

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING SEPTEMBER 18, 1973

The regular meeting of the Civil Service Board was called to order by President James Alexander at 1:45 p.m. in the Personnel Department Conference Room.

Present: James Alexander, Wilfred Street, Joseph Yew.
Absent: Frank Reynoso, Marion Woods.

The minutes of the meeting of September 4, 1973, were approved as presented.

NEW EXAMINATIONS ANNOUNCED

- #1291 Key Punch Operator I
- #1292 Key Punch Operator II (Promotional Only)
- #1293 Key Punch Supervisor (Promotional Only)

ELIGIBLE REGISTERS ESTABLISHED

- #1277 Recreation Supervisor I
- #1284 Assistant Planner
- #1296 Greenskeeper

EXTENSION OF ELIGIBLE REGISTER

Motion was made by Mr. Street, seconded by Mr. Yew, and carried by unanimous vote to extend the Eligible Register #1226, Sanitary Laboratory Technician, for an additional year from September 13, 1973, to September 13, 1974.

AMENDMENT TO CLASSIFICATION PLAN

Proposed Revision of Class Specification

- Car Pool Supervisor
- Assistant to the Art Gallery Director

A copy of the memorandum dated September 14 from Supervising Personnel Analyst to the Director of Personnel, together with the proposed revised job specifications, was presented to the Board. Mrs. Verna Banks, Personnel Analyst, was present to answer questions of the Board.

Final action on this item was held over to the next regular Board meeting in accordance with Board procedure.

REQUEST FOR REINSTATEMENT FOLLOWING RESIGNATION

Ruthmarie A. Stilwell, Senior Legal Stenographer

Mrs. Ruthmarie (Assad) Stilwell, who had resigned on November 25, 1972, to accept a position with a private law firm, requested to be reinstated to her former position of Senior Legal Stenographer. Mr. Jackson, City Attorney, recommended her reinstatement.

Motion was made by Mr. Yew and seconded by Mr. Street to approve Mrs. Stilwell's request. The motion was carried by unanimous vote.

REQUEST FOR LEAVE OF ABSENCE

Mary Mijares, Library Technician

Request for leave of absence from September 24, 1973, through August 31, 1974, from Mary Mijares to the City-County Librarian was presented to the Board. Mrs. Mijares wished to continue her education at the Graduate School of Library Science at Rosary College, Illinois. Mrs. Mijares' request had the approval of the City-County Librarian and the City Manager.

Motion was made by Mr. Street and seconded by Mr. Yew to approve Mrs. Mijares' leave of absence. The motion was carried by unanimous vote.

REQUEST FOR HEARING TO APPEAL MEDICAL REJECTION BY CITY PHYSICIAN

Roger Sharrer, Patrolman candidate

Appellant Roger Sharrer and his attorney, Mr. David P. Simmons, were present. Mr. Simmons informed the Board that Mr. Sharrer had been rejected for the position of Patrolman by the City Physician following his interpretation of Mr. Sharrer's back x-ray as revealing multiple spinal defects; that subsequent to his rejection, Mr. Sharrer consulted an orthopedic specialist and was advised that he would probably never have difficulty with his back; and that two such specialists would testify to that effect if a hearing is granted. Based upon Rule 9.5(j), which is quoted below, Mr. Simmons requested that a hearing be set for Mr. Sharrer.

Mr. Earl Simons, Safety and Training Officer, reviewed the physical and medical standards for the class of Patrolman, which states that "the physician may put any question, make any examination, and reject any candidate for any cause or defect that in his opinion would impair health or usefulness, as long as such is not unreasonable, capricious, or arbitrary." Mr. Simons also cited Rule 7.7 which states that "in the absence of specific medical standards for any class, the decision of the City Physician as to the medical fitness of any applicant for any position shall be final." However, Rule 9.5(j) states that "names of eligibles may be removed from an eligible list by the Personnel Director, subject to the eligible's right to appeal to the Board within a reasonable length of time after notification, for rejection by the City Physician in the medical examination." Mr. Simons expressed his concern that, if the Board were to hear this matter, Rule 7.7 would automatically be invalidated.

After discussion, motion was made by Mr. Street to calendar this matter again for the special meeting scheduled for Tuesday, September 25, for consideration. The motion failed due to lack of a second.

After further discussion, it was requested by the Board that Mr. Simmons and his client meet with the Personnel Department staff to arrange for an independent medical examination by a mutually agreed upon orthopedic specialist. It was stipulated by Mr. Simmons, on behalf of his client, and the City that the decision of the selected orthopedic specialist would be acceptable. If the result is favorable for Mr. Sharrer, he would then be placed back at his former place on the eligible register for Patrolman.

Motion was made by Mr. Street and seconded by Mr. Yew to postpone consideration of Mr. Sharrer's request for hearing until October 2, pending the results of the independent medical examination. The motion was carried by the following vote:

Ayes: Alexander, Street, Yew.
Absent: Reynoso, Woods.

Mr. Simons, Safety and Training Officer, then requested that a legal opinion be obtained from the City Attorney concerning the validity of Rule 7.7.

REQUEST FOR HEARING BY SACRAMENTO CITY EMPLOYEES ASSOCIATION TO APPEAL ALLOCATION DECISION RE AUTOMOTIVE STORES CLERK

Mr. Phillip Cunningham, Executive Director, Sacramento City Employees Association, requested a hearing concerning an allocation decision made by the Personnel Department. The Personnel Department, upon request by SCEA on behalf of Mr. Silva, ^{had} conducted a job audit on the position of Automotive Stores Clerk held by Mr. Silva. It was determined that the position held by Mr. Silva was properly classified and, therefore, the request for reclassification by SCEA was denied.

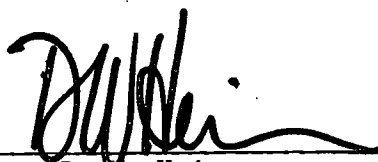
After discussion, motion was made by Mr. Street and seconded by Mr. Yew to deny the request for hearing. The motion was carried by the following vote:

Ayes: Alexander, Street, Yew.
Absent: Reynoso, Woods.

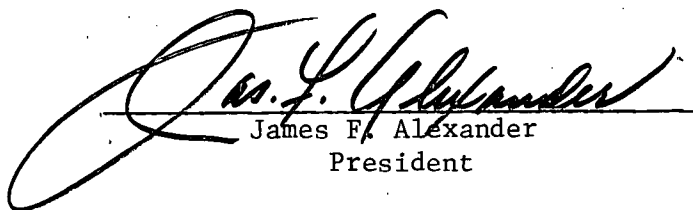
INFORMATIONAL STATEMENT FROM FIRE CHIEF POWELL

This matter was postponed until the next regular meeting.

The meeting was adjourned at 3:00 p.m.



D. W. Heins
Acting Secretary



James F. Alexander
President