

MINUTES OF CIVIL SERVICE BOARD
CITY OF SACRAMENTO
REGULAR MEETING JULY 18, 1978

The regular meeting of the Civil Service Board was called to order by President Ronald Wright at 1:40 p.m. in the Personnel Department Conference Room, 801 Ninth Street.

Present: Juanita Damerell, Luis Campos, Wilfred Street, Ronald Wright.
Absent: Donna Giles.

MINUTES OF JUNE 27 SPECIAL MEETING AND JULY 5 REGULAR MEETING:

Approved as submitted.

REPORTS OF DIRECTOR OF PERSONNEL

a. Director of Personnel William Danielson indicated that the 1978-79 budget has been adopted by the City Council, and new firefighters can now be hired. Staff indicated that the recently suspended examination process for Firefighter will be renewed.

Staff proposed to retest the candidates who failed the physical agility test held on April 1, 2, and 8, 1978. Those who are to be retested will be informed that the passing score would be 1' 55.1", which was the passing score for those who took the test in April. The Firefighter physical agility test is scheduled for August 5, 1978.

Discussion was held by the Board with three women candidates who were present.

MOTION: Mrs. Damerell moved to approve the procedure proposed by the Personnel Department staff to retest the candidates who had been disqualified from the Firefighter physical agility test held in April to resolve the appeals received by the Civil Service Board concerning the Firefighter agility test. The candidates are to be informed of the passing score of 1' 55.1" covering the six events of the agility test. The date of the retesting is to be August 5, 1978.

SECOND: Mr. Street.

CARRIED: Unanimous vote.

b. The request for hearing from Maurice A. Miller, Park Maintenance Worker II, was granted by the Director of Personnel, as agent for the Board. The hearing is scheduled before an Administrative Law Judge on Thursday, October 5, 1978.

c. Review of Personnel Sections of the City Charter by the Personnel and Public Employees Committee

A copy of the memorandum dated July 14, 1978, to the Personnel and Public Employees Committee of the City Council from William F. Danielson, Director of Personnel, concerning "Review of Personnel Sections of the City Charter: Coverage of Employees Under City Civil Service System" was provided Board members for their information. Board members were informed that the Committee will consider the report at its meeting on July 28, 1978.

d. A memorandum dated July 12, 1978, from William Woska, Personnel Management Administrator, to Department Heads and Division Chiefs concerning his division's staff assignments was provided Board members for their information.

PROPOSED DECISION OF ADMINISTRATIVE LAW JUDGE IN THE MATTER OF THE APPEAL OF CHARLES D. LONG, DISPATCHER-CLERK, POLICE DEPARTMENT

MOTION: Mr. Street moved to adopt the Administrative Law Judge's recommendation to deny the appeal of Charles D. Long.
SECOND: Mrs. Damere11.
CARRIED: Unanimous vote.

AMENDMENT TO CLASSIFICATION PLAN

Proposed Revision/Title Change of Class Specifications

- a. Golf Course Foreman)
- b. Landscape Architect : second reading
- c. Assistant Landscape Architect)

MOTION: Mr. Street moved to approve the above-listed specification revisions.
SECOND: Mrs. Damere11.
CARRIED: Unanimous vote.

- d. Parking Meter Foreman)
- e. Parking Meter Repairman to : first reading
Parking Meter Repair Worker)

Mr. Robert Coons, Associate Personnel Analyst, explained the changes to up-date the specifications and to change "Repairman" to "Repair Worker". He also explained that the security of the collected coins is being reflected in the specification.

According to Board procedure, this item was held over to the next regular meeting.

REQUEST FOR HEARING TO APPEAL DECISION OF QUALIFICATION APPRAISAL BOARD FOR PLANT OPERATOR I

John D. McMahon

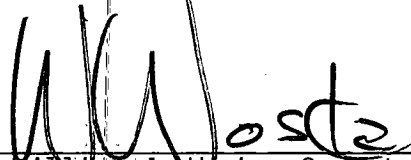
This item was withdrawn by letter received by the Personnel Department on July 17, 1978, from Wesley A. Keyson of Stationary Engineers Local 39, representing Mr. McMahon.

CONTINUATION OF HEARING TO APPEAL POSITION ALLOCATION AS A RESULT OF THE
OPERATIONS AND MAINTENANCE CLASSIFICATION STUDY

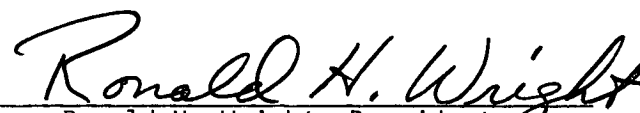
Tony Freitas, General Repairman

The hearing for Mr. Freitas was held on June 27, 1978, with four members present. As both motions failed by two-to-two vote, it was decided that Mr. Street would listen to the tape recording of the hearing prior to casting his vote. This matter was postponed to the next regular meeting as Mr. Street had not had the opportunity to do so to date.

The meeting adjourned at 2:45 p.m.



William J. Woska, Secretary



Ronald H. Wright, President

RECEIVED
JUL 5 1978
PERSONNEL DEPT.

BEFORE THE
CIVIL SERVICE BOARD
CITY OF SACRAMENTO
STATE OF CALIFORNIA

In the Matter of the Appeal)
of:)
CHARLES D. LONG) CSB NO. HO-78-6
Dispatcher Clerk) OAH No. N-11263
Police Department)

PROPOSED DECISION

The above-entitled matter came on for hearing before Charles H. Bobby, an Administrative Law Judge of the Office of Administrative Hearings, on May 22, 1978 in Sacramento, California.

Appellant Charles D. Long was present but was not otherwise represented.

The Appointing Authority was represented by Daniel W. Bonebrake, Employee Relations Representative, City of Sacramento.

Evidence was received, the hearing was closed and the matter was submitted.

The Administrative Law Judge certifies this decision and recommends its adoption.

FINDINGS OF FACT

I

During the period June 8, 1974 through February 20, 1978 Appellant Charles D. Long was an employee of the City of Sacramento Police Department as a Dispatcher Clerk.

II

On February 20, 1978 Appellant was served with a written notice of termination from employment for cause, as follows:

- (a) Rule 17.2(b). Incompetence.
- (b) Rule 17.2(c). Inefficiency in performance of

work which results in performance lower than that which is typically expected of a similar employee in a similar position.

III

The factual grounds alleged in the notice of termination are:

"(a) On June 8, 1974, you began work with the Sacramento Police Department as a Relief Dispatcher Clerk. On August 31, 1974, you were appointed to a probationary Dispatcher Clerk position. Your primary duties as a Dispatcher Clerk included working in the radio room, at the complaint desk, and at the teletype.

"(b) On October 1, 1977, you were assigned to the radio console for radio training. You entered into the normal training program for new Dispatcher Clerk and were assigned to a Trainer Dispatcher Clerk.

"During the following six weeks you failed to attain the proficiency normally reached by new dispatcher trainees in their first or second week of training. You consistently failed to hear units call in on the radio; your manual dexterity was slow, inefficient and below acceptable standards; you failed to retain information as to unit status, and location as required; and you were unable to accomplish more than one task at a time. You were counseled daily on these particular deficiencies. However, your manual dexterity, memory retention, and ability to do more than one task at a time while in the radio room have consistently remained below an acceptable standard or acceptable level. Although you are not a probationary employee, you have failed to attain even a marginal ability to work in radio without constant supervision or assistance in the six weeks of training.

"(c) The nature of the Dispatcher Clerk's duties in the radio room is such that life or death situations could erupt at any moment. It is essential for all Dispatcher Clerks to be able to perform many simultaneous tasks as well as hear all incoming transmissions pertaining to the position assigned in radio.

"On November 10, 1977, a hearing test was administered by the Sutter Diagnostic and Treatment Center.

"On November 28, 1977, you were seen by Dr. Patrick Clancy for further evaluation of your hearing problems. Dr. Clancy referred you to Dr. Gary Thomas, an ear, nose and throat specialist, for specific testing and evaluation of your hearing.

"On December 2, 1977, you were seen by Dr. Thomas. He stated in a letter to Mr. Earl Simons, Safety Officer for the City of Sacramento, that the hearing in your right ear was only 44% for speech discrimination in that, although you can hear the sound of speech, you cannot discriminate or understand the words that are spoken at normal speech volume.

"(d) At approximately 1130 hours on November 17, 1977, you had a conversation with your immediate supervisor, Senior Dispatcher, P. Ferguson, regarding radio training. You told her you knew you were not making required progress in radio, stating you did not know whether it was due to a hearing deficiency, age or what. You also expressed concern for your trainers and fellow employees, stating you were "wasting their time". You further stated that you did not care if you were fired or not "because it just wasn't worth it."

"(e) At approximately 1230 hours, November 17, 1977, you requested orally and in writing to Lieutenant S. Somers that you be taken out of radio training, stating "... I cannot seem to stay abreast of the operator position." You further alluded to deteriorating health problems. You were counseled at that time and advised that if you could not perform in radio, you would not be able to retain your position as a Dispatcher Clerk and that action would have to be instituted against you. You stated at that time that it did not matter as your health was too valuable to continue in radio. Your request to be taken out of radio training was granted.

"(f) Specifications for Dispatcher Clerk assigned to the Police Department requires the use of considerable independent judgment to determine degrees of emergency calls and dispatch units accordingly; maintain status of units in the field; relay radio calls from or to police units; provide cover and secondary response for primary units; and make proper disposition of calls in accordance with established regulations and procedures.

"You have been unable to accomplish the required duties in radio and have remained at an unsatisfactory level even though you have been advised continually of your deficiencies."

IV

On March 6, 1978 Appellant filed his written appeal and request for hearing and contended (in material part):

"This appeal is based on the fact that the Sacramento Police Department was negligent in fulfilling training requirements during the six (6) months probationary period of employment."

"I do feel I am capable of performing some other duty within the city system that does not require such critical hearing ability, and should be considered for such duty."

V

At the hearing the Appellant stipulated that the factual allegations of the Notice of Termination are true (Exhibit 2).

VI

Appellant contends that the City should have continued him in employment in another position for which he is qualified.

VII

The evidence establishes that there was no other available position existing to which Appellant could have been transferred at the time of his termination. His superiors made reasonable efforts and inquiries in this regard without success.

Appellant failed to seek assignment or transfer on his own behalf by contacting the City personnel department.

VIII

The evidence establishes that Appellant has been treated fairly by his supervisors in their efforts to train him.

DETERMINATION OF ISSUES

I

The appeal of Charles D. Long should be denied.

II

Legal cause for termination of employment under section 17.2(b), Civil Service Board Rules, has been established.

III

Legal cause for termination of employment under section 17.2(c), Civil Service Board Rules, has been established.

ORDER

The Appeal is denied.

Dated: July 3, 1978

Charles H. Bobby
CHARLES H. BOBBY
Administrative Law Judge
Office of Administrative Hearings



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL

301 NINTH STREET, ROOM 201
SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5270

WILLIAM F. DANIELSON
DIRECTOR OF PERSONNEL

July 18, 1978

Mr. Charles H. Bobby
Administrative Law Judge
Office of Administrative Hearings
Department of General Services
915 Capitol Mall, Room 106
Sacramento, California 95814

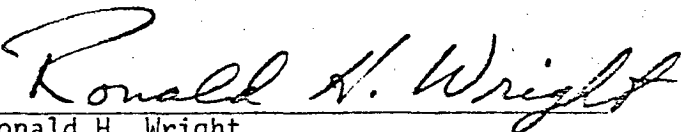
Dear Mr. Bobby:

Re: Appeal of Charles D. Long, Dispatcher-Clerk
Your File No. N-11263

The City of Sacramento Civil Service Board considered your recommended decision in the above matter at its meeting of July 18, 1978. It was the order of the Civil Service Board that your recommendation be adopted as its decision in the matter of the appeal of Charles D. Long.

Very truly yours,

CITY OF SACRAMENTO
CIVIL SERVICE BOARD


Ronald H. Wright
President

cc: Office of Administrative Hearings
Attention: Calendar Clerk
John P. Kearns, Chief of Police
Don A. Fausset, Assist. Pers. Dir./Employee Relations
Charles D. Long, Appellant

bcc: Dunbar W. Heins, Employee Services Adm.

GOLF COURSE FOREMAN

NATURE OF WORK:

Under general direction, to plan, schedule, supervise and participate in the grounds maintenance activities at a City of Sacramento golf course. Positions in the class have considerable independence in the performance of daily maintenance activities and supervision is received through policy direction from the Golf Superintendent.

EXAMPLES OF DUTIES:

Plans, schedules, and supervises golf course maintenance crews performing grounds maintenance activities, including but not limited to: watering, pruning, fertilizing, and mowing golf course areas.

Participates in all phases of golf course maintenance; replaces grass areas, operates golf course equipment, and applies chemicals to golf course areas.

Instructs and trains employees in maintenance procedures including the application of fertilizers, the proper use of insecticides and fungicides, and other chemicals.

Develops and maintains safe working practices and enforces safety regulations.

Evaluates and disciplines employees.

Maintains records and prepares reports as necessary.

Performs related duties as required.

DESIRABLE QUALIFICATIONS:

Education:

Ability to read and write the English language at a level necessary for efficient job performance.

Experience:

Three years of golf course maintenance work with the City of Sacramento.

-OR-

Four years of golf course maintenance experience outside the City of Sacramento.

KNOWLEDGES, ABILITIES, AND SKILLS:

Knowledge of:

- Principles and methods of supervision.
- Methods used in seeding, mowing, and replacing grasses used on golf courses.
- Soils, chemicals, and equipment used in golf course maintenance.

Ability to:

- Read and understand departmental rules and regulations, and memoranda of understanding concerning employee discipline, evaluation, and other personnel procedures.
- Supervise the work of employees engaged in the maintenance of fairways, greens, cups, tees, traps, and other golf course facilities.
- Maintain records and prepare reports as necessary.
- Establish and maintain effective working relationships with employees and the general public.

NECESSARY SPECIAL QUALIFICATIONS:

- Possession of a valid California Certified Applicator's License at the time of appointment.
- Possession of a valid California Driver License at the time of appointment.

Adopted: 5/17/71

Revised: 9/5/72; 7/18/78

Title Change:

Abolish:

Class Code: 03215

LANDSCAPE ARCHITECT

NATURE OF WORK:

Under general direction, supervises and participates in the planning, designing, cost estimating and inspecting of all landscape architectural and related architectural work for the City.

EXAMPLES OF DUTIES:

Supervises and schedules the preparation of plans, specifications and estimates for landscape architectural projects.

Conducts landscape architectural studies for master planning of parks recreational facilities.

Conducts research and prepares schedules and projections of future expenditures concerning landscaping needs and plans.

Coordinates the City's landscaping projects among City agencies, other governmental agencies, contractors, interested civic organizations and individuals in the community.

Reviews landscape plans prepared by outside consultants.

Provides landscape reviews for other City departments.

Consults with administrators regarding major landscapes architectural plans, projects and problems.

Makes personal appearances before community groups to discuss and promote public understanding of City landscape architectural projects.

Supervises and inspects field work in progress to assure proper interpretation of plans and compliance with specifications.

Advises City employees regarding the care and maintenance of landscape projects and equipment.

Supervises employees of the Landscape Architectural Services Section.

Performs other related work as required.

DESIRABLE QUALIFICATIONS:

Education:

Graduation from a four-year college or university with major course work in landscape architecture.

Experience:

Two years of responsible and varied professional landscape architectural experience.

(Additional qualifying experience may be substituted for the required education on a year-for-year basis).

KNOWLEDGES, ABILITIES, AND SKILLS:

Knowledge of:

Principles, techniques, and methods of landscape design, installations, and maintenance.

Use and adaptability requirements of both native and cultivated plants, shrubs, and trees in different landscaping situations.

Common plant diseases and pests and standard methods and procedures used in their control and eradication.

Construction and maintenance methods, materials and equipment.

Laws and regulations applicable to developing, contracting, constructing and maintaining landscape architectural projects.

Principles of effective supervision.

Principles of project programming and control.

Ability to:

Prepare detailed landscape plants including profiles, sketches, color renderings, specifications, and estimates of labor and material requirements and costs.

Explain technical information concerning landscaping matters and to effectively coordinate community groups to attain a desired landscaping goal.

Prepare detailed reports and present information in a complete and effective manner.

Make effective presentations before community groups and establish sound public relations.

Work effectively with other administrative officials, contractors, employees and the general public.

Analyze situations accurately and take effective action.

Plan, coordinate and supervise the work of others.

NECESSARY SPECIAL QUALIFICATIONS:

Possession of a valid Certificate of Registration as a Landscape Architect issued by the California Board of Landscape Architects.

Adopted: 1/1/67

Revised: 7/18/73

Title Change:

Abolished:

Class Code: 03116.

ASSISTANT LANDSCAPE ARCHITECT

NATURE OF WORK:

Under the general direction of the Landscape Architect, assists in planning, designing and inspecting all landscape construction and related architectural work for the City.

EXAMPLES OF DUTIES:

Participates in the design layout of parks, recreation areas and other public lands with respect to landscaping, selection of plant materials, sprinkler layouts, paving and drainage layouts, placement of park furnishings, etc.

Prepares studies and recommendations concerning landscaping needs or plans of the City.

Makes cost estimates and analyses.

Makes personal appearances before community groups to discuss landscaping problems, use of trees and shrubbery, and promote public understanding of various City landscaping projects.

Supervises and inspects field work in progress to assure proper interpretation of plans and compliance with specifications.

Performs other related work as required.

DESIRABLE QUALIFICATIONS:

Education:

Graduation from a four-year college or university with major course work in landscape architecture.

Experience:

None required.

KNOWLEDGES, ABILITIES, AND SKILLS:

Knowledge of:

The principles, techniques and methods of landscape design.

Use and adaptability requirements of both native and cultivated plants, shrubs and trees in different landscaping situations.

Ability to:

Prepare detailed landscape plans, profiles, sketches, color renderings specifications, and estimates of labor and material requirements and costs.

Prepare detailed reports and present information in a complete and effective manner.

Work effectively with other administrative officials, contractors, employees and the general public.

Make effective presentations before community groups and establish public relations.

Adopted: 9/12/71

Revised: 7/18/78

Title Change:

Abolished:

Class Code: 03105