

MINUTES OF CIVIL SERVICE BOARD  
CITY OF SACRAMENTO  
REGULAR MEETING                      JULY 7, 1976

The regular meeting of the Civil Service Board was called to order by President Jimmie Yee at 4:00 p.m. in the Personnel Department Conference Room, 801 Ninth Street.

Present: Oreitha Eggleston-Hausey, Alba Kuchman, Wilfred Street, Ronald Wright, Jimmie Yee.

Absent: None.

MINUTES OF REGULAR MEETING, JUNE 15, 1976: Approved as submitted.

REPORTS OF DIRECTOR OF PERSONNEL

a. Mr. Danielson informed Board members of the appointment of Mr. Don A. Fausset as Assistant Personnel Director/Employee Relations and of Mr. William J. Woska as Personnel Management Administrator within the Personnel Department.

b. Mr. Terence M. Brown, Deputy City Attorney, was introduced to Board members. Mr. Brown will now represent the City on appeals which may come before the Board.

c. Amendment to Police Officer Examination Announcement #1321-F

(Reference: Minutes of 5/4, 5/11, and 5/18/76)

Mr. Danielson reviewed the reasons for the deletion of the written test for the current Police Officer Examination #1321-F. A written test for Police Officer which meets the EEOC and court requirements has been made available and, therefore, it was the staff's recommendation that the written test be reinstated to the current Police Officer examination. The written test would be scheduled for Saturday, July 31, 1976.

Mr. Danielson reported that the agility test and interviews had already been conducted and that it would not be too late to administer the written test.

After discussion, Mr. Wright moved to approve Mr. Danielson's request to include the written test for the Police Officer Examination #1321-F. The motion was seconded by Mr. Street and carried by the following vote:

Ayes: Wright, Yee, Kuchman, Street.

Noes: Hausey.

CITY ATTORNEY'S REPORT ON TEST VALIDATION - WASHINGTON VS. DAVIS, USCC NO. 74-1492, DECIDED JUNE 7, 1976

As requested by the Board, the City Attorney's report dated June 28, 1976, concerning the impact of the Supreme Court decision on the U. S. District Court decision on League of United Latin American Citizens vs. The City of Santa Ana upon the Civil Service Board was received and filed.

NEW EXAMINATION ANNOUNCED

## #1461 Traffic Control Foreman (Promotional)

Mr. Wright moved to approve the above announcement as amended (the word "higher" to be deleted from the first paragraph of the "Performance Evaluation" information). The motion was seconded by Mrs. Hausey and carried by unanimous vote.

REQUEST FOR LEAVE OF ABSENCE EXTENSION

Michael Masier, Firefighter

Request for additional medical leave of absence from June 6 through September 6, 1976, was received from Michael Masier. Dr. W. O. Wood's statement and approvals of the department head and the City Manager were also submitted.

It was moved by Mrs. Kuchman, seconded by Mr. Street, and carried by unanimous vote to approve the requested leave of absence extension.

REQUEST FOR REINSTATEMENT AFTER RESIGNATION

David Hernandez, former Tree Trimmer Trainee

Request for reinstatement to his former classification of Tree Trimmer Trainee was received from David Hernandez. Mr. Hernandez had been appointed as Tree Trimmer Trainee on June 28, 1975, and had resigned on February 19, 1976. Mr. Hernandez, who was present at this meeting, informed the Board that he had resigned to obtain a position with Sacramento Municipal Utility District as a lineman; however, now, he wished to return to his former classification with the City. Staff reported that there is no current list for Tree Trimmer Trainee.

It was Personnel Department staff's recommendation that Mr. Hernandez' request be denied because it did not comply with existing Board policy.

After discussion, Mr. Street moved to place Mr. Hernandez on the reinstatement list for Tree Trimmer Trainee; Mrs. Hausey seconded the motion, which carried by the following vote:

Ayes: Yee, Hausey, Street.  
Noes: Kuchman.  
Abstained: Wright.

AMENDMENT TO CLASSIFICATION PLANProposed Revision of Class Specifications - first reading

Fire Prevention Inspector I  
Fire Prevention Inspector II

Mrs. Verna Banks, Senior Personnel Analyst, informed the Board that the revision consisted of inclusion of the four required college-level courses in the specifications for Fire Inspector I and II. Suggestions were also offered by Mrs. Kuchman for staff consideration.

In accordance with Civil Service Board procedure, this matter was held over to the next regular meeting for second reading.

REQUEST FOR CONTINUANCE OF HEARING

Jerry Angelides, Assistant Mechanical Engineer

Attorney Keith Howard requested, on behalf of Mr. Angelides, a continuance of the hearing for two weeks to July 27, 1976.

Mrs. Hausey moved to continue the July 13 hearing, which had been scheduled for Mr. Angelides to appeal disciplinary action. Mr. Wright seconded the motion which carried by unanimous vote.

REQUEST FOR HEARING TO APPEAL DISCIPLINARY ACTION

Robert Gillies, Police Officer

Norman Jones, Police Officer

Officers Gillies and Jones were dismissed, after due process, effective July 1, 1976. They were charged with insubordination; willful disobedience of a lawful order, rule or direction; and conduct rationally related to employment which impairs, disrupts or causes discredit to the employee's employment or the public service.

Attorney John Virga, by letter dated July 1, 1976, appealed their dismissal.

Mr. Wright moved to grant the request for hearing; seconded by Mrs. Hausey, and carried by unanimous vote. Setting of a hearing date was deferred to a later time.

Mr. Street informed the Board that Attorney Virga had requested that the Civil Service Board hear these two cases.

EXECUTIVE SESSION RE LITIGATION MATTER

The Board met in executive session to discuss the decision rendered by Judge Lawrence K. Karlton in the matter of International Union of Operating Engineers, Stationary Engineers, Local No. 39, AFL-CIO; vs. City of Sacramento; William F. Danielson, Director of Personnel of the City of Sacramento.

PROPOSED CIVIL SERVICE RULE CHANGES TO ESTABLISH LAYOFF AND REINSTATEMENT POLICY - eighth reading

and

REQUEST FOR DEFINITION AND INTERPRETATION OF CITY CHARTER SECTION 183, "VACATIONS", AND CIVIL SERVICE BOARD RULE 22, "VACATION ADMINISTRATION".

(Reference: Minutes of 7/1, 8/5, 9/16, 10/29, 12/2/75; 4/1 Joint Council Committee and CSB meeting, 4/20, 5/4, 5/11, 6/2, and 6/15/76)

Mr. Wright moved that management and employee organizations be requested to meet and confer regarding the reinstatement and layoff policy; reinstatement after resignation; reinstatement after layoff; and the vacation administration policy (vacation credit for prior service) and that a joint recommendation be submitted to the Board. Mr. Wright indicated that his motion was based on the attorney's opinion that the Civil Service Board did not have jurisdiction in the matter pertaining to layoff procedure and on Judge Karlton's ruling in the matter of Local 39 vs. City of Sacramento that the matter of the layoff policy is a meet-and-confer item.

The motion was seconded by Mrs. Husey and carried by unanimous vote.

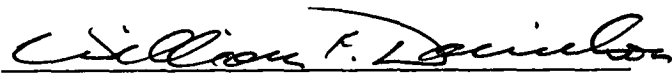
The above two items are, therefore, deferred until such time as a joint recommendation is received by the Board.

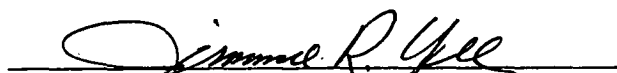
REPORT ON USE OF HEARING OFFICERS BY CIVIL SERVICE BOARD and  
PROPOSED ADDITION OF CIVIL SERVICE BOARD RULE 17.8.5, "HEARING BY BOARD  
OR HEARING OFFICER; HEARING OFFICER PROCEDURES"

A confirmation letter was received from the Office of the Secretary of State indicating ratification of Measure "D" which had been approved by the electorate to amend the City Charter to allow the Civil Service Board to utilize the services of hearing officers. To implement the use of hearing officers by the Civil Service Board, a proposed Rule 17.8.5 was submitted for consideration by the Board. The Board requested that recognized employee organizations be furnished copies of the proposed Rule 17.8.5 with the request that the Personnel Director be contacted by July 20, 1976, concerning any questions on the proposed rule.

It was the consensus of Board members that hearings already scheduled should be conducted by the Civil Service Board, and that the appeals for which hearing dates are yet to be set (Angelides, Gillies, and Jones) may be referred to hearing officers.

The meeting was adjourned at 5:50 p.m.

  
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William F. Danielson  
Secretary

  
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Jimmie R. Yell  
President

