

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
SPECIAL MEETING MARCH 27, 1973

The special meeting of the Civil Service Board was called to order by President James Alexander at 1:30 p.m. in the City Hall Council Chamber. The purpose of the special meeting was to hear the appeals from the decision of the Qualification Appraisal Board for Firefighter of Robert A. Newell, Richard A. Silva, Lee R. Limpach, and Robert S. Mitchell.

Present: Members Alexander, Reynoso, Street, Yew.
Absent: Member Woods.

The President informed the parties present that the hearing would be recorded on tape. It was the Board's request to dispense with the reading of the letters of appeal as the members of the Board had read the letters prior to this hearing.

Bruce F. Austin, Personnel Selection Supervisor at the time the Firefighter examination was given, was called and sworn in by the Secretary. Mr. Austin related the affirmative action steps taken in the preparation of the Firefighter examination, which included three months' recruitment period and advertising through the news media, particularly through the minority press. Mr. Austin reported on the composition of the oral board which consisted of Mrs. Ann Duncan, Personnel Analyst; Captain Kenneth Buford of the Sacramento Fire Department; and Mr. Manual Perez who had been referred to the City by Sacramento Concilio. Mr. Austin then explained the ranking procedure. It was reported that over 7000 announcements were distributed; 1800 applications were received; 1113 appeared for the written test and 774 passed; 599 took the physical agility test and 353 passed; 345 appeared for oral interviews and 279 names were placed on the eligible register. A prepared statement entitled, "Review of Procedures Used in the 1972 Examination for Firefighter" was presented to members of the Board for their information.

Robert A. Newell was called before the Board and sworn in by the Secretary. Mr. Newell appealed his rejection by the Qualification Appraisal Board. Mr. Newell stated that bias and irregularity occurred in the conduct of the interview board. Mr. Newell charged that the Board was biased because of his educational background; that a board member had asked him racial questions; and that he objected to the selection of candidates for a job on the basis of an examination weighted 100% oral interview.

Mr. Austin responded that, with regard to the racial questions, the evaluation sheet for the oral interview attempted to determine, among others, racial tolerance, as the work would involve working group as well as living group, and that these types of questions were uniformly asked of each candidate.

Mr. Richard A. Silva was then sworn in by the Secretary. Mr. Silva appealed his disqualification by the Qualification Appraisal Board for Firefighter. His request was that the Board reevaluate his oral interview to determine whether a mistake had been made in not placing him on the eligible register.

Mr. Lee R. Limpach was sworn in by the Secretary. Mr. Limpach appealed his relative score (#219 on the eligible register), which he considered excessively low. Mr. Limpach charged the oral board with irregularity (invasion of privacy) and with bias (racial prejudice) by the oral interview board members during the interview. He then related to the Civil Service Board some of the questions which were asked of him during the interview.

Mr. Reynoso pointed out to Mr. Limpach that he had in fact passed the Firefighter examination; that, had veteran's points not been added to the scores of those who were eligible for veteran's points, Mr. Limpach would have placed much higher.

Upon Mr. Limpach's request, the Civil Service Board requested that he be allowed to listen to the tape recording of his oral interview.

Mr. Robert S. Mitchell was sworn in by the Secretary. Mr. Mitchell appealed his relative score (#158 on the eligible register) and requested the Civil Service Board to interview him following review of his application. He said that the interview panel was biased against him because of his higher education.

Veteran's preference point policy was also explained to Mr. Mitchell, and Mr. Mitchell was then cognizant of the fact that he would have placed much higher on the list had veteran's preference points not been considered.

Mr. Manuel Perez, a member of the Firefighter oral interview board was sworn in by the Secretary. Mr. Perez was given the opportunity to state his position concerning the oral interview questioning. Mr. Perez informed the Board that the interview panel had a general pattern of questions which were to be asked of each applicant and that the racial type questions were asked to attempt to determine the applicants' attitudes and tolerance toward minorities.

Mr. Douglas Thompson, who identified himself as the outstanding man of the year of the City of Hayward in 1957 and the father of two sons who are firemen and one son who is a firefighter eligible on this new list, requested to speak before the Board. He was then sworn in by the Secretary. Mr. Thompson expressed his specific concern on the oral interview being weighted 100%. He stated that other factors should have been considered toward the score, with perhaps 25% weight for the oral interview.

Mr. William Cruickshank was sworn in by the Secretary after requesting to speak before the Board. Mr. Cruickshank, #265 on the Firefighter eligible list, did not protest his score. He stated that his concern was the question of whether the examination process was for the purpose of getting the best men for the job or to get only minorities. He suggested that testing be done by performance and not by 100% oral interview.

Mr. Kenneth Wills was then sworn in. He expressed concern that his score of 82.67 on this Firefighter examination was the identical score which he received for the Firefighter examination conducted in 1970.

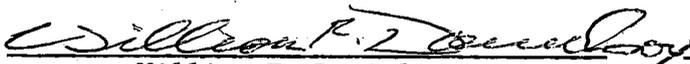
Mr. Gerald B. Moore was then sworn in. He stated that he was #171 on the new Firefighter list. He stated that both his father and grandfather were firemen. He expressed his opinion that a person who may be prejudiced can learn to adjust; that bias or prejudice in the selection procedure cannot produce the best firefighters.

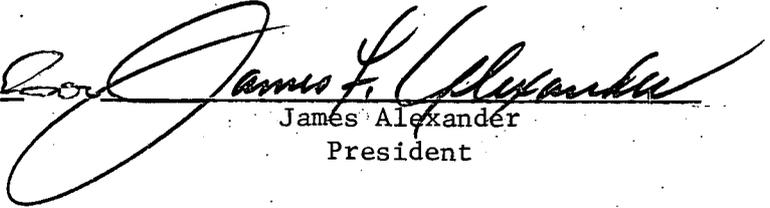
As there were no other witnesses nor persons who wished to speak before the Board, and there were no further questions by the Board, motion was made by Mr. Street, seconded by Mr. Yew, and carried by unanimous vote to adjourn into executive session at 3:15 p.m.

At approximately 4:30 p.m. the meeting was reconvened.

President Alexander announced that the unanimous decision of the Civil Service Board, after having considered each appeal, was to deny the appeals of Robert A. Newell, Richard A. Silva, Lee R. Limpach, and Robert S. Mitchell.

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


William F. Danielson
Secretary


James Alexander
President