



# CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL  
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CITY MANAGER'S OFFICE  
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JUN 23 1980

DONNA L. GILES  
DIRECTOR OF PERSONNEL

June 20, 1980

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Proposed Charter Amendments, Section 85  
(Veterans Preference)

SUMMARY

The Personnel and Public Employee Committee of the City Council has held a series of public hearings on Section 85 of the City Charter relating to Veterans Preference. Based on the testimony presented at those hearings, the Committee is recommending that the City Council place before the voters on the November ballot, a proposal (or two proposals) to amend Section 85 of the City Charter.

The two measures approved by the Committee are attached for Council consideration.

BACKGROUND INFORMATION

Currently, Section 85 of the City Charter provides that "... any person who at the time of taking (a Civil Service) test or examination has served in the (military service)...of the United States in time of war and who received an honorable discharge therefrom...shall be allowed an increase of 10 points above the credit such applicant has attained in such (Civil Service) examinations." This section goes on to state that preference does not apply to promotional examinations.

As a result of this specific section of the City Charter, the final scores of candidates successful in Civil Service examinations (who qualify under Charter Section 85) are increased by ten points. This credit applies to all qualified persons, without limitation.

In 1979, the Council, through Measure D, asked the voters to amend Section 85 of the City Charter, along with other Personnel Sections of the Charter, to provide for a system which would prefer veterans, yet not be perpetual or excessive.

APPROVED *Proposal B*  
BY THE CITY COUNCIL  
JUN 24 1980 *AS Amended*  
OFFICE OF THE  
CITY CLERK

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Measure "D" which appeared on the September 1979 ballot would have amended Section 85 by, (1) reducing veterans preference points to five, (2) limiting the time in which the points could be used to ten years after the last war or campaign (with exceptions for disabled veterans, POWs and MIAs), (3) allowing veterans preference to be given to those who served in specific campaigns in which a service medal was issued, and (4) minor language changes.

Since Measure "D" failed by a narrow margin, the Personnel and Public Employees Committee has tried to explore Section 85 particularly, through various public hearings to determine if it can be modified somewhat to be more acceptable. During the course of the hearings, several proposals and suggestions were introduced by various individuals and organizations. Among the highlights of the suggestions and proposals the following were included:

1. Specific reference to Army, Navy, etc., be replaced with words (Armed Forces), and that disabled veterans be given fifteen preference points.
2. (a) Veterans preference points be reduced to five;  
(b) A five-year limitation be placed on their use after discharge from the service; and  
(c) A prohibition against giving retired veterans preference points.
3. Section 85 not be amended.
4. The veterans preference remain at ten points, but that their use be limited to one time only.
5. The Sacramento County system of the Civil Service Commission setting veterans preference points be implemented.
6. Veterans be limited to a one time use of preference points within ten years of the discharge date.

At its last meeting, the Personnel and Public Employees Committee approved two proposals for further Council consideration:

PROPOSAL A would give the Civil Service Board the authority to establish veterans preference points.

PROPOSAL B would:

- (a) Amend the language to include the word "Armed Forces" instead of reference to specific branches.

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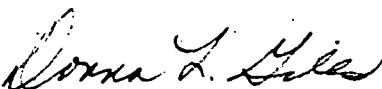
- (b) Exclude preference to individuals who have previously used veterans preference to obtain any federal job or any public agency job in California.
- (c) Limit the period of the application of veterans preference points to within 10 years of date of discharge.
- (d) Eliminate preference to retired veterans above the rank of major.

COMMITTEE RECOMMENDATION:

The Committee recommends that the Council consider both Proposal A and Proposal B under three options:

1. That Proposal A be placed on the November ballot, or
2. That Proposal B be placed on the November ballot, or
3. That both Proposal A and Proposal B be placed on the ballot with the voters have the final decision on both proposals.

Respectfully submitted,

  
Donna L. Giles  
Director of Personnel

APPROVED:

  
Walter J. Slipe  
City Manager

This is an attachment to Item 35 of the Council

Agenda of June 24, 1980.

Sec. 85 Veterans Preference.

The Civil Service Commission shall provide for preference or credits on open examinations for veterans of the United States armed forces who served during time of war and who attain the passing mark for an examination.

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Sec. 85 Preferences.

(a) Subject to the provisions of paragraph (b) of this section, in all tests and examinations held by the civil service board commission pursuant to the provisions of this Charter, any person who at the time of taking such test or examination has served in the army, navy, marine corps, or revenue marine service armed forces of the United States in time of war and who received an honorable discharge therefrom or who, after such service of to the United States in time of war, has continued in such service or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, as such persons are defined by state law in effect at that time and who has attained a percentage qualifying such applicant for any position under civil service regulations, shall be allowed an increase of ten points above the credit such applicant has attained in such examination. Preference under this section does not apply to promotions or to promotion examinations.

(b) (1) Any person who has previously received a veteran's preference on an examination for federal employment, or for employment with any public agency in California, and who, by virtue of the preference was certified and subsequently appointed to a position with the federal government or any public agency in California, shall not be entitled to a preference under this section.

(2) No preference shall be granted under this section to any veteran who was discharged more than ten years prior to the final filing date stated on the examination announcement, or prior to the date on which an eligible list is established if no final filing date is stated on the announcement.

(3) No preference shall be granted under this section to any person who retired from the armed forces at or above the rank of major, or its equivalent.

(4) The preference granted under this section shall not apply to promotions, or to promotional examinations.

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(a) Subject to the provisions of paragraph (b) of this section, in all tests and examinations held by the civil service commission pursuant to the provisions of this Charter, any person who at the time of taking such test or examination has served in the armed forces of the United States in time of war and who received an honorable discharge therefrom or who, after such service to the United States in time of war, has continued in such service or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, as such persons are defined by state law in effect at that time and who has attained a percentage qualifying such applicant for any position under civil service regulations, shall be allowed an increase of ten points above the credit such applicant has attained in such examination.

(b) (1) Any person who has previously received a veteran's preference on an examination for federal employment, or for employment with any public agency in California, and who, by virtue of the preference was certified and subsequently appointed to a position with the federal government or any public agency in California, shall not be entitled to a preference under this section.

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(3) No preference shall be granted under this section to any person who retired from the armed forces at or above the rank of major, or its equivalent.

(4) The preference granted under this section shall not apply to promotions, or to promotional examinations.

c/c



## Sacramento Union

# Veterans preference

That was an interesting round-table discussion on veterans' preference in public hiring in The Union's Living section last week. We were somewhat surprised that six of the seven panelists—representing women, veterans and minorities—agreed that the controversial system should be modified to one degree or another.

Indeed there should be some reform of the system of city, county, state and federal governments giving veterans extra points on test scores for public jobs. It has given veterans an inordinate advantage over non-veterans, as in 1979 when the City of Sacramento hired 27 firefighters from an eligibility list of 439 persons, and 25 were veterans.

Certainly veterans deserve a leg up in their pursuit of a job in the early years following their discharge from service. But we believe it is excessive to grant lifetime preference points to veterans, as does the city of Sacramento, state of California and federal government.

More reasonable, we believe, is Sacramento County's policy of giving wartime vets five points on their examinations for a first-time

appointment only, up to 8 years after discharge. This will give easier access to the job market for women and minorities who, veterans preference aside, have long had an uphill struggle to achieve equal opportunity in the job market.

Further, modifying veterans preference is in the best tradition of the civil service merit system. It helps assure that the best qualified candidate will be picked for the public service slot.

We're in accord with the comment of Dave McMurray, Air Force veteran of Vietnam and co-founder of the Sacramento chapter of Vietnam veterans of America:

"I support veteran's preference points from the consideration of getting these guys back into the place they should be, where they missed out because they didn't have continuity in education or in the job market.

"I don't think, 70 years from now, I should be sitting here, 110 years old, saying, 'I'm a veteran of the Vietnam era, I need some more preference points.' I'd just as soon . . . make way for my daughter when she comes up."