

MINUTES OF CIVIL SERVICE BOARD  
CITY OF SACRAMENTO  
SPECIAL MEETING                      AUGUST 16, 1966

The Civil Service Board met in special session in the Conference Room at 819 - 10th Street at 2:00 p.m.

PRESENT: Members Street, Erickson, Alexander, Genshlea, Diepenbrock.

ABSENT: None.

Minutes of the last regular meeting held August 10, 1966, were read and approved.

A special meeting of the Civil Service Board was called to order by the Chairman, Fritz Erickson, to hear an appeal by Mr. Ralph Jenkins who was terminated from city service by Ed McGivern, Assistant Director of Recreation and Parks, under provisions of Section 17.5(k) of the Civil Service Board rules and regulations.

In addition to the Board members and the Secretary, the following persons were present: James Jackson, attorney from the City Attorney's staff; Earl Simons, Safety and Training Officer; John Pieretti, Waste Removal Superintendent; Ralph Jenkins, appellant, and his attorney, Mr. Jack Sevey, of the firm of O'Connor & Lewis.

The Chairman advised those present that the proceedings of this meeting were being recorded. He then called upon the Secretary to read the letter of termination and Mr. Jenkins' letter to the Board requesting the hearing. The Chairman then requested Earl Simons to read a summary of the events that lead to the termination. Mr. Ed McGivern was then requested to read a letter authorizing departmental representation and also to give a summary of the duties of required of Mr. Jenkins while he worked as a Watchman, and the events that lead up to his termination.

For the record, Mr. Jenkins originally had permanent status in the class of Refuse Collector dating from April 1, 1959. Because of a back injury sustained on the job, it was necessary for him to request a voluntary demotion to the class of Watchman in the Recreation and Parks Department, which was approved by the Civil Service Board on December 2, 1965. He held this position from December 2, 1965 to January 18, 1966, when he decided that he could no longer perform these duties

because of his injury. He was placed on injury leave status with full salary until July 1, 1966, when he was officially terminated from city service because of physical disability.

Questions were directed by Board members to Mr. Jenkins' attorney, Mr. Sevey, as to the class to which Mr. Jenkins felt he should be permitted to return. After deliberation by Mr. Sevey and Mr. Jenkins, it was determined that the request was specifically for return to the class of Watchman, the same position held as when Mr. Jenkins was terminated.

The Chairman then called upon Mr. Sevey, attorney for Mr. Jenkins, to present arguments on behalf of his client. Mr. Sevey cited the letter of Dr. Melvin Makower, whose medical evaluation and report was obtained by the appellant. Mr. Sevey read a portion of the report which indicated that Mr. Jenkins could now return to work with a weight restriction for lifting of 50 pounds. A copy of this report was offered as evidence for the files.

At this point Mr. Jenkins spoke on his own behalf and testified substantially that when he started having difficulty making his rounds as Watchman, he went to the Emergency Aid Station to review his medical prescription. However, he stated that Dr. Schweitzer was out of town and that as a result he was unable to obtain the medication he required. He stated that he felt that if he could have obtained this medication that he could have continued on with his duties as Watchman. He further stated that the work he was performing previously in the Waste Removal Division as a station attendant was of a nature that caused him no problems whatever.

Mr. Pieretti, Waste Removal Superintendent, stated that the work performed by Mr. Jenkins in his division as a station attendant, to which he had been assigned as "light duty", was of a relief nature only and that Mr. Jenkins could not have continued on in this work when the regular employee returned.

8-16-66

point, the Chairman stated that he was of the opinion that the Board  
all the sources of testimony and now had sufficient information to  
decision. He asked members of the Board if they had any final questions  
present. Mr. Sevey asked if he might make a final statement on behalf of  
when permission was granted, he requested that the Board keep in mind  
statement to the effect that there was good chance for improvement in  
condition and that he be permitted to return to some type of work which  
a minimum of physical exertion. Mr. Sevey therefore requested that the  
action be rescinded and Mr. Jenkins be permitted to resume his work as a  
Chairman advised that all testimony at this hearing would be carefully studied  
before any decision was reached. Motion was made by Mr. Diepenbrock  
that the meeting be closed. The motion was seconded and unanimously adopted. The  
Chairman excused everyone except the Secretary and the board members, and the  
meeting closed session to consider the appeal.  
In discussion in closed session, motion was made by Mr. Genshlea that the appeal  
be put for further consideration at the next meeting scheduled for August 26, 1966.  
The motion was seconded by Mr. Street and carried by the following vote:  
Members Street, Erickson, Alexander, Genshlea, Diepenbrock.  
The meeting closed.  
When there was no further business, the meeting adjourned at 4:00 p.m. to meet again  
at the next meeting at the Chair.

  
SECRETARY

  
PRESIDENT