

MINUTES OF CIVIL SERVICE BOARD  
CITY OF SACRAMENTO  
REGULAR MEETING                      NOVEMBER 4, 1975

The regular meeting of the Civil Service Board was called to order by President Wilfred Street at 1:50 p.m., in the Personnel Department Conference Room, 801 Ninth Street.

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

Mr. Marion Woods, by letter dated October 28, 1975, to the Mayor, resigned from the Civil Service Board effective November 1, 1975.

ELIGIBLE REGISTER ESTABLISHED (Continued from October 29, 1975)

#1412 Police Lieutenant (Promotional)

The Civil Service Board received a letter dated October 31, 1975, signed by Samuel D. Somers, John H. Wilson, Jerry Ledbetter, R. Dee Reynolds, and Robert Helling, all sergeants in the Sacramento Police Department who had placed on the Police Lieutenant eligible list #1412. The sergeants expressed their concern regarding the challenges made by Sacramento Police Officers Association regarding this list on behalf of candidates other than themselves. They also expressed their concern of the effective and expiration dates of the list. It was their desire that the list remain in effect for 12 months from the date the challenges are resolved.

At the request of Attorney David Simmons on behalf of SPOA, which had the concurrence of Director of Personnel William Danielson, this matter was held over to the Board meeting of December 2, 1975.

REPORTS OF DIRECTOR OF PERSONNEL

a. Mr. Danielson submitted to the Board Mr. Marion Woods' letter of resignation dated October 28, 1975, addressed to Mayor Phillip Isenberg. Mr. Woods' resignation was effective November 1, 1975.

b. The findings and conclusions of the Gordon McCall hearing was submitted for the Board's approval. The execution of the document was held over until Mr. Wright had the opportunity to review the findings and conclusions.

c. Mr. Yee requested that hereafter the subjects to be reported by the Director of Personnel be listed on the agenda.

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CHANGE IN PREVAILING HOURLY CONSTRUCTION RATES

In accordance with the notification received from the Associated General Contractors of California, it was moved by Mr. Yee, seconded by Mrs. Kuchman, and carried by unanimous vote to approve the following hourly construction rates effective immediately:

CONSTRUCTION AND GENERAL LABORERS UNION

<u>Classification</u>	<u>Current Hr. Rate</u>	<u>New Hr. Rate</u>
Asphalt Raker	\$ 7.785	\$ 7.795
Asphalt Shoveler	7.635	7.645
Buckeye Spreader Operator	7.785	7.795
Cement Worker	7.635	7.645
Jackhammer Operator	7.785	7.795
Laborer	7.535	7.545

TEAMSTERS UNION

Truck Driver (to 4 yards)	\$ 8.795	8.955
Truck Driver (4 and less than 8 yards)	8.89	9.05
Truck Driver (8 to 12 yards)	9.33	9.49
Water Truck Driver (under 2500 gal)	8.905	9.065
Winch-Truck Driver	9.105	9.265
Heavy Duty Transport	9.34	9.50
Self-Propelled Sweeper Operator	9.33	9.49

The Board requested legal opinion whether the changes in prevailing construction hourly rates may be adopted administratively and, if the Board is required to act on the adoption of such rates, whether this could be effected by oral report rather than by written communication to the Board.

HEARING DATES SCHEDULED AS FOLLOWS:

- (1) Joe Lewis Hunter, Refuse Collector 1/20/76 after reg.mtg.
- (2) Robert E. Kelley, Police Sergeant 1/13/76 1:30 p.m.
- (3) Michael M. Martin, Patrolman 1/13/76 1:30 p.m.
- (4) Wayne L. Smith, Maintenance Man I, R & P 12/9/75 1:30
- (5) Jesse Edwards, Refuse Collector 1/6/76 after reg. meeting
- (6) James Davis, Refuse Collector, Extra Board Withdrawn
- (7) Lillian Kness, Relief Telephone Operator 12/30/75 1:30 p.m.
- (8) Paul M. Hronec, Maintenance Man I, R & P 12/16/75 after reg mtg
- (9) Laureano Luna, Maintenance Man T.D. Street Cleaning 12/23/75 1:30 p.m.

REQUEST FOR HEARING TO APPEAL DECISION OF QUALIFICATION APPRAISAL BOARD FOR SENIOR ACCOUNTANT EXAMINATION (continued from 10/29/75)

Russell Chinn, Applicant

This matter was deferred indefinitely at the request of Mr. Tom Holland, Personnel Selection Supervisor, and Mr. Phillip Cunningham, Business Representative of Sacramento City Employees Association/Local #39.

RANDOM SELECTION

#1429 Machinist Helper

Board member Jimmie Yee assisted Mr. Tom Holland and Mr. Tony Vasquez of the Personnel Selection Division in the random selection process for Machinist Helper examination. Forty numbers were randomly selected out of 187 numbers. (Reference for procedure used: Minutes of 11/30/71.)

HEARING TO APPEAL DISCIPLINARY ACTION

Robert McGee, Refuse Collector (Truck Driver)

The hearing commenced at 2:20 p.m., with Mrs. Kuchman, Mr. Street, and Mr. Yee present. Mr. Wright was absent.

The Secretary read the disciplinary action letter dated August 4, 1975, which informed Mr. McGee of his one-day suspension on August 6. It was alleged that Mr. McGee had reported to his supervisor and foreman that one of his Refuse Collectors, Walter Wilkins, had become ill on the route and was taken home; that because he and his second helper could not complete their route, other employees were allowed to work overtime to complete the route; that the foreman learned later that Mr. Wilkins was not ill and had not been taken home; and that Mr. Wilkins was not aware that he had been reported as being ill. Mr. McGee was charged with violation of 17.5 (c) inefficiency; (f) dishonesty, and (o) discourteous treatment of the public or other employees.

Mr. Phillip Cunningham, Business Representative of SCEA/Local 39, by letter dated August 11, 1975, requested a hearing on behalf of Mr. McGee to appeal the one-day suspension. It was the contention of SCEA that Mr. McGee, who was responsible for his crew, had Walter Wilkins taken home because he had appeared ill and unable to work; that his foreman and his supervisor were informed of the action taken; that his foreman had authorized overtime for completion of the route; that Walter Wilkins had returned approximately three hours later and finished working. It was the contention of SCEA that Mr. McGee had not been responsible for the commitment of

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overtime; that he did not violate Rule 17.5 (c), (f), and (o); and that the disciplinary action be rescinded and the day lost by Mr. McGee be restored to him.

Deputy City Attorney Savage and Mr. Cunningham presented their opening statements, Testimony was then heard from the City's witness, Refuse Collector Walter P. Wilkins, who was sworn in by the Secretary. Mr. Wilkins related the occurrences of the day in question.

Testimonies were heard from the appellant and from Refuse Collector Robert Sampson, each being first duly sworn in by the Secretary. Mr. Sampson supported the testimony given by Mr. McGee concerning the day's occurrences.

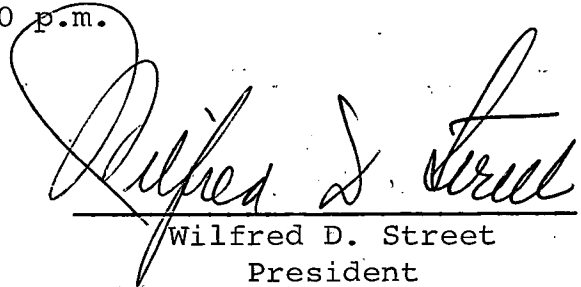
The Board met in executive session at approximately 4:00 p.m., following closing statements by Deputy City Attorney Savage and Mr. Cunningham.

The open meeting was reconvened, and Mr. Street announced that the Board by two-to-one vote (Ayes: Street, Yee; Noes: Kuchman granted Mr. McGee's appeal.

The meeting was adjourned at 4:30 p.m.



William F. Danielson  
Secretary



Wilfred D. Street  
President