

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING SEPTEMBER 16, 1975

The regular meeting was called to order by President Wilfred Street at 1:45 p.m. in the Personnel Department Conference Room, 801 Ninth Street.

Present: Alba Kuchman, Wilfred Street, Ronald Wright, Jimmie Yee.
Absent: Marion Woods.

MINUTES OF AUGUST 19 AND 26, 1975

Approved as submitted.

REPORTS OF DIRECTOR OF PERSONNEL

Mr. Danielson reported that:

a. Judgment had been entered in the case of the City Manager vs. Civil Service Board and Steven Griffin on September 5, 1975. Mr. Griffin will have until November 5, 1975, in which to file an appeal to a higher court. If an appeal is not filed, the Board will be in a position to dismiss this matter.

b. The Board has placed on the agenda of October 7 a discussion concerning the use of hearing officers, with the request that representatives from the Office of Administrative Hearings and the County of Sacramento be invited to the meeting. Mr. Philip Hanley, Administrative Law Judge of the Office of Administrative Hearings, and Mr. Gerald Pauly, Mr. Steve Lakich, and Ms. Juanita Damerell from the County of Sacramento have accepted the Board's invitation and would be present at the October 7 meeting.

c. A copy of Assembly Bill 700 was given to the Board for information. This measure has been passed by both the Senate and the Assembly and submitted to the Governor for possible signature or veto. Enactment of this bill would establish separate laws and regulations for police officers which would supersede Charter provisions, Civil Service rules, and Council policy in a number of areas for police only. The bill provides lifetime tenure for police employees of local government. The bill prohibits significant disciplinary action of police officers until final appeal proceedings pursuant to the law have been completed. Appeal procedures would be either through a three-party arbitration panel or, perhaps, through the City Civil Service Board. Pending final arbitration board or Civil Service Board rulings, a police officer would be required to be placed on full pay and benefits. Therefore, this bill would create separate procedures and protections for police which are not afforded other local government employees.

Motion was made by Mr. Wright to request that the City Attorney's Office review this bill and report back to the Board. The motion was seconded by Mrs. Kuchman and carried by unanimous vote.

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam. No.</u>	<u>Classification</u>	<u>Effective</u>	<u>Expiration</u>
#1402	Fire Captain (Promotional)	9/4/75	9/3/76
#1413	Stagehand I	8/18/75	8/17/76
#1415	EDP Programmer II	8/26/75	8/25/76

HEARING DATES SCHEDULED

- a. Hearing to Appeal Disciplinary Action
- | | <u>Hearing Date</u> | <u>Time</u> |
|---|--|----------------------------|
| Robert D. Brill, Patrolman (continuation from 8/12/75) | 11/18/75 | 2:30 p.m. |
| Robert McGee, Refuse Collector | 11/4/75 | following regular meeting. |
| Robert E. Kelley, Police Sergeant)
Michael M. Martin, Patrolman) | Continued to 9/30/75 meeting at the request of Attorneys Simmons and Savage. | |
- b. Hearing to Appeal Decision Rendered in Second-Level Review of Grievance Procedure (Rule 25)
- | | | |
|---|----------|-----------|
| Elbert V. Johnson, Patrolman (continued from 8/19/75) | 11/11/75 | 1:30 p.m. |
|---|----------|-----------|

REQUESTS FOR HEARING TO APPEAL DISCIPLINARY ACTION

- a. Wayne L. Smith, Maintenance Man I, Recreation and Parks . . .

Mr. Smith was discharged from his position as Maintenance Man I with the Recreation and Parks Department effective August 28, 1975. He was charged with violation of Civil Service Board Rule 17.5(d), inexcusable neglect of duty; (e) insubordination; (j) inexcusable absence without leave; (o) discourteous treatment of the public or other employees; (q) willful disobedience; and (v) failure of good behavior or acts which are incompatible with City service.

Mr. Smith's request for hearing to appeal his discharge was received on September 2, 1975.

It was moved by Mrs. Kuchman, seconded by Mr. Wright, and carried by unanimous vote to grant Mr. Smith a hearing. A mutually agreeable hearing date between Attorney Savage and Mr. Smith was to be recommended to the Board.

- b. Jesse Edwards, Refuse Collector

Mr. Edwards received a one-day suspension from his position as Refuse Collector for the day of August 20, 1975. He was charged with violation of 17.5(q), willful disobedience.

Mr. Phillip M. Cunningham, General Manager, Sacramento City Employees Association, requested a hearing on behalf of Mr. Edwards by letter dated August 29, 1975.

It was moved by Mr. Wright, seconded by Mrs. Kuchman, and carried by unanimous vote to grant Mr. Edwards a hearing, with the request that Mr. Cunningham and Attorney Savage recommend to the Board a mutually agreeable hearing date.

c. James Davis, Refuse Collector (Extra Board)

Mr. Davis was terminated from his position as Refuse Collector (Extra Board), effective August 15, 1975. Mr. Davis was charged with violation of Rule 17.5(j), inexcusable absence without leave, of the Civil Service Rules and Regulations.

Mr. Phillip M. Cunningham, General Manager, Sacramento City Employees Association, requested a hearing on behalf of Mr. Davis by his letter dated September 2, 1975.

It was moved by Mr. Yee, seconded by Mr. Wright, and carried by unanimous vote to grant Mr. Davis a hearing. Mr. Cunningham and Attorney Savage are to recommend a mutually agreeable date for consideration by the Board.

COMMUNICATION RECEIVED FROM PAUL M. HRONEC, JR., MAINTENANCE MAN I,
RECREATION AND PARKS DEPARTMENT

Communication dated August 27, 1975, was received from Mr. Hronec which appeared to be a reply to the reprimand letter dated August 25 from the Director of Recreation and Parks. Because the Board was unable to determine whether Mr. Hronec was requesting a hearing or whether his letter was in response to the reprimand letter which was to be placed in his personnel file, motion was made by Mrs. Kuchman to write Mr. Hronec to ask him to clarify the matter. The motion was seconded by Mr. Yee and carried by the following vote:

Ayes: Street, Yee, Kuchman.
Noes: Wright.
Absent: Woods.

REQUEST FOR DISMISSAL OF THE FOLLOWING APPEALS FROM DISCIPLINARY ACTION
(continued from 8/19/75)

- a. Toni Hansen, Senior Typist-Clerk, Police Department
- b. Sabino Trujillo, Maintenance Man I, Recreation and Parks Department

At the Board meeting of August 19, 1975, the Civil Service Board had requested legal opinion as to whether the Board may dismiss an appeal after having granted a hearing. Legal opinion dated September 3 from the City Attorney's Office indicated that the Board may dismiss an appeal where the appellant fails to pursue the appeal with reasonable diligence. The legal opinion further advised that certified letters be sent to the appellants notifying them that their appeals would be dismissed unless they contact the Secretary to the Civil Service Board within a reasonable length of time to make arrangements for conducting the hearing.

A draft of a letter to Mrs. Hansen and Mr. Trujillo was presented for the Board's approval. Mrs. Kuchman moved to approve the letters for mailing to the appellants. The motion was seconded by Mr. Wright and carried by unanimous vote.

REQUEST FOR VOLUNTARY DEMOTION

Betty L. Phillips, Dispatcher Clerk, Police Department

Supervising Personnel Analyst William Woska reported that Mrs. Phillips had been a Telephone Operator since October 1966; that in March 1975 she was appointed as probationary Dispatcher Clerk; and that Mrs. Phillips had found that the new position was not what she thought it would be. She, therefore, requested voluntary demotion back to her former position as Telephone Operator. Both the Director of Finance and the Chief of Police had approved the transfer.

Mrs. Phillips was at Step "B" of the salary range for Dispatcher Clerk. If her request for voluntary demotion is granted, her salary would be at Step "E" of the salary range for Telephone Operator.

Mr. Wright moved to approve Mrs. Phillips' request for voluntary demotion. The motion was seconded by Mr. Yee and carried by unanimous vote.

REQUESTS FOR LEAVE OF ABSENCE

- a. Robert A. Balchunas, Maintenance Man I, Recreation and Parks Dept.
- b. Martha Kercheval, Sr. Account Clerk, Finance Dept.

Mr. Solon Wisham, Director of Recreation and Parks, informed the Board that Mr. Robert A. Balchunas, Maintenance Man I, had requested a four-month academic leave of absence from February 1, 1976, to attend California State University, Sacramento. Mr. Wisham recommended that Mr. Balchunas' leave of absence be approved. The request had the approval of the City Manager.

Mrs. Kercheval, who has been on medical leave of absence from June 5, 1975, requested an additional three months' medical leave through December 1, 1975. Her request had the approval of the Director of Finance and the City Manager.

Mr. Wright moved to approve the leaves of absence of Mr. Balchunas and Mrs. Kercheval as requested. Mr. Yee seconded the motion which carried by unanimous vote.

REQUEST FOR REINSTATEMENT AFTER RESIGNATION

Paula Bonilla-Valdez, Intermediate Typist-Clerk

Mrs. Bonilla-Valdez was employed in October 1970 on a limited-term basis as a Junior Typist-Clerk by the Personnel Department; in August 1971 she received a probationary appointment as Junior Typist-Clerk and subsequently was reallocated to Intermediate Typist-Clerk in November 1972. She resigned January 11, 1974.

It was the staff's recommendation not to approve the reinstatement request inasmuch as the former employee had less than five years' City service and the request for reinstatement was not received within the one-year period as stipulated in the Rules and Regulations.

Mrs. Kuchman moved to accept the staff recommendation and to deny the request for reinstatement. Mr. Wright seconded the motion which carried by unanimous vote.

AMENDMENT TO CLASSIFICATION PLAN

a. Revision of Class Specifications and Title Changes

Present Title

New Title

Deputy Fire Marshal
Fire Engineer

Fire Prevention Inspector I
Fire Apparatus Operator

b. New Class Specification

Fire Prevention Inspector II

Upon the request of Fire Chief William Powell, the Personnel Management staff conducted a classification study on positions assigned to the Fire Prevention Bureau. A copy of the report on the job audit of Deputy Fire Marshal positions which recommended the title change from Deputy Fire Marshal to Fire Prevention Inspector I and the creation of a new class of Fire Prevention Inspector II was submitted to the Board.

A staff report of the job audits on Fire Suppression employees assigned responsibility for the aerial ladder trucks or an articulating telescoping aerial platform truck was submitted to the Board. The staff recommendation was that the title of Fire Engineer be changed to Fire Apparatus Operator.

Mr. Woska, Supervising Personnel Analyst, indicated that the recommendations were reviewed with the Fire Department administration and the Sacramento Fire Fighters Union, Local 522, and had their concurrence.

c. New Class Specification

Library Stores Clerk

A staff report by the Personnel Management Division on the Stores Clerk position in the Library Department was submitted to the Board. The study revealed that the duties and responsibilities of the Stores Clerk position assigned to the Library were unique from those of other Stores Clerks and, therefore, staff recommendation was to create a new class of Library Stores Clerk. This recommendation had the concurrence of the Library Department administration and the Sacramento City Employees Association.

Mrs. Kuchman expressed a reluctance to create a new class for one position.

Mr. Danielson supported the staff recommendation, indicating that this step would help implement the library consolidation effort.

Mr. Cunningham, General Manager of Sacramento City Employees Association, requested the Board to move to adopt the new class at this meeting inasmuch as there was no controversy among those concerned.

Mr. Wayne Harbolt, President of Local 522, also requested that the Board take action on the proposed fire classes inasmuch as all those concerned were in agreement.

Mr. Wright moved that the revisions of class specifications and title changes and the creation of the new classes listed above be approved. The motion was seconded by Mr. Yee and carried by unanimous vote.

Mrs. Kuchman suggested that (1) on page 2 of the Fire Prevention Inspector I and II specification, under "Desirable Qualifications" the word "uniformed" be replaced by "firefighter"; and (2) on page 4, #3, the following underlined words be added: "The Civil Service Board grant status to said Fire Engineers in the new classification of Fire Apparatus Operator." These modifications were concurred in by Personnel Management Services Division staff.

Mr. Wright then moved that those holding status as Fire Engineer be granted permanent status as Fire Apparatus Operators; that the 13 employees identified on page 3 of the September 8 memo be granted permanent status as Fire Apparatus Operators with the understanding that those with permanent status will continue in that status and those with probationary status will work toward completion of such probationary status. Mr. Yee seconded the motion which carried by unanimous vote.

Mr. Wright then moved that the present Fire Engineer eligible list be changed to Fire Apparatus Operator list to fill 14 positions not recommended to be filled by present incumbents. The motion was seconded by Mr. Yee and carried by unanimous vote.

AMENDMENTS TO CIVIL SERVICE BOARD RULES AND REGULATIONS

- a. Rule 2.1, Definition of "Probationary Period" 1st reading
Rule 12.1, "Appointments Subject to Probationary Period" - first reading

Supervising Personnel Analyst William Woska submitted his memorandum dated September 8 which requested the Board to extend the probationary period for the class of Firefighter from six months to one year. Mr. Woska explained that because of the training session involved, a six months' probationary period was insufficient time to evaluate a new employee. Presently, fire supervisors have only ten to fifteen scheduled 24-hour duty periods in which to evaluate a firefighter after recruit training. The proposed change would provide 70 to 75 shifts in which to observe performance of a probationary firefighter after training.

The recommendation for a one-year probationary period had the support of the Fire administration and the Fire Fighters Local 522.

In accordance with Board procedure, this matter was held over to the next meeting.

- b. Proposed Addition of Rule 22.17 concerning "Vacation Administration"

At the Board meeting of August 6, 1975, Officer Ronald Jackson had requested the Board's interpretation of Charter Section 183 and of Civil Service Board Rule 22. Officer Jackson had been employed in the Tree Division of the

Department of Recreation and Parks prior to his resignation in July 1959. He was appointed as Patrolman in 1960. Officer Jackson alleged that he should be allowed credit for his previous service in the Recreation and Parks Department in calculating the amount of his current vacation time. The current rules provide that credit for previous employment may be allowed only when a former employee is reinstated to the same classification from which he resigned.

At its meeting on August 6, the Board requested the City Attorney's office to draft a rule which would provide that the total City service time be credited to an employee who re-enters City service for the purpose of calculation of vacation time. Mr. Danielson reported that he was unaware of any other local jurisdiction that allows credit for previous employment for other than continuous service for vacation calculation purposes. He further reported that first-year cost impact upon the City would be approximately \$20,000 for an approximate 130 employees who would also be entitled to previous City service time credit, if this rule is adopted. He further reported that the total continuing cost to the City could amount to \$1.5 million.

It was the Board's decision to continue this matter at its meeting on October 29, 1975.

c. Proposed Revision of Civil Service Board Rule 17, "Suspensions, Demotions, Removals, and Hearings" - seventh reading

Mr. Danielson reported that this subject would be discussed at a meeting with the employee organizations on September 17 and, therefore, recommended that this be held over to the next regular meeting, which is scheduled for September 30.

REQUEST FOR ELIMINATION OF HEIGHT REQUIREMENT FOR FIREFIGHTER CLASS or
Virginia Carlson

Letter dated September 15 was received from Mrs. Virginia Carlson requesting that the height requirement be eliminated. Inasmuch as the new Firefighter examination was to be announced at this meeting, this matter was calendared as an "A" item for consideration by the Board. Mrs. Carlson was present to speak on this issue.

A short discussion was held with Local 522 President Wayne Harbolt and with Deputy Chief Charles Rose. Both desired more time to consider this request.

Mr. Yee moved to continue the consideration of this request to September 23 prior to the Joe Lewis Hunter hearing. The motion was seconded by Mrs. Kuchman and carried by unanimous vote.

EXAMINATIONS TO BE ANNOUNCED

#1416 Firefighter

Mr. Wright moved to postpone the announcement of this Firefighter examination until the meeting of September 23. The motion was seconded by Mrs. Kuchman and carried by unanimous vote.

- #1419 Traffic Control Maintenance Man II (Promotional)
- #1420 Custodian II (Promotional)
- #1422 Senior Copy Machine Operator
- #1423 Copy Machine Operator
- #1424 Animal Control Officer

Mr. Wright moved to approve the announcements listed above. Mr. Yee seconded the motion which carried by unanimous vote, with the exception of Mrs. Kuchman's objection to Announcement #1420, Custodian II (promotional).

RANDOM SELECTION

#1417 Administrative Trainee and Buyer Trainee

Mr. Yee remained to assist in the random selection procedure with Personnel Selection Supervisor Tom Holland and his secretary, Barbara Denham. Fifty names were randomly selected from among 229 candidates. Six limited-term employees currently in the Administrative Trainee or Buyer Trainee classification were to be automatically invited to the next phase of the examination.

The procedure followed was identical to that described in the minutes of November 30, 1971.

Mr. Danielson excused himself from the meeting at the conclusion of the regular meeting at approximately 4:45 p.m. Mr. Tom Holland was Acting Secretary for the remaining item on the agenda.

William F. Danielson *Wilfred D. Street*

 William F. Danielson Wilfred D. Street
 Secretary President

LIBRARY STORES CLERK

NATURE OF WORK:

Under general supervision to perform responsible clerical, field, and supervisory work involved in ordering, receiving, storing, and issuing a wide variety of supplies and equipment used in the Library Department.

DISTINGUISHING CHARACTERISTICS:

An employee in this class is responsible for the operation of the Library supply facility and in that capacity plans, supervises, and reviews the work of other warehouse employees. The work requires the exercise of independent judgment and is subject to only general supervision.

EXAMPLES OF DUTIES:

Receives and reviews requests for supplies and prepares necessary requisitions.

Receives and processes requests for maintenance of Library buildings and equipment.

Receives incoming supplies and equipment. Processes receiving reports and related paperwork. Prepares correspondence, if necessary.

Determines and maintains adequate stock levels for supplies.

Determines arrangement of storeroom.

Maintains supply records and conducts periodic inventories.

Plans, directs, and evaluates the work of other employees assigned to the supply facility.

Assists with gathering cost data for budget preparation.

Performs related duties as required.

DESIRABLE QUALIFICATIONS:

Education:

Ability to read and write the English language at a level necessary for efficient job performance.

Experience:

Two years of experience in storekeeping or warehousing.

Knowledges, Abilities, and Skills:

Thorough knowledge of modern storekeeping methods and practices.

Knowledge of office supplies and equipment.

Knowledge of the principles of supervision.

Ability to maintain accurate records.

DESIRABLE QUALIFICATIONS: (Continued)

Knowledges, Abilities, and Skills:

- Ability to determine supply needs and maintain adequate stock levels.
- Ability to supervise the work of others.
- Ability to establish and maintain effective working relationships.
- Skill in the operation of a typewriter.

NECESSARY SPECIAL QUALIFICATIONS:

Possession of a valid California Operator's License.

Adopted: September 16, 1975

Revised:

Title Change:

Abolished:

FIRE APPARATUS OPERATORNATURE OF WORK:

This is specialized firefighting work involving the operation and maintenance of a major piece of firefighting equipment or apparatus employing special skills acquired through experience and technical training. An employee in this class works under the direction of a superior officer but requires a thorough understanding related to the maintenance, care, and operation of assigned equipment or apparatus and is responsible for its good condition and readiness for service at all times.

EXAMPLES OF DUTIES:

Drives pumpers, aerial ladders, and aerial platform apparatus when responding to the scene of fires and when participating in drills.

Operates pumping equipment and other apparatus to insure that necessary water pressure is maintained at all times.

Operates aerial ladders, telescoping articulating aerial platform, and other apparatus when participating in drills or responding to fire alarms.

Inspects and maintains apparatus and equipment to insure proper working condition and makes minor repairs as necessary.

Prepares required reports relating to maintenance, inspection, movements, and usage of fire apparatus including equipment and hose records.

Attends instruction sessions in such subjects as firefighting methods, equipment operation, first aid, and street and hydrant locations.

Performs related work as required.

MINIMUM QUALIFICATIONS:Experience:

Three years of experience as a Firefighter with the City of Sacramento.

Knowledges, Abilities, and Skills:

Thorough knowledge of modern firefighting procedures and equipment and ability to apply them.

Thorough knowledge of the operation and maintenance of the various types of equipment and apparatus used by the Fire Department.

Knowledge of the locations of streets, hydrants, public buildings, and local hazards in the City of Sacramento.

Knowledge of Fire Department rules and regulations.

Ability to analyze situations and develop an effective course of action.

Ability to keep records and prepare required reports.

Ability to establish and maintain effective relationships with employees and the general public.

NECESSARY SPECIAL REQUIREMENT:

Possession of a valid Class II California Operator's License is required.

Adopted: September 16, 1975 (Fire Engineer abolished)

Revised:

Title Change:

Abolished:

FIRE PREVENTION INSPECTOR I
FIRE PREVENTION INSPECTOR II

NATURE OF WORK:

Under supervision to perform technical inspectional and investigative work in obtaining compliance with laws, ordinances, and regulations pertaining to the prevention and control of fires.

DISTINGUISHING CHARACTERISTICS:

Fire Prevention Inspector I is the entry level class in the Fire Prevention Series and requires experience as a Firefighter. Employees perform the more routine duties of the Fire Prevention Bureau.

Fire Prevention Inspector II is the journeyman level class. Employees perform specialized duties requiring previous Fire Prevention experience. Employees at this level work independently under direction of a superior and may supervise other Fire Prevention Inspectors.

EXAMPLES OF DUTIES:

Fire Prevention Inspector I

Interprets and enforces provisions of fire prevention and fire safety laws. Performs periodic and follow-up inspections of buildings, structures, and installations requiring fire clearances.

Investigates complaints pertaining to violation of fire prevention laws and gives advice for correction of violations.

Provides information to the public concerning fire prevention practices and procedures.

Investigates causes of fires and presents evidence in court when required.

Maintains records and prepares reports and correspondence.

Performs related duties as required.

Fire Prevention Inspector II

In addition to the above:

Performs the more difficult fire inspections.

Develops and conducts classes relative to fire prevention and fire investigation.

Develops fire evacuation plans.

Plan Checking:

Checks building plans for all new commercial, industrial, and multiple residential construction for code compliance.

Determines water flow for firefighting purposes and insures conformity with the Fire Hydrant Ordinance.

Investigation:

Supervises the activities of Fire Prevention Inspectors in the performance of fire investigations.

Reviews all fire investigation reports to determine disposition of cases.

MINIMUM QUALIFICATIONS:

Education:

Fire Prevention Inspector I:

Successful completion of the following college level Fire Science Courses:

Fundamentals of Fire Prevention
Fire Prevention Equipment and Systems
Fire Protection Related Codes and Ordinances
Fire Investigation

Experience:

Fire Prevention Inspector I:

Three years of experience as a uniformed member of the City of Sacramento Fire Department.

Fire Prevention Inspector II:

Two years as a Fire Prevention Inspector I with the City of Sacramento Fire Department.

Knowledges, Abilities, and Skills:

Ability to effectively read, interpret, and enforce codes, ordinances, and regulations relevant to the Fire Prevention Bureau.

Ability to understand and follow oral and written instructions.

Ability to speak publicly and organize material for effective oral presentation.

Ability to maintain records and write reports and correspondence.

Ability to establish and maintain cooperative working relationships with the public and other employees.

Fire Prevention Inspector II:

In addition to the above:

Ability to supervise the work of other employees.

Adopted: 9/16/75

Revised: 7/20/76

Title Change: 9/16/75 Deputy Fire Marshal to Fire Prevention Inspector I

Abolished:

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING SEPTEMBER 16, 1975

HEARING TO APPEAL DISCIPLINARY ACTION

Alfred Humphrey, Jr., Street Construction Laborer

The hearing commenced at approximately 4:40 p.m. in the Personnel Department Conference Room, 801 Ninth Street, after completion of the regular meeting of the Civil Service Board.

Present: Alba Kuchman, Wilfred Street, Ronald Wright, Jimmie Yee.

Absent: Marion Woods

Disciplinary letter dated June 9, 1975, from Kent R. Link, Street Superintendent, to Alfred Humphrey was read by the Secretary. Also read was Mr. Humphrey's letter, received June 16, 1975 requesting a hearing.

Mr. Humphrey was suspended without pay for a period of eight working days, from June 11, 1975 to and including June 20, 1975. It was alleged that on June 2, 1975 Mr. Humphrey hit another employee, William Weber, in the face causing enough damage to require hospitalization for Mr. Weber. Mr. Humphrey was charged with violation of Civil Service Board Rules 17.5(o), Discourteous treatment of the public or other employees, and 17.5(v), Any other failure of good behavior or acts either during or outside of duty hours which are incompatible with or inimical to the City service; or violation of any of the provisions of the City Charter or of these rules relating to conduct in office of persons in the classified service.

Attorney Leliand Savage, representing the City, called William Weber, Water and Sewer Serviceman I, to testify and he was sworn by the Secretary.

Mr. Weber related the occurrences of June 2, 1975. He testified that he was at the 24th Street Corporation Yard at the gas pumps at the time of the incident and that he, unaware of any gasing procedures, had offended Mr. Humphrey by pulling his vehicle in front of Mr. Humphrey's to fill it with gas. Mr. Humphrey then told Mr. Weber that he had not been courteous, that he should have waited in line to get gas. At that time, Mr. Humphrey kicked him, chased him up against a wall and hit him in the face, causing him to bleed. He was taken to the hospital that evening and on June 4, 1975 had corrective surgery for a nose fracture.

Mr. Humphrey, representing himself, was sworn in by the Secretary. Mr. Humphrey testified that Mr. Weber had pulled his vehicle in front of his to fill it with gas. Mr. Humphrey told him that this was not courteous, that he should have waited in line. Mr. Humphrey stated that Mr. Weber laughed, swore and raised his hands in double fists to him. This action provoked Mr. Humphrey to hit Mr. Weber in the face. He stated that he felt threatened by Mr. Weber's fists.

Mr. Humphrey was questioned by the Board and by Attorney Savage.

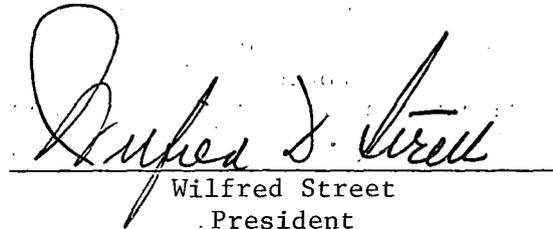
Closing statements were made by Mr. Humphrey and Mr. Savage, after which the Board met in executive session. (5:30 p.m.)

The meeting was reconvened at 5:50 p.m. President Wilfred Street announced that the Board's unanimous decision, in executive session, was to uphold the eight-day suspension by the Street Maintenance and Cleaning Division.

The meeting adjourned at 5:55 p.m.



Tom Holland
Acting Secretary



Wilfred Street
President