Assistant Fire Chief Robert Schultz, Personnel Selection Supervisor Bruce Austin, and Personnel Officer William Danielson to further discuss this matter. Thereupon, by memorandum dated February 1, the Personnel Officer recommended to the Board that a weight scale modification be made on the announcement for the Fire Captain promotional examination as follows: Written test from 40% to 45%; oral interview to remain at 45%, and service rating from 15% to 10%. It was explained by Bruce Austin, Personnel Selection Supervisor, that the policy of increasing the weight score in most examinations for oral interview was in conformance with the affirmative action policy and that many examinations are scored pass/fail on the written test and 100% on the oral interview.

It was noted that the basic changes for this announcement for the promotional Fire Captain examination are (1) appointees would be required to complete four college-level Fire Science courses (i.e., Fire Tactics and Strategy, Fundamentals of Fire Prevention, Techniques of Management, and Fire Hydraulics) within two years of their appointment; (2) percentages in the relative weight scale; and (3) addition of the paragraph on physical fitness.

Mr. Kern's request was that consideration be given to those men with many years of experience to have the option to waive the educational requirement whereby appointees must take the four required courses. Mr. Kern also alleged that prior oral interviews were not impartial and he requested that oral interviews be conducted on an impartial basis. Mr. Kern also stated that a complicated numerical service rating system is used in the Fire Department and, although ratings should be done every six months, because of the complex numerical system, service ratings are given usually just before an examination to be used in the weight scale for the scoring of the examination.

After a lengthy discussion, it was the consensus of the Board that the Personnel Department modify the relative weight scale as recommended in the February 1 memorandum from the Personnel Officer to the Board as noted above.

It was also the decision of the Board to delete the following portion of the announcement:

"Applicants are required to have completed the four indicated college level Fire Science courses with a passing grade:

- | | | | |
|----|---------------------------------|-------|---------|
| a. | Fire Tactics and Strategy | FS 61 | 3 units |
| b. | Fundamentals of Fire Prevention | FS 60 | 3 units |
| c. | Techniques of Management | 50 | 3 units |
| d. | Fire Hydraulics | FS 65 | 3 units |

"Candidates who have not completed the required courses will be permitted to file and compete in the examination. Appointments from the eligible list may be made by the Fire Chief of candidates who have not completed the required courses, provided the candidate accepts the appointment with the understanding that he must complete the required courses with a passing grade within two years from the date of his appointment to the position of Fire Captain."

In its place, a statement is to be inserted to encourage appointees to take the courses suggested and to put future candidates on notice that these courses would be required to apply for the next Fire Captain examination.

The Board also deleted in toto the paragraph on physical fitness until such time as specific standards are established by the City.

It was further suggested by the Board that the representatives of Fire Fighters Local 522 meet with representatives of the City to discuss this subject and to specifically identify the problems before again presenting the matter before the Board for final approval.

HEARING DATE TO APPEAL DISCIPLINARY ACTION

Robert C. Bryant, Firefighter

Due to illness of Melvyn CoBen, Attorney for Robert Bryant, on the scheduled hearing date of January 25, and Mr. CoBen's inability to be present at the rescheduled date of February 2, the Board was to set another date to hear Mr. Bryant's case.

It was moved, seconded, and unanimously carried to reschedule this matter for hearing on Tuesday, February 8, at 1:30 p.m., in the City Hall Council Chamber.

REQUEST FOR HEARING TO REVIEW GRIEVANCE

Jose Ramon Urioste, Maintenance Man II

Mr. William Mariano, on behalf of Mr. Urioste, requested continuance of this matter to another date to be agreed upon between himself and the Personnel Officer in order that he may review and consider the case before appearing before the Board.

Mr. Street moved to grant Mr. Urioste's request for a hearing to review his grievance, the date of which is to be set later. The motion was seconded by Mr. Reynoso and carried by unanimous vote.

REQUEST FOR HEARING TO APPEAL DISCIPLINARY ACTION

Robert L. Freeman, Patrolman

Rodney Klein, attorney for Mr. Freeman, appeared before the Board. He stated that the Police report furnished him would be provided the Board members and, at the same time, he requested that the internal investigation report be made available to him. Labor Relations Counsel John Liebert, representing the City, suggested that the Board make no decision at this time as to the distribution of the discovery report as it is privileged information and the Police Chief would have to waive this privilege. Mr. Liebert further suggested that Mr. Klein and he first confer regarding this matter before presenting the case before the Board.

It was moved by Mr. Street, seconded by Mr. Reynoso, and carried by unanimous vote to grant Mr. Freeman's request for a hearing to appeal disciplinary action, the date to be determined at the special meeting scheduled for February 8.

REQUESTS FOR HEARING TO APPEAL DISCIPLINARY ACTION

Stanley Catlett, Fire Captain

Raul Lara, Firefighter

Richard L. Mayberry, Firefighter

Frederick Schoenman, Fire Captain

Robert Yoas, Fire Engineer

David Pearson, Firefighter

Robert A. Kern, Vice President of the Sacramento Fire Fighters Local 522, who had been contacted by Melvyn CoBen, Attorney for the above-listed men, requested that this matter be continued and the hearing date be set at the appropriate time.

It was so moved by Mr. Street, seconded by Mr. Reynoso, and carried by unanimous vote.

COMMUNICATION FROM SACRAMENTO CITY EMPLOYEES ASSOCIATION REGARDING EMPLOYEE GRIEVANCE PROCEDURE

Robin W. Allen, Executive Director of the Sacramento City Employees Association, appeared before the Board to request that the City's grievance forms be made available to the Employees Association and that these forms be placed at strategic locations where employees can readily obtain them without having to go to their supervisors.

It was moved by Mr. Reynoso that the City Personnel Department, through the office of the Labor Relations Counsel, furnish Mr. Allen and the SCEA with as many grievance forms as are available as soon as possible. The motion was seconded by Mr. Street and unanimously carried.

The Board requested the Personnel Department and the Labor Relations Counsel to meet and confer with SCEA representatives to resolve the remaining two items contained in the letter dated January 26 from Mr. Allen, i.e., to (1) make available to every employee in the City service the City's grievance rules and regulations in a small handbook form, and (2) consider SCEA's request to be granted time to speak to its members on their rights with regard to filing grievances.

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At 4:00 p.m., due to prior reservation of the Council Chamber, the meeting was adjourned from the Council Chamber to reconvene in the Engineering Conference Room.

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RANDOM SELECTION OF FORTY CANDIDATES TO BE INVITED TO ORAL INTERVIEW FOR ART GALLERY RECEPTIONIST

Recommendation was made by Bruce Austin, Personnel Selection Supervisor, to use the random selection procedure to reduce the list of qualifying candidates for Art Gallery Receptionist to 40. There were 87 who passed the written test, one of whom is currently employed as a provisional, limited term Art Gallery Receptionist.

The circled numbers on the attached list indicate those randomly selected. Candidates who were not selected will remain in reserve for the life of the eligible list. If the need occurs, additional names will be drawn for further oral interviews. (See minutes of November 30, 1971, for the procedure which was used for the random selection.)

After the conclusion of the random selection of the 40 candidates, a gentleman who did not give his name requested that the remaining numbers in the drum be checked to see if #31 was included. The remaining numbers were then read aloud, and each number from 1 through 86 were accounted for.

CHANGE IN PREVAILING HOURLY CONSTRUCTION RATE - OPERATING ENGINEERS

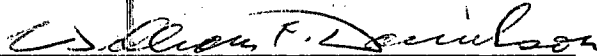
<u>Classification</u>	<u>New Hourly Rate</u>	<u>Effective</u>
Assistant to Engineer	\$6.23	February 1, 1972
Chip-Spreader Operator	7.76	"
Compactor-with-Dozer Operator	7.76	"
Dragline Operator	8.17	"
Heater-Planer Operator	7.34	"
Heavy-Duty Repairman	7.76	"
LeTourneau-Pull Operator	7.76	"
Loader (to 2 yds.) Operator	7.76	"
Pavement-Roller Operator	7.34	"
Power-Blade Operator	8.17	"
Small Rubber-Tire Tractor Operator	7.34	"
Small Rubber-Tire Trenching Machine Opr.	8.08	"
Spreader and Boxman	6.49	"
Tractor Operator	7.76	"
Truck-Crane Operator	8.17	"

In accordance with rates outlined in the agreement between Operating Engineers Local #3 and Associated General Contractors, motion was made by Mr. Street and seconded by Mr. Reynoso that the above new hourly construction rates be adopted effective February 1, 1972, if legally possible to do so. The motion was carried by unanimous vote.

Further discussion took place between members of the Civil Service Board and the representative of Fire Fighters Local 522 regarding recommendations made by Local 522 concerning promotional procedures. Request was made by Board members that, in this and in future matters of this kind which are brought to the Board's attention, issues be defined in writing in advance.

Report was made by the Secretary that the January 7, 1972, decision of the U. S. Circuit Court of Appeals in the matter of Carter vs. Gallagher which was mailed to the Board, affirms the City of Sacramento's use of selective certification.

The meeting was adjourned at 5:00 p.m.



William F. Danielson
Secretary



James Alexander
Acting President

ART GALLERY RECEPTIONIST

- | | | | |
|-----|------------------------|-----|-----------------------|
| 1. | Adams, Beatrice L. | 16. | Macafee, Patricia A. |
| 2. | Allison, Karen L. | 17. | Mason, Anna J. |
| 3. | Atkinson, Lynn D. | 18. | Meisel, Charlotte A. |
| 4. | Blake, Constance L. | 19. | Mertens, Ellen M. |
| 5. | Booth, Donna L. | 20. | Mierzwak, Carol D. |
| 6. | Burgdorf, Annette L. | 21. | Miller, Alice J. |
| 7. | Burke, Judith L. | 22. | Hills, Jo C. |
| 8. | Burke, Claire E. | 23. | Moore, Sharron |
| 9. | Carron, Evelyn M. | 24. | Mora, Myrna A. |
| 10. | Chovan, Shirlee L. | 25. | McDonald, David B. |
| 11. | Choy, Melissa J. | 26. | Neelands, Sari D. |
| 12. | Christensen, Andrea L. | 27. | Olson, Gail L. |
| 13. | Coulombe, Joseph L. | 28. | O'Reilly, Carin R. |
| 14. | Coyle, John J. | 29. | Parris, Marilyn J. |
| 15. | Debreceeny, Joan C. | 30. | Patch, Eileen D. |
| 16. | Denlay, Carolyn R. | 31. | Patterson, Jane L. |
| 17. | Donahue, Peggy L. | 32. | Perkins, Betty J. |
| 18. | Dunn, Sue E. | 33. | Phillips, Donna E. |
| 19. | Durkin, Jane R. | 34. | Quenett, Patricia J. |
| 20. | Eckelman, Linda J. | 35. | Quick, Margaret E. |
| 21. | Ellsworth, Jewel D. | 36. | Reilly, Karen M. |
| 22. | Evola, Michele | 37. | Roberts, Richard J.F. |
| 23. | Flissinger, Alice M. | 38. | Robertson, Carolyn R. |
| 24. | Gadd, Lila J. | 39. | Rogers, Lindell A. |
| 25. | Gastalki, Linda E. | 40. | Roth, Patricia T. |
| 26. | Geiger, Richard L. | 41. | Rusconi, Celeste A. |
| 27. | Gillispie, Yvonne L. | 42. | Salo, Sandra S. |
| 28. | Grimm, Patricia D. | 43. | Sherburne, Cristie L. |
| 29. | Harrison, Judith H. | 44. | Smith, Deborah G. |
| 30. | Hervert, Elizabeth J. | 45. | Spooner, Theophilus |
| 31. | Hobkirk, Robert | 46. | Strong, Carol F. |
| 32. | Holmes, Barry D. | 47. | Sweder, A. Kristine |
| 33. | Horn, Ruth K. | 48. | Tracy, Audrey M. |
| 34. | Ishimoto, Margaret A. | 49. | Tredler, Tanya K. |
| 35. | Jacoby, Joyce A. | 50. | Tyler, Kenneth H. |
| 36. | Jenkins, Rayven L. | 51. | Valdez, Roberta M. |
| 37. | Johnson, Richard F. | 52. | Wagner, Peggy R. |
| 38. | Justen, John B. | 53. | Watanabe, Nancy M. |
| 39. | Keely, Kristine K. | 54. | Welch, LaVerna I. |
| 40. | Keithley, Jane M. | 55. | Whitson, Janet R. |
| 41. | Knight, Lyndal M. | 56. | Wilson, Janice M. |
| 42. | Leonard, Andrew W. | | |
| 43. | Lorenzi, Barbara A. | | |
| 44. | Lunden, Corinne L. | | |
| 45. | Lyon, Morine F. | | |

LIMITED TERM EMPLOYEE

Dufour, Genevieve