

MINUTES OF CIVIL SERVICE BOARD  
CITY OF SACRAMENTO  
REGULAR MEETING SEPTEMBER 8, 1976

The regular meeting of the Civil Service Board was called to order by President Jimmie R. Yee at 1:30 p.m. in the Personnel Department Conference Room, 801 Ninth Street.

Present: Oreitha Eggleston-Hausey, Alba Kuchman, Wilfred Street, Ronald Wright, Jimmie Yee.

Absent: None.

MINUTES OF REGULAR MEETING OF AUGUST 3, 1976; SPECIAL MEETING OF AUGUST 10, 1976;  
AND REGULAR MEETING OF AUGUST 17, 1976

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Approved as submitted.

REQUEST FOR HEARING TO APPEAL DISCIPLINARY ACTION (TERMINATION)  
Robin Palmer, Police Officer

Ms. Robin Palmer, a Police Officer serving her probationary period, was terminated from her position effective close of business, August 6, 1976. The reason for her termination was that her performance did not meet the standards for Police Officer.

Attorney William M. Lyons of the law firm of John E. Virga appealed the termination on behalf of Ms. Palmer by letter of August 20, 1976. Mr. Lyons alleged in his appeal letter that Ms. Palmer had been dismissed because of sexual discrimination.

It was the staff recommendation that the request for hearing be denied inasmuch as both the City Charter and the Civil Service Board Rules prohibit appeals from dismissal during the probationary period. Deputy City Attorney Elizabeth Hassard Silver reviewed Charter Sections 47 and 49. She informed that the Board did not have jurisdiction in this case. She further informed the Board that in a previous, similar case, the Superior Court had ruled against the Board when such a request for hearing had been granted and the City Manager, subsequently, had taken the matter to court to challenge the Board's decision.

After discussion, Mr. Wright moved to continue this matter to the next regular meeting and to request the Board's counsel to prepare a written opinion as to the Board's jurisdiction, together with other court decisions, etc., pertinent to the case. The motion was seconded by Mrs. Kuchman and carried by the following vote:

Ayes: Hausey, Kuchman, Wright, Yee.

Noes: Street.

Attorney Virga, who was present to represent Ms. Palmer, indicated that he also would prepare his points and authorities in the matter.

ELIGIBLE REGISTERS ESTABLISHED

<u>Exam.</u>	<u>Class Title</u>	<u>Effective</u>	<u>Expiration</u>
#1321-F	Police Officer	8/20/76	8/19/77
#1456-A	Assistant Box Office Supervisor	8/27/76	8/26/77
#1470	Zoo Attendant II	8/27/76	8/26/77

EXTENSION OF ELIGIBLE REGISTERS DENIED

- a. #1412 Police Lieutenant (continued from 8/17/76)
- b. #1408 Police Sergeant (continued from 8/17/76)

As requested by the Board on August 17, a written statement was received from the Chief of Police which indicated his concurrence with the staff recommendation that the eligible list (#1412) for Police Lieutenant be extended to May 10, 1977.

The Police Chief's statement also indicated that he recommended that the Police Sergeant list (#1408) not be extended.

Attorney Melvyn CoBen, on behalf of Sergeants Fontaine and Ledbetter, requested that the Police Lieutenant list be extended; Attorney Dave Simmons, representing the Sacramento Police Officers Association, was opposed to its extension.

After discussion, Mr. Street moved that neither the Police Lieutenant list nor the Police Sergeant list be extended. This motion failed due to lack of a second.

Mrs. Hausey moved that the extension of the Police Lieutenant eligible list #1412 be denied. Mr. Street seconded the motion which carried by the following vote:

Ayes: Hausey, Street, Wright.

Noes: Kuchman, Yee.

Mr. Wright moved that, with regard to police and fire lists, eligible registers not be allowed to expire until a succeeding list is established; that the Police Lieutenant and Police Sergeant lists be established as quickly as possible.

Mr. Street seconded the motion which carried by unanimous vote.

No action was taken on the Police Sergeant list (#1408); therefore, the list will expire as of September 9, 1976.

EXTENSION OF ELIGIBLE REGISTERS APPROVED

#1427	Library Assistant I	from 9/10/76	to 3/22/77
#1428	Library Page	from 9/9/76	to 3/22/77

Mr. William Woska, Personnel Management Administrator, reported that the County Library Assistant I list and the Library Page list, which the City has been authorized by the Civil Service Board to use for City appointments, had been extended by the County to March 22, 1977. It was therefore requested that the Board extend the two lists to correspond with the County's action.

Mr. Wright moved to extend the above lists as requested. Mrs. Kuchman seconded the motion which carried by unanimous vote.

Mr. Wright further moved that a letter be sent to the County Civil Service Commission requesting that the City Civil Service Board be notified of any contemplated action where a joint list is utilized and, conversely, the City would do so. Mrs. Kuchman seconded the motion which carried by unanimous vote.

NEW EXAMINATIONS ANNOUNCED

#1479 Building Inspector II (Promotional)

Motion was made by Mr. Wright, seconded by Mrs. Hausey, and carried by unanimous vote to approve this announcement.

#1482 Plant Operator III (Promotional)

#1482 Plant Operator II (Promotional)

Motion was made by Mr. Wright, seconded by Mr. Street, and carried by unanimous vote to approve the above two announcements.

#1481 Fire Captain (Promotional)

Mr. William Woska, Personnel Management Administrator, reviewed the history of the promotional Fire Captain examination requirements from 1971 to date:

Fire Captain Promotional Examination No. 1207, December 31, 1971, revised February 15, 1972, required three years of active service in the Sacramento Fire Department as a Firefighter, Deputy Fire Marshal or Fire Engineer. The announcement recommended that applicants who are appointed complete four college level fire science courses with a passing grade: Fire Tactics and Strategy; Fundamentals of Fire Prevention; Techniques of Management; Fire Hydraulics. The announcement stated that "future promotional examinations for Fire Captain will have a firm requirement of successful completion of the indicated courses."

Fire Captain Promotional Examination No. 1319, January 8, 1974, required the following: "Candidates appointed to the class of Fire Captain as a result of this examination must complete the following four college level courses. The four courses must be completed with a passing grade. Candidates who have not completed the four courses must do so within two (2) years of appointment to the class of Fire Captain. Failure to comply with this provision shall result in automatic demotion.- Fire Tactics and Strategy, Fundamentals of Fire Prevention; Fire Hydraulics, Techniques of Management. Effective January 1, 1976, all candidates must have completed the above courses with a passing grade to qualify to take the examination for Fire Captain."

Fire Captain Promotional Examination No. 1402, May 6, 1975, contained the same requirements as Examination No. 1319 and stated that "Effective January 1, 1976, all candidates must have completed the above courses with a passing grade to qualify to take the examination for Fire Captain."

Mr. Woska stated that in accordance with the adopted policy of the Civil Service Board and the notice which has been given to members of the Sacramento Fire Department during the previous five years, the proposed examination announcement for the Fire Captain Promotional Examination No. 1481 requires completion of 12 units of a fire science curriculum as of October 30, 1976, which must include the following courses: Fire Tactics and Strategy, Fundamentals of Fire Prevention, Fire Hydraulics, Techniques of Management.

Mr. Ed Merrill, representing I.A.F.F. Local 522, discussed the concern of Local 522 that Charter Section 44 requires all members of the Sacramento Fire Department with three years of service be eligible to take the promotional examination for Fire Captain.

Upon request of the Board, Deputy City Attorney Elizabeth Hassard Silver stated that Charter Section 44, referenced by Local 522, provides that "the Civil Service Board shall, by rule, establish regulations for promotional eligibility, except that in the Police and Fire Departments all hired uniformed positions in the classified service shall be filled from eligible registers established as a result of promotional examination only, and no member shall be eligible for promotion to a higher class until he has served at least three years in such department and that in subsequent promotions the member must have held the rank from which he is promoted for at least two years." Deputy City Attorney Silver said that the Charter Section requirement of three years service was a minimum and that the Board could provide for additional educational requirements if the Board chose to do so.

Mr. Danielson, Director of Personnel, discussed the reasons as to why the Fire Chief initially had requested the educational requirements be added to the promotional examination process for Fire Captain. He identified the Fire Captain as the first-line supervisor, commanding a fire company on an assigned shift and the importance of the Fire Captain having the supervisory and management training included within the three fire science courses plus the management course.

Mr. Woska reported that he had discussed this matter with the Fire Chief and that it was Fire Management's position that the previously adopted educational requirements for the Fire Captain examination were necessary and should be retained.

After discussion, Mr. Wright moved to approve the Fire Captain promotional examination #1481 as amended to eliminate the educational requirements and to substitute the language, "ability to read and write the English language at a level necessary for efficient job performance." The motion was seconded by Mrs. Hausey and carried by the following vote:

Ayes: Hausey, Street, Wright.

Noes: Kuchman, Yee.

Mrs. Kuchman argued, prior to Board action, that action be deferred for (1) a report from the secretary showing equivalency of on-the-job experience vs. education; (2) recommendation from Fire Management; and (3) recommendation by the Board for a classification study. However, no action was taken by the full Board.

Mr. Wright then moved that the Personnel Department staff report to the Board desirable educational requirements necessary for the performance of the duties of the entry-level class of Firefighter. The motion was seconded by Mrs. Hausey and carried by the following vote:

Ayes: Hausey, Street, Wright.

Noes: Yee.

Abstained: Kuchman.

Mr. Woska was requested by the Board to review the appointments made from the previous eligible list for Fire Captain and to obtain information regarding the attainment of the educational requirements by those who had been appointed from that list.

A condition of appointment of Fire Captains from the previous list (Examination No. 1319) and the current list (Examination No. 1402) is that persons appointed to the rank of Fire Captain must complete the specified four college level courses within two years or be demoted automatically to the rank previously held. Mr. Woska was requested to identify whether persons appointed to Fire Captain have completed the required courses and if not, whether if two years had elapsed such persons had been demoted.

REQUEST TO CERTIFY FROM TRAFFIC CONTROL FOREMAN ELIGIBLE REGISTER TO FILL TRAFFIC CONTROL MAINTENANCE MAN III POSITION IN ACCORDANCE WITH CIVIL SERVICE BOARD RULE 11.6, "CERTIFICATION IN ABSENCE OF ELIGIBLE LIST"  
(continuation from 8/17/76)

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Subsequent to the meeting of August 17, all persons in the class of Traffic Control Maintenance Man II were notified concerning the request before the Board and that Board action would take place at this meeting. The three Traffic Control Maintenance Men II who had not applied for and did not take the recent Traffic Control Foreman examination had not contacted the Director of Personnel concerning their possible objection to this matter.

Mr. Cereani, however, who had taken the Traffic Control Foreman examination and who placed on the eligible list, appeared before the Board to raise his objection to the City's not conducting an examination for the III level.

After discussion, Mr. Street moved to deny the request to certify from the Traffic Control Foreman eligible list to fill a Traffic Control Maintenance Man III position. The motion was seconded by Mrs. Hausey and carried by the following vote:

Ayes: Hausey, Street, Wright, Yee.

Noes: Kuchman.

VOLUNTARY DEMOTION APPROVED

Fred G. Gonzales, Senior Dispatcher-Clerk to Dispatcher Clerk

Mr. Gonzales' request for voluntary demotion had the approval of the Chief of Police. The staff recommendation was for the Board to approve the request with permanent status at Step "E" (\$1011 per month) of the Dispatcher-Clerk salary range.

Mr. Wright moved to approve the voluntary demotion as recommended by staff. Mr. Street seconded the motion which carried by unanimous vote.

REQUESTS FOR LEAVE OF ABSENCE AND/OR EXTENSION APPROVED

It was moved by Mr. Wright, seconded by Mrs. Hausey, and carried by unanimous vote to approve the following leaves of absence and/or extensions:

<u>Employee</u>		<u>From</u>	<u>To</u>
a. Louise M. Bullard Library Technician I	Leave of Absence Extension	9/1/76	11/30/76
b. Rachel Crane Parking Meter Checker	Leave of Absence	9/7/76	3/23/77
c. Joe A. Marquering Engineering Technician	Leave of Absence Extension	9/13/76	6/11/77
d. Brinda Siegal Junior Typist-Clerk	Leave of Absence	9/13/76	9/11/77

VOLUNTARY DEMOTIONS AS A RESULT OF SPECIAL TRANSFER PROGRAM APPROVED

Mr. Danielson informed the Board that the City Council in executive session on August 24, 1976, took the action to recommend to the Civil Service Board the use of the "y-rate" for the Street Cleaning/Waste Removal employees whose positions are affected by the consolidation of the two functions. It was reported that employees in the Street Cleaning/Waste Removal Division were reluctant to transfer voluntarily to other lower-paying positions which are open in other divisions or departments. With the "y-rate" policy, it was anticipated that more employees would request transfers and may possibly enable the City to avoid layoffs.

Mr. Wright moved that the requests for voluntary demotion as a result of the special transfer program following the consolidation of the Street Cleaning and Waste Removal functions be approved at the "y-rates" listed below. The motion was seconded by Mr. Street and carried by the following vote:

Ayes: Hausey, Street, Wright, Yee.  
Noes: Kuchman.

	<u>"Y-Rate"</u>
a. Rodney Coons, from Maintenance Man (Truck Driver) to Traffic Control Maintenance Man I at Step "C"	\$ 972 per month
b. Joseph W. Harmon, from Maintenance Man (Truck Driver) to Maintenance Man II at Step "E":	1071 per month
c. Ronald Davie, from Refuse Collector to Parking Lot Attendant at Step "E" (voluntary demotion approved by Civil Service Board on 7/20/76)	1009 per month
d. Jose Arellano, from Refuse Collector to Maintenance Man I at Step "C"	830 per month

NEW EXAMINATION TO BE ANNOUNCED

Entry-level Career Employment

- (1) Civil Service Rule Amendment (7.5) - third reading
- (2) Examination Announcement - third reading

Mr. Woska informed the Board that as a result of Board discussions and concerns at its previous meetings, the staff would return with two separate examination announcements for the Traffic Control Maintenance Man I class and for the Plant Operator I class. He reported that he would recommend that the Water and Sewer Serviceman I class be included with the group of classes for the proposed entry-level examination.

Following a review of the performance levels of the Traffic Control Maintenance Man I and the Plant Operator I classes, Mr. Wright moved that the proposed Civil Service Rule 7.5 and the examination announcement for the 14 classes for the entry-level career employment be approved. Mrs. Hausey seconded the motion which carried by the following vote:

Ayes: Hausey, Kuchman, Street, Wright.  
Noes: Yee.

The new Rule 7.5 shall read as follows:

7.5 Test for Entry-Level Classifications. Applications for positions in entry-level classifications shall be taken under an announcement notice entitled "Entry-Level Career Employment." Said announcement notice shall indicate the types of work for which certification shall be made.

The following factors will be considered in declaring classifications to be within this rule:

- (a) Classifications will be within the same general occupational category.
- (b) The qualification standards for each classification will be essentially the same.
- (c) The knowledges, abilities, and skills necessary to perform the work in a competent manner may be acquired during the probationary period.

One examination and a single eligible list shall be established from which certification shall be made for the types of work identified in the announcement notice and approved by the Civil Service Board. Normal certification procedures shall apply in certifying eligibles to vacant positions.

7.55 Appointment to Permanent Position. Upon appointment to a permanent position, the person appointed will have his/her name removed from eligible lists established under Civil Service Board Rule 7.5.

RANDOM SELECTION  
#1464 Gardener

Mr. Street assisted Mr. Rob Lee of the Personnel Management Services Division staff in the random selection procedure for Gardener. Thirty numbers were randomly selected. There were 153 applicants meeting the desirable qualifications for


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Gardener; 34 current employees were excluded from the random selection process and automatically invited to the next phase of the examination.

The meeting adjourned at 5:00 p.m.

  
William F. Danielson  
Secretary

  
Jimmie R. Yee  
President