

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
SPECIAL MEETING

May 17, 1939

The Civil Service Board met in special session in the office of the Board at 7:30 P.M.

PRESENT: Commissioner Deise and President Stacy.
ABSENT: None Commissioner Cavanaugh arrived at 8:00 P.M.

The minutes of the meeting held May 10, 1939, were ordered approved as read.

CAPTAIN-FIRE DEPT.
EXAMINATION #129

After reviewing questions in Fire Problems, Nos. 1, 2, 3, and 4, as given in this examination, it was the opinion of the

Board that the Chief of the Fire Dept. would be in a better position to key these problems than would the office; hence it was the order of the Board that the Fire Chief be requested to key the answers to these problems.

Mr. Cavanaugh arrived at 8:00 o'clock.

SILVA, GEORGE

Mr. Earl Desmond, Attorney, appeared with Mr. Silva and informed the Board that after interviews between Messrs. Silva

and Desmond with the City Manager, the City Manager had recommended to the Civil Service Board that instead of Mr. Silva being discharged that he be reclassified from the position of Auto Mechanic to Laborer-Handyman, a position to the latter classification being available in the Water Department. The Board members reviewed the above mentioned recommendation of City Manager Jas. S. Dean, dated April 27, 1939, which read as follows:

"On March 15, 1939 the Superintendent of the Corporation Yard and the Foreman of the Corporation Yard Machine Shop filed formal charges of inefficiency against Mr. George Silva of 3109 44th Street, who holds the classification of auto mechanic. He was suspended from the service effective April 1st, pending hearings to be held in this office on the charges."

"Mr. Silva placed his affairs in the hands of Mr. Earl Desmond, attorney, and since the date mentioned we have been negotiating through Mr. Desmond for some solution of the case. An agreement has finally been reached that the fairest method of solving the case is to transfer Mr. Silva to duty which would involve some knowledge of mechanical affairs but would not give him the full responsibility that falls upon a mechanic. A position is open in the Water Department that we desire to classify as Laborer-Handyman, in which the duties will be miscellaneous labor around the plant and occasional assistance with the equipment in a minor capacity. In our opinion, Mr. Silva is fully qualified for this. The salary to be paid will be \$140.00 per month.

"While I realize that this type of transfer is not as simple as it might appear, from your standpoint, I think if you will study carefully the history of the case and the conditions under which Mr. Silva received his appointment through Civil Service procedure as an auto mechanic, you will agree that the City service will be benefited by the change and that Mr. Silva has some rights in the matter which should not be ignored.

"Formal request is therefore made that Mr. Silva be reclassified from the position of auto mechanic at the Corporation Yard to that of Laborer-Handyman in the Water Department, effective Thursday, April 27, 1939. We hope that you will be able to comply with this request."

Mr. Desmond stated that in his opinion there existed some questions as to Mr. Silva's seniority as Auto Mechanic as compared to the seniority of Patrick F. Cummings. The employment history of each employee was carefully reviewed and Mr. Desmond contended that the seniority of Mr. Cummings was less than that of Mr. Silva and Mr. Desmond stated that he was interested in the following matters: (1) Whether Mr. Silva or Mr. Cummings held seniority as an Auto Mechanic and (2) whether Mr. Silva could retain his classification as an Auto Mechanic. In discussing the State of California Civil Service laws, Mr. Desmond stated that in his opinion the Civil Service Board had no right to classify employees and he thought there were legal cases to that effect. Mr. Desmond further contended that seniority began from date of classification and that a six months' probationary period should follow thereafter.

In discussing the point of seniority, Mr. Deise pointed out that many city employees were blanketed into Civil Service in 1928 with seniority being considered as from their original dates of appointment.

After discussion it was the order of the Board that the City Attorney be

May 17, 1939.

requested to submit an opinion relating to the seniority of Messrs. Cummings and Silva.

Prior to leaving, Mr. Desmond stated that he felt Mr. Silva should register protest against losing his classification as Auto Mechanic. Mr. Silva left the meeting with Mr. Desmond without mentioning such protest.

STRACHAN, JOHN R.

Classification

The Civil Service Board continued the discussion of Mr. Strachan's request for classification. At the request of Mr. Strachan that the Civil Service Board determine his true status at the beginning of his employment, investigation revealed that his duties were at that time substantially those of a Senior Clerk and, having served the one year of employment necessary to conform to the resolution adopted May 29, 1928, Mr. Cavanaugh moved that Mr. Strachan be given the classification of Senior Clerk as of May 1, 1925; seconded by Mr. Deise and unanimously carried.

Mr. Cavanaugh asked to be excused at this time.

CAMPBELL, WILLIAM K.

Upon receipt of additional medical examinations and reports from City Physician H. R. Johnson and Dr. Herbert F. True, City Health Officer, stating that Mr. Campbell's condition was not disqualifying as indicated in the original medical examination made by Dr. Johnson April 24, 1939, Mr. Deise moved that disapproval of his appointment, made May 3, 1939, be cancelled; seconded by Dr. Stacy, thereupon becoming the order of the Board.

DOYLE, CHARLES F.

The matter relating to the employment of Mr. Doyle as Senior Clerk in the Water Department as previously discussed was ordered continued.

NAMES OFF LISTS

The following names were removed from eligible registers either because of failure to report after being certified or because certifications were returned

May 17, 1939.

by postal authorities:

<u>Name</u>	<u>Eligible Register</u>
George L. Burke	Power Driven Equipment Opr. #88
Steve Gutowski	Lineman Eligible Register #86
Edwin R. Sikola	Lineman Eligible Register #86
Leo L. Wright	Power Driven Equipment Opr. #88

DEPARTMENTAL REPORTS
APPROVAL OF

The following reports received from departments were reviewed and ordered approved:

City Manager

Nathan, Birdie H. - Temp. Appt. 5/15/39 Stenographer @ \$120. Mo. from list.

City Planning Commission

Potter, Helena R. - Temp. Appt. 5/15/39 Junior Clerk @ \$110. Mo. from list.

Engineering Department

Hayes, Roy P. - Temp. Appt. 5/16/39 Lineman @ \$10.00 Day from App. Lineman list.
Prudhomme, Earle S. - Temp. Appt. 5/17/39 Apprentice Lineman @ \$5.00 Day.

Fire Department

Davis, Laurence A. - Prob. Appt. 5/1/39 Uniform Fireman @ \$170 Mo. from list.
Solem, Otto - Reinst. from layoff 5/1/39 as Engineer @ \$215. Month.
Willits, Geo. P. - Prob. Appt. 5/1/39 Captain @ \$225. Mo. from list.

Waste Removal Department

Baker, Harold - Temp. Appt. 5/11/39 Foreman, SRA Proj., @ \$5.00 Day.

Water Department

Campbell, Wm. K. - Temp. Appt. 4/21/39 Laborer @ \$5.00 Day, from list.

Leave of Absence

Rawle, Nelson M. - Six months' leave of absence from June 2, 1939.

Transfer

Plumb, Robert - Trans. 5/1/39 as Jr. Clerk from Realty Sales to Corporation Yard @ \$125. Month.

There being no further business, the Board adjourned at 11:00 P.M. to meet again at the Call of the Chair.

APPROVED:

Joseph T. Stary
President

H. H. Jaseneth
Secretary