

MINUTES OF CIVIL SERVICE BOARD  
CITY OF SACRAMENTO  
REGULAR MEETING            SEPTEMBER 7, 1971

The Civil Service Board met in regular session in the City Hall Council Chambers at 1:30 p.m. with President Woods presiding. Minutes of the previous meeting were approved as presented to the Board.

Present: Members Alexander, Street, Woods, Yew.

Absent: Member Reynoso

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam. No.</u>	<u>Class Title</u>	<u>Date of Written Test</u>	<u>Effective Date</u>	<u>Expiration Date</u>
1128	Librarian III	8/26/71	8/26/71	8/25/72
1168(C)	Patrolman	7/17 & 8/14/71	8/24/71	8/23/72
1168(D)	Patrolman	8/14/71	9/ 2/71	9/ 1/72
1168(E)	Patrolman	8/28/71	9/ 3/71	9/ 2/72

The Secretary reported to the Board that three names from the Patrolman (A) and (B) lists and eight names from the Patrolman (C) list have been selectively certified to the Police Chief to date, and that further selective certification would be made from the Patrolman (D) and (E) registers.

EMPLOYEE STATUS FOLLOWING POSITION REALLOCATION

Norma J. Goode, Intermediate Stenographer-Clerk

Recommendation was made by the Data Processing Manager for the reallocation of the position of Junior Stenographer-Clerk, currently held by Norma J. Goode, to Intermediate Stenographer-Clerk. Mrs. Goode had served the required length of time to qualify her for this reallocation.

Motion was made by Mr. Street and seconded by Mr. Alexander to grant the request for reallocation of Mrs. Goode to the higher classification of Intermediate Stenographer-Clerk, with probationary status, effective September 1, 1971. The motion was carried by the following vote:

Ayes: Members Alexander, Street, Yew.

Absent: Members Reynoso, Woods.

REQUEST FOR HEARING TO APPEAL MEDICAL REJECTION FOR PATROLMAN

Raymond F. Pfeifer, Applicant

Communication from Raymond Pfeifer, dated August 24, 1971, requesting a hearing to appeal medical rejection by the City Physician due to his 1-Y Selective Service status was considered.

After discussion, it was moved by Mr. Street that this matter be placed on a future agenda until such time as the Secretary writes to and receives answers from the City Physician to the following questions: (1) Did Mr. Pfeifer or any of the other candidates who have written letters regarding their Patrolman medical examination by Dr. Brown have any other physical problems besides having the 1-Y military status? (2) What is the 1-Y status? (3) Has Dr. Brown passed anyone with a 1-Y draft status? The motion was seconded by Mr. Yew and carried by the following vote:

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

PRESENTATION OF NEW CLASSIFICATIONS FOR ADOPTION

Assistant Landscape Architect  
Special Services Supervisor

DELETION FROM CLASSIFICATION PLAN

Special Services Foreman

It was the decision of the Board to consider the above-listed new classifications and proposed deletion at its next scheduled meeting on September 21, 1971.

CIVIL SERVICE BOARD RULE CHANGES

Rule 6.3(d) Disqualification due to conviction of felony or misdemeanor

Communication was presented to the Board from the Personnel Officer dated August 10, 1971, proposing a rule change whereby a person who had been convicted of a felony or a misdemeanor would not be automatically disqualified unless the conviction showed evidence that the particular position for which the candidate is applying would be affected.

Communication from the Assistant City Controller, Frank Mugartegui, dated August 30, 1971, which reported the effects of this change on the City's Public Employees Blanket Bond, was also presented to the Board.

After consideration, motion was made by Mr. Alexander and seconded by Mr. Street to adopt the language of Rule 6.3(d) as recommended by Labor Relations Counsel John Liebert. The motion was carried by the following vote:

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

Rule 6.3(d) shall read as follows:

"6.3 Disqualification. The Personnel Officer may disqualify an applicant or a candidate, or remove a name from the eligible list for employment for any of the following reasons:

"(d) Conviction of a crime that evidences a lack of fitness for performing the responsibilities of the particular position."

Rule 20.4 Deletion of rule on "Holidays"

The Secretary explained that the City Council had adopted Ordinance No. 3021 on August 12, 1971, setting forth the holidays to be observed by City employees; therefore, Rule 20.4 of the Civil Service Board's Rules and Regulations had been superseded and should be deleted from the Rules and Regulations.

Motion was made by Mr. Street and seconded by Mr. Yew that the rule on "Holidays" be deleted from the Rules and Regulations of the Civil Service Board. The motion was carried by the following vote:

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

Rule 21.5 Amendment of Residence rule

Revision of this rule was overlooked at the time amendment was made to Rule 6.1 on residence restriction, and the proposed amendment to Rule 21.5 was presented to the Board for adoption at this time.

Mr. Street moved to adopt the revision of Rule 21.5 as presented to the Board, which is as follows:

"21.5 Residence: Residence outside the twenty-five (25) air-mile limitation, except as permitted under 6.1(a) of these rules, shall be cause for the discharge from employment of any person employed by the City, or for removal of the name of such person from any eligible or reinstatement list."

The motion was seconded by Mr. Yew and carried by the following vote:

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

SACRAMENTO PLAN FOR EQUAL EMPLOYMENT OPPORTUNITY IN THE PUBLIC SECTOR

Further discussion of the Sacramento Plan for Equal Employment Opportunity in the Public Sector had been carried over from the meeting of August 20 in order to permit discussion and comment by Mr. Woods and Mr. Reynoso who were absent on August 20.

Questions were addressed to members of the Board and the Secretary concerning the implementation by the City of Sacramento of the Emergency Employment Act (EEA).

The Secretary reported to the Board that under the EEA the City of Sacramento is to receive \$434,000, from which twenty percent is to be earmarked for other agencies. From the balance, administrative expenses are to be paid as well as the salaries for those selected to fill the anticipated fifty-seven positions to be filled under this grant. These positions will be exempt and limited term. The EEA guidelines state specifically that not more than one-third of the positions are to be established in professional classifications. Preference in selection for EEA positions is to be given to returned Vietnam veterans, to disadvantaged persons,

and to minority persons. Approximately twenty-five positions will be in unskilled, semi-skilled, or trainee level categories.

The Secretary further explained that this Act was to provide employment quickly; therefore, the City's departments were requested to identify positions within their departments which could be filled under this grant. He further explained that the City would use existing eligible lists as a source to fill some EEA positions inasmuch as, by this procedure, those so selected would have a greater chance of becoming career employees.

Both Mr. Alexander and Mr. Street felt that the Civil Service Board had no jurisdiction in this matter but that the Board's role could be that, when an opening in the City's classified service occurs hereafter, it would have the responsibility of making sure that the trainee persons hired under EEA would be considered for filling these openings.

Staff members of the Sacramento Area Economic Opportunity Commission and the Oak Park Neighborhood Council were in attendance. Suggestions were made that trainee slots be included in the City's EEA appointments, and that civil service educational requirements be waived to the extent possible.

Concern was expressed by Mr. Woods that, since the deadline for the EEA application is Friday, September 10, 1971, input to the City's application should be made immediately. Mr. Woods suggested that if this cannot be done through the Civil Service Board, then perhaps suggestions regarding the City's application could be made individually.

REQUEST FOR HEARING REGARDING BENEFITS AND RIGHTS AS REINSTATED EMPLOYEE  
Elbert Johnson, Patrolman

Communication dated July 26, 1971, from Elbert Johnson to President Marion Woods requesting that the Board institute proceedings to secure seniority rights and benefits as a reinstated employee from September 17, 1961; all back pay, pay increases and other benefits accrued as a result of his seniority; and all legal fees and expenses expended in correcting what Mr. Johnson feels as an injustice against him was presented to the Board at the meeting of August 17. The matter had been tabled pending a legal opinion from the City Attorney's office.

Labor Relations Counsel John Liebert, by his legal opinion dated August 24, 1971, stated that the Board had conducted a hearing (January 28, 1969) to determine whether or not Mr. Johnson should be placed on the reinstatement list. It had been the unanimous decision of the Board to allow Mr. Johnson to be placed on the reinstatement list with the condition that the City shall not reimburse him for back-pay or for other expenses incurred by him. The Board was officially advised in the legal opinion written by Mr. Liebert that the Civil Service Board had no further jurisdiction in this matter.

A motion was made by Mr. Street that the request of Mr. Johnson be denied, and the motion was seconded by Mr. Alexander. The motion failed due to tie vote as follows:

Ayes: Members Alexander, Street;  
Noes: Members Woods, Yew.  
Absent: Member Reynoso.

A motion was then made and seconded to place this matter on the agenda of the next meeting, which was carried by unanimous vote.

CERTIFICATION IN THE ABSENCE OF AN ELIGIBLE LIST

Stores Clerk from Property Clerk I Eligible Register #1101

Communication from the City-County Librarian, Mr. Harold Martelle, dated September 2, 1971, requesting permission for certification from the higher eligible list of Property Clerk I to fill the position of Stores Clerk was considered. At present there is no eligible list for Stores Clerk.

Motion was made by Mr. Street and seconded by Mr. Alexander that approval be given to certify candidates from the Property Clerk list to fill the Stores Clerk position at the Library. The motion was carried by the following vote:

Ayes: Members Alexander, Street, Yews.  
Noes: Member Woods.  
Absent: Member Reynoso.

The meeting was adjourned at 4:00 p.m.

William P. Davidson  
S E C R E T A R Y

Marion J. Woods  
P R E S I D E N T