

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING JANUARY 4, 1972

The regular meeting of the Civil Service Board was called to order by President Marion Woods at 1:45 p.m. in the City Hall Council Chamber.

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

COMMUNICATION FROM ATTORNEY RAYMOND THIELEN REGARDING USE OF SELECTIVE CERTIFICATION FOR FIREFIGHTER ELIGIBLES

Attorney Raymond J. Thielen's letter dated December 28, 1971, was read by the Secretary. Mr. Thielen was retained by Mr. Tom Lavery on behalf of a group of Firefighter eligibles who expressed a grievance against the City on the use of selective certification in filling vacancies within the Fire Department.

Mr. Thielen expressed his opinion that, if more qualified Caucasian Firefighter eligibles had been passed over in order to certify minority persons who had placed lower on the eligible list, it would be contrary to the provisions of City Charter Sections 44, 47 and 52a. He further expressed his concern that the use of selective certification discriminates against those who are most qualified and, if allowed to continue, it would tend to destroy the merit system of civil service.

Request was then made by Mr. Thielen on behalf of his clients to (1) terminate the minority persons who were hired and restore them to their places on the eligible register, (2) replace them with others to be certified from the eligible list under the provisions of Section 44 of the City Charter, and (3) discontinue the use of selective certification policy provided for in 11.12 of the Civil Service Rules.

Mr. Milton McGhee, a former City Councilman and an Attorney at Law, read his prepared statement dated January 4, 1972. His appearance before the Board was at the request of Mr. James Williams, President of the Sacramento Chapter, National Association for the Advancement of Colored People. Mr. McGhee reviewed the actions taken by the City Council after receipt of the Pace Maker Report; its adoption of the Affirmative Action program proposed by the Personnel Officer by his memorandum of February 1, 1971, to the City Manager and to the City Council; and its ultimate adoption of the Affirmative Action Policy Statement on May 20, 1971. Mr. McGhee expressed his support and encouragement of the Board's role to pursue and to implement necessary solutions to bring about equality in employment opportunities within the City service as directed by the City Council's Affirmative Action Policy Statement.

He informed the Board that, if the Board were to reverse its decision and fail to affirmatively move forward on the program which was initiated by the Board, then NAACP would bring suit against the City.

Mr. John Steely appeared before the Board. Mr. Steely questioned whether Mr. Marion Woods should sit as a member of the Board inasmuch as Mr. Woods' term

on the Civil Service Board expired December 31, 1971. Mr. Woods showed Mr. Steely and read to members of the audience the opinion of the City Attorney which stated that members of the Civil Service Board continue to serve after the expiration of a specific term until reappointment of the incumbent or appointment of another person by the City Council.

Mr. Steely stated that he could find no justification for selective certification in the Equal Employment Opportunity Commission guidelines nor in the resolution adopted by the City Council and that the Civil Service Board would be in violation of its guiding laws.

Mr. Joe Cooper, President of the Sacramento Urban League, and Mr. Harry Osborne, representing the Sacramento Area Economic Opportunity Council, appeared before the Board in full support of the selective certification rule.

Mr. Yew pointed out the fact that, out of the four minority persons certified and hired, one would have been certified in the conventional manner. Therefore, only three persons were actually bypassed in the use of selective certification for Firefighter vacancies. President Woods and other Board members reported to the parties present that the subject of selective certification had been fully studied and reviewed; that public hearings were held on the proposed Affirmative Action program and on selective certification before their adoption, at which time it was specifically asked whether there were any objections to selective certification, and there were none; and that the Board then acted on August 3, 1971, to adopt the rule.

Thereupon, motion was made by Mr. Street that the three requests made by Mr. Thielen on behalf of his clients be denied. The motion was seconded by Mr. Yew, and the vote was as follows:

- Ayes: Members Street, Woods, Yew.
- Absent: Members Alexander, Reynoso.
- Noes: None.

After the conclusion of this item, at about 2:00 p.m., Mr. Reynoso appeared.

ELECTION OF OFFICERS - 1972 TERM

The following were unanimously elected to office for the 1972 term:

- President Joseph T. Yew
- Vice President James Alexander
- Retirement Board Representative Joseph T. Yew

APPROVAL OF MINUTES OF MEETING HELD DECEMBER 21, 1971

It was moved by Mr. Street, seconded by Mr. Woods, and carried by unanimous vote to approve the minutes of the meeting of December 21, 1971.

NEW EXAMINATIONS SCHEDULED

#1178 Refuse Collection Foreman (Promotional)
 #1182 Street Cleaning Foreman (Promotional)
 #1188 Administrative Assistant II
 #1189 Equipment Mechanic I
 #1190 Equipment Serviceman II (Open and Promotional)
 #1191 Assistant Landscape Architect
 #1192 Junior Typist-Clerk
 #1193 Intermediate Stenographer-Clerk
 #1194 Intermediate Typist-Clerk
 #1195 Senior Typist-Clerk (Open and Promotional)
 #1196 Supervising Dispatcher (Promotional)
 #1197 Senior Dispatcher (Promotional)
 #1198 Key Punch Operator I
 #1199 Junior Stenographer-Clerk
 #1200 Special Services Supervisor
 #1201 Key Punch Operator II (Open and Promotional)
 #1202 Auditorium Maintenance Man I
 #1203 Plant Operator I (Open and Promotional)
 #1204 Accounting Technician (Open and Promotional)
 #1205 Senior Stenographer-Clerk (Open and Promotional)
 #1206 Motor Sweeper Operator (Promotional)
 #1207 Fire Captain (Promotional)
 #1208 Police Sergeant (Promotional)

ELIGIBLE REGISTER ESTABLISHED

<u>Exam. No.</u>	<u>Classification</u>	<u>Date of Written Test</u>	<u>Effective Date</u>
#1156	Administrative Trainee	5-1-71	6-16-71

PROPOSED AMENDMENT TO CLASSIFICATION PLAN

Building Inspector - Condemned Buildings
 (Continued from December 21, 1971)

As requested by the Board at its previous meeting, the revised specification was resubmitted to the Board for consideration. Decision on this matter will be made at the next meeting.

It was reported to the members of the Board that the Executive Director of the Sacramento City Employees Association had requested that, hereafter, job specifications for classifications within its representation units be first presented to the members of Sacramento City Employees Association for consideration before consideration by the Civil Service Board. The City will comply with this request.

INFORMATIONAL REPORT ON EMERGENCY EMPLOYMENT ACT

The Secretary reported that the City of Sacramento was able to meet the December 31, 1971, deadline in filling the 56 positions under Section 5 of the Emergency Employment Act for which 2,600 applications were received.

The ethnic characteristic of the 56 hires under Section 5 of the Emergency Employment Act is as follows:

<u>Number Hired</u>	<u>Percentage of Total Hired</u>	
23	41%	Caucasians
33	59%	Minorities
		14 Black
		8 Spanish surname
		5 Japanese American
		4 Chinese American
		1 American Indian
		<u>1</u> Filipino
		33 Total minorities

The Secretary reported that the City had met each of the several criteria required by the Department of Labor in hiring under the Emergency Employment Act as follows:

<u>Number Meeting Criteria</u>	<u>Percentage of Total Hired</u>	<u>Criteria</u>
11	20%	Had taken Manpower Training Programs.
51	91%	Heads of households.
14	25%	Four or more dependents.) Average number of
28	50%	Three or more dependents.) dependents: 3
18	32%	On welfare.
25	45%	Veterans.
6	11%	45 years or older.
6	11%	Aerojet employees, all of whom had been cut back as the result of cancellation of a federal contract, hired as professionals.
5	10%	Under 21 years of age.
42	75%	Men.
14	25%	Women.
5	10%	Retired military, four of whom are minorities.

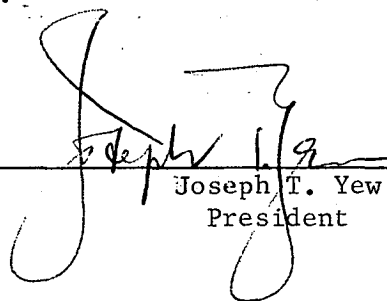
The Secretary reported that the City is now engaged in filling 37 positions under Section 6 of the Emergency Employment Act where candidates must be from the six high-unemployment areas in Sacramento as follows: Del Paso Heights-Robla, Oak Park, Natomas-Rio del Norte, Washington, Southside, and Glen Elder-Elder Creek.

The federal government had served notice that all EEA jobs must be filled by December 31, 1971; however, due to the fact that the Section 6 selection procedures were well underway, the City was successful in receiving a one-month extension to January 31, 1972, to fill these positions.

The meeting was adjourned at 3:30 p.m.



William F. Danielson
Secretary



Joseph T. Yew
President