

FILE

SPECIAL
SACRAMENTO CITY COUNCIL
MEETINGS

I HEREBY CALL Special Meetings of the Sacramento City Council to be conducted concurrently with the Council Committee meetings listed below and on the reverse side of this page, which is incorporated herein by reference. The Special Meetings are called to permit City Council Members who are not on the listed committees to attend the meetings and participate in the discussions.

The meetings will be held at the date, time and place indicated below and on the reverse side of this page, and the subjects to be considered and acted upon shall be those shown below and on the reverse side of this page.

Issued this 23rd day of January, 1980.

PHILLIP L. ISENBERG
MAYOR

ATTEST:

LORRAINE MAGANA
CITY CLERK

COUNCIL COMMITTEE MEETINGS SCHEDULED FOR THE WEEK OF
JANUARY 28 THROUGH FEBRUARY 1

TUESDAY, JANUARY 29

BUDGET AND FINANCE COMMITTEE

4:00 P.M.

City Hall Council Chambers
915 I Street
Sacramento, CA

- SUBJECTS:
1. Capitol Park Renters Fund, Inc. Funding Modification Request
 2. Annual City Financial Report - June 30, 1979
 3. 1980-81 City Budget Policy Report
 4. Sacramento Housing and Redevelopment Agency 1980 Annual Administrative Budget

COMMITTEE MEMBERS: Lloyd Connelly, Chair; Thomas Hoeber; Douglas Pope; Daniel Thompson

THURSDAY, JANUARY 31

✓ PERSONNEL AND PUBLIC EMPLOYEES COMMITTEE

9:00 A.M.

City Hall Council Chambers
915 I Street
Sacramento, CA

- SUBJECTS:
1. Discussion of Amendment to City Charter, Personnel Section 85 (Veterans Preference)

REVERSE

PERSONNEL AND PUBLIC EMPLOYEES COMMITTEE (Continued)

- SUBJECTS:
2. Voluntary Reduction to Part-Time Employment - Shared Jobs
 3. Volunteer Program
 4. Occupational Health Program
 5. BFOQ on Retirement Age for Fire Fighters
 6. Status Report on the Classification and Pay Study
 7. Status Report on the Project Area Committees Classification Study
 8. Status Report on Affirmative Action
 9. Next Personnel and Public Employees Committee Meeting Date

COMMITTEE MEMBERS: Thomas Hoerber, Chair; Lynn Robie; Anne Rudin;
Daniel Thompson

A G E N D A

Thursday, January 31, 1980
PERSONNEL AND PUBLIC EMPLOYEES COMMITTEE

9:00 A.M.

City Hall Council Chambers
915 I Street, Sacramento, CA

- SUBJECTS:
1. Amendment to City Charter Section 85 - Personnel Sections (Veterans Preference)
 2. Voluntary Reduction to Part-Time Employment - Shared Jobs
 3. Volunteer Program
 4. Occupational Health Program
 5. BFOQ on Retirement Age for Fire Fighters
 6. Status Report on the Classification and Pay Study
 7. Status Report on the Project Area Committees Classification Study
 8. Status Report on Affirmative Action
 9. Discussion of P. & P. E. Committee Meeting Date



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL

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

DONNA L. GILES
DIRECTOR OF PERSONNEL

January 25, 1980

Personnel and Public Employees Committee
of the City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Amendment to City Charter Section 85 -
Personnel Sections (Veterans Preference)

Attached, please find the following documents regarding the amendment
to the Personnel Sections of the City Charter:

- a. Memo to persons interested in veterans preference (with attachment) from Chairman Thomas R. Hoeber
- b. Copy of Measure D as it appeared on the ballot
- c. Survey of the use of veterans preference points in other jurisdictions
- d. Background material.

Respectfully submitted,

Donna L. Giles
Director of Personnel

Attach/

①

Office of the Sacramento City Council

MEMORANDUM

January 15, 1980

TO: Persons interested in veterans preference
section of Sacramento City Charter

FROM: Thomas R. Hoeber, Chairman
Personnel & Public Employees Committee
Sacramento City Council

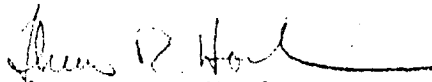
SUBJECT:

Last spring the Personnel Committee and the City Council held numerous hearings on the Personnel sections of the City Charter and placed a measure before the voters in September. The proposal was narrowly defeated.

The only controversy to surface during the campaign concerned the veterans preference section. Apparently there was some misunderstanding about whether the proposed section was acceptable to veterans groups.

In an effort to resolve this matter and hopefully bring a "concensus" measure to the voters in June, a hearing is scheduled for 9:00 AM Thursday, January 31, 1980 in the Council Chambers, City Hall, 9th & I Street, Sacramento, to discuss all aspects of the current Charter language and the proposed language (copies of which are attached).

Your written or oral testimony will be most helpful to the Committee.


Thomas R. Hoeber

TRH/wl

Attachment

1(a)

Sec. 85 Preferences. Veterans preferences.

(a) In all tests and examinations held by the civil service ~~board~~ commission pursuant to the provisions of this Charter, any person who at the time of taking such test or examination has served in the army, navy, marine corps, air force, or coast guard ~~or-revenue-marine~~ service of the United States in time of war or in time of peace in a campaign (excepting the Army of Occupation of Berlin) or expedition for service in which a medal has been authorized by the government of the United States and who received an honorable discharge therefrom or who, after such service of the United States in time of war, has continued in such service or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, as such persons are defined by state law in effect at that time and who has obtained a percentage qualifying such applicant for any position under civil service regulations, shall be allowed an increase of ~~ten~~ five points above the credit of such examination. Preference under this subsection shall be limited to ten years after the date of termination of the last war or campaign or expedition during which such person served in the armed forces.

(b) Veterans who are declared by the United States Veterans Administration to have a service connected disability of 30% or more at the time of taking such test or examination, if otherwise qualified for the preference provided for by subsection (a), shall be entitled to such preference without limitation as to the time during which such preference may be used.

(c) Former prisoners of war and persons formerly declared missing-in-action, if otherwise qualified for the preference provided for by subsection (a), shall be entitled to such preference. Preference under this subsection shall be limited to 10 years after the date of termination of the last war or campaign or expedition during which such person served in the armed forces plus the time that such status as a prisoner of war or person formerly declared missing in action existed, as verified by the United States Veterans Administration.

(d) Preference under this section does not apply to promotions, or to promotion examinations.

LANGUAGE PROPOSED FOR DELETION APPEARS IN ~~Strike-out-type~~.
PROPOSED NEW LANGUAGE IS Underlined.

D MEASURE D Relating to City Charter Revision Shall the Sacramento City Charter be amended by revising Articles VII and VIII, relating to the civil service and certain other personnel matters?	YES	
	NO	

COMPLETE TEXT OF THE PROPOSED CITY CHARTER REVISION

TO AMEND ARTICLES VII AND VIII OF THE CHARTER OF THE CITY OF SACRAMENTO RELATING TO THE CIVIL SERVICE AND CERTAIN DEPARTMENTAL AND PERSONNEL PROVISIONS, TO BE EFFECTIVE UPON CERTIFICATION BY THE SECRETARY OF STATE, TO READ AS FOLLOWS:

ARTICLE VII. Civil Service

Sec. 80. Creation of Commission.

The civil service commission shall consist of five citizens of the city who shall have no connection with city government. The city council shall appoint said members for such terms as are established by ordinance. Commission members in office on the effective date of this section shall continue in office during their unexpired terms unless removed as provided by law. Vacancies on the civil service commission from whatever cause shall be filled by the city council for the unexpired term.

Sec. 81. Executive Officer.

The civil service commission may appoint and define the duties of an executive officer of the civil service commission. The city council shall determine the compensation to be paid the executive officer. The executive officer, if other than the director of personnel, shall have no power to administer personnel services and programs. In legislative matters the executive officer may conduct investigations and make recommendations to the commission.

Sec. 82. Power to Administer Oaths.

The executive officer of the civil service commission and such other employees authorized by the commission shall have the power and authority to take affidavits and administer oaths in all matters relating to civil service. The commission shall have the power to subpoena witnesses, books, records and papers in the conduct of hearings held under Sec. 80.

Sec. 83. Exemptions and Classified Service.

The officers and employees of the city who shall be exempt from the rules and regulations of the civil service commission shall include:

- (a) Officers directly elected by the people;
- (b) Members of advisory boards and commissions;
- (c) The city manager, and any person or persons employed as assistant city manager, and confidential secretary;
- (d) Those officials of the city government responsible for the operation of a city department or division, along with those persons who may be employed as assistants to such officials;
- (e) The executive officer of the civil service commission; and
- (f) Those employees occupying positions in classes which are filled only on a part-time, seasonal, or limited term basis.

The city council shall, by resolution, designate those classes of positions, employees in which shall be considered exempt from the rules and regulations of the civil service commission, in accordance with the intent and meaning of this section.

Sec. 84. Examinations.

For the purpose of establishing eligible registers from which positions in the classified service shall be filled, it shall be the duty of the civil service commission to conduct competitive examinations open to all persons who lawfully may be appointed to any position within the class for which such examinations are held, and who meet the minimum qualifications requisite to the performance of the duties of such position as established by the civil service commission.

The civil service commission shall determine the manner in which eligibles for entry level positions shall be certified to the appointing authority except that the commission shall not use any method of certification which would result in fewer persons being certified than would be certified under the "rule of three ranks." As used herein the "rule of three ranks" shall be defined as the certification process whereby appointment is made from among the eligibles whose scores, at the time of certification, represent the three highest ranks on the list; for purposes of ranking, scores of eligibles on an eligible list shall be rounded to the highest whole percent and a rank shall consist of one or more eligibles with the same whole percentage score.

All promotional positions in the classified service shall be filled from the three candidates standing highest on the promotional eligibility list.

The commission shall determine the manner in which eligibles for entry level positions shall be certified not later than the time the job announcement is posted. The commission shall determine which positions are entry level positions and which positions are promotional positions.

Sec. 85. Veterans' Preferences.

(a) In all tests and examinations held by the civil service commission pursuant to the provisions of this Charter, any person who at the time of taking such test or examination has served in the army, navy, marine corps, air force, or coast guard of the United States in time of war or in time of peace in a campaign (excepting the Army of Occupation of Berlin) or expedition for service in which a medal has been authorized by the government of the United States and who received an honorable discharge therefrom or who, after such service of the United States in time of war, has continued in such service or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, as such persons are defined by state law in effect at that time and who has obtained a percentage qualifying such applicant for any position under civil service regulations, shall be allowed an increase of five points above the credit of such examination. Preference under this subsection shall be limited to ten years after the date of termination of the last war or campaign or expedition during which such person served in the armed forces.

(b) Veterans who are declared by the United States Veterans Administration to have a service connected disability of 30% or more at the time of taking such test or examination, if otherwise qualified for the preference provided for by subsection (a), shall be entitled to such preference without limitation as to the time during which such preference may be used.

(c) Former prisoners of war and persons formerly declared missing-in-action, if otherwise qualified for the preference provided for by subsection (a), shall be entitled to such preference. Preference under this subsection shall be limited to 10 years after the date of termination of the last war or campaign or expedition during which such person served in the armed forces plus the time that such status as prisoner of war or person formerly declared missing in action existed, as verified by the United States Veterans Administration.

(d) Preference under this section does not apply to promotions, or to promotional examinations.

Sec. 86. Employee Development Programs.

Notwithstanding Sec. 84 or any other provision of this Charter, the civil service commission may provide for the establishment of programs, including trainee programs, designed to attract and utilize persons with minimal qualifications, but with the potential for development, in order to provide career development opportunities for such persons, including but not limited to members of disadvantaged groups, handicapped persons, and veterans entitled to preference under Sec. 85 of this article. Such programs may provide for probationary and permanent appointment to the classified service upon the satisfactory completion of the training period prescribed by the civil service commission. The civil service commission shall provide for the establishment of such programs when requested to do so by the city council.

(COMPLETE TEXT OF MEASURE D CONTINUED ON NEXT PAGE)

(COMPLETE TEXT OF MEASURE D, CONTINUED)

Sec. 87. Probations.

Appointment or promotion to office or employment in the classified service shall not be deemed complete until a period of probation has elapsed. The civil service commission shall by rule establish a probationary period for each class in the classified service. A probationer may be discharged or reduced at any time within the probationary period and thereupon shall have no right to appeal under Sec. 90 of this Charter, except that any probationer who has been discharged or reduced in violation of any applicable state or federal law prohibiting discrimination in employment may appeal said discharge or reduction in accordance with the provisions of Sec. 90 of this Charter.

Sec. 88. Right of Appeal.

If discharged after the expiration of said period, the employee so discharged may appeal in accordance with the provisions of Sec. 90 of this Charter.

Sec. 89. Disciplinary Power.

The city manager or other official or board in whom is vested disciplinary or removal power shall be allowed full freedom on such matters, it being the intent and spirit of this article to provide a fair and honest approach to municipal employment for every inhabitant of the city, but in no sense to handicap or curtail the responsible administrative officer in securing efficient service.

Sec. 90. Power and Duties of the Civil Service Commission.

(a) It shall be the duty of the civil service commission to:

(1) Adopt and maintain the classification plan, which shall consist of classes of positions in the classified service defined by class specifications, including title, a description of duties and responsibilities and a statement of employment standards to be required of applicants for employment in each class. The commission may establish additional classes and divide, combine, alter or abolish existing classes.

Each position in the classified service shall be allocated by the director of personnel to one of the classes established by the plan; provided, that whenever a new or additional position is authorized by the city manager, the director of personnel shall allocate each proposed position to an appropriate existing class or recommend the creation of new class to the civil service commission.

When action is taken by the commission to establish additional classes or to divide, combine, alter or abolish existing classes, or upon the reallocation of positions by the director of personnel, the civil service commission shall determine the manner in which the incumbents of positions affected shall attain status.

(2) Formulate rules covering the examination of applicants for positions in the classified service and the promotion of employees in the classified service, including rules for preparation of examination announcement notices, accepting applications, administering examinations, eligibility for promotion, seniority credits, establishing eligible registers, establishing lists for re-employment after resignation, certification, appointment, probationary period, and any other matter necessary to the recruitment and selection of employees.

(3) Hear appeals, upon written request from any employee in the classified service, who may be suspended without pay, demoted, dismissed, or otherwise disciplined by the appointing authority. The commission shall define the manner, time, and place by which such appeal shall be heard and the judgment of the commission shall be final.

(4) Hear appeals, upon written request, from any employee in the classified service, with reference to the allocation or reallocation of his position by the director of personnel.

(5) Provide, by rule, for the interpretation and administration of ordinances affecting personnel, when specifically directed to do so by the city council, and provide, by rule, for the regulation of any other matter pertaining to personnel administration not in contradiction with the provisions of this section.

(b) The commission, subject to budgetary approval of the city council, may employ or contract for hearing officers to hear appeals of the actions specified in paragraphs (3) and (4) of sub-section (a) of this section and to prepare recommendations for the commission. The commission may adopt rules to implement this sub-section.

ARTICLE VIII. Certain Departmental and Personnel Provisions.

Sec. 95. Police and Fire Departments.

There shall be in the City of Sacramento a police department and a fire department. All sworn police and uniformed fire positions in the classified service above the grade of police officer and firefighter respectively shall be filled by promotional examination only.

Sec. 96. Powers and Duties of the Fire Chief.

The fire chief shall have control, management and direction of all members of the fire department in the lawful exercise of the chief's functions with full power to detail any of the members to such public service as the chief may direct. The chief shall recommend to the city manager members of the force for demotion or dismissal and can suspend and prefer charges against any officer or member.

Sec. 97. Firefighters.

No member of the fire department shall be allowed, without the consent of the city council, to receive any money, gratuity or compensation for any service rendered as a firefighter.

The members of the fire department shall not engage in any other employment, work, profession, business or enterprise that is inconsistent, incompatible, in conflict with, or adversely affects the performance of their duties as firefighters, or that is inimical to the most effective performance of the mission of the Sacramento Fire Department or the best interests of the city.

The city council shall have the exclusive and non-delegable authority and duty to define, interpret and implement the terms of this section by resolution and such definition and interpretation shall be final and conclusive. The process and procedure followed by the city council in so defining, interpreting and implementing this section shall be by unilateral legislative action not subject to and expressly excluded from any meeting and conferring procedure with employee organizational representatives that is or may be provided for under any other law. In the event a court or administrative body of competent jurisdiction renders a final judgment or order invalidating this paragraph or any part thereof then the terms and provisions of this section as hereinabove provided shall be null and void and this section shall thereupon on the effective date of such final judgment or order and thereafter read as follows:

No member of the fire department shall be allowed, without the consent of the city council, to receive any money, gratuity or compensation for any service rendered as a firefighter. The members of the fire department shall not follow any other profession, calling or business, but shall devote their entire time to the performance of their duties, nor shall they be allowed pay for any period during which they shall absent themselves from public duty, except as in this Charter provided.

Sec. 98. Powers and Duties of the Chief of Police.

The chief of police shall have control, management and direction of all members of the police department in the lawful exercise of the chief's functions with full power to detail any of the members to such public service as the chief may direct. The chief shall recommend to the city manager members of the force for demotion or dismissal and can suspend and prefer charges against any officer or member.

Sec. 99. Police Officers.

It shall be the duty of each member of the police force to be acquainted with the provisions of this Charter, with all ordinances of the city and with all laws of the state defining public offenses and regulating criminal proceedings.

No member of the police force shall be allowed to receive, without the consent of the city council, any money, gratuity or compensation for any service rendered as an officer.

The members of the police force shall not engage in any other employment, work, profession, business or enterprise that is inconsistent, incompatible, in conflict with, or adversely affects the performance of their duties as police officers, or that is inimical to the most effective performance of the mission of the Sacramento Police Department or the best interests of the city.

The city council shall have the exclusive and non-delegable authority and duty to define, interpret and implement the terms of this section by resolution and such definition and interpretation shall be final and conclusive. The process and procedure followed by the city council in so defining, interpreting and implementing this section shall be by unilateral legislative action not subject to and expressly excluded from any meeting and conferring procedure with employee organizational representatives that is or may be provided for under other law. In the event a court or administrative body of

(COMPLETE TEXT OF MEASURE D CONTINUED ON NEXT PAGE)

proceedings excluded from any meeting and concerning procedure with employee organizational representatives that is or may be provided for under other law. In the event a court or administrative body of

(COMPLETE TEXT OF MEASURE D CONTINUED ON NEXT PAGE)

(COMPLETE TEXT OF MEASURE D, CONTINUED)

competent jurisdiction renders a final judgment or order invalidating this paragraph or any part thereof then the terms and provisions of this section as hereinabove provided shall be null and void and this section shall thereupon on the effective date of such final judgment or order and thereafter read as follows:

No member of the police force shall be allowed to receive, without the consent of the city council, any money, gratuity or compensation for any service rendered as an officer except rewards which have been publicly offered for the apprehension and conviction of criminals. The members of the police force shall not follow any other profession, calling or business, but shall devote their entire time to the performance of their official duties, nor shall they be allowed pay for any period during which they shall absent themselves from public duty, except as in this Charter provided. It shall be the duty of each member of the police force to become acquainted with the provisions of this Charter, with all ordinances of the city and with all laws of the state defining public offenses and regulating criminal proceedings.

Sec. 100. Salaries of Employees.

The annual compensation of the employees of the city shall be fixed by resolution of the city council. All salaries shall be paid not less frequently than semimonthly and shall be in full compensation for all duties and services performed by such employees of the city.

Sec. 101. Rewards.

The city council may reward any city employee for conduct which is heroic or meritorious. The form or amount of such reward shall be discretionary with the city council, but shall not exceed in any one instance one month's salary.

IMPARTIAL ANALYSIS OF MEASURE D
PREPARED BY CITY ATTORNEY

Measure D would amend the Charter of the City of Sacramento on matters relating to civil service and other personnel provisions. Many of the amendments are nonsubstantive in nature. The principal substantive changes are listed below:

1. At the present time, the Director of Personnel serves as the Secretary of the Civil Service Board.

Measure D would authorize the Board (renamed the Commission) to appoint and define the duties of an executive officer.

2. At present, civil service officers and employees are to be selected, after examination, from the three candidates standing highest on the civil service list ("rule of three").

Measure D would authorize the Commission to determine the manner in which eligibles for entry-level positions will be certified to the appointing authority; provided that the method selected by the Commission results in at least as many people being certified as would be certified under the "rule of three ranks". Under the "rule of three ranks," the scores of applicants on a list are rounded to the highest whole percent and a rank consists of one or more applicants with the same whole percentage score.

All promotional positions in the civil service would continue to be filled from the three candidates standing highest on the promotional eligibility list.

3. At present, veterans who served during time of war are entitled to an increase of ten points in their examination score. There is no limitation on the time during which the preference may be used.

Measure D would decrease the veterans' preference in examinations from ten to five points. With the exception of disabled veterans, an applicant would be entitled to use the veterans' preference only within ten years from termination of the last war or campaign during which such person served in the armed forces. The amendment would broaden slightly the type of military service qualifying for use of the preference.

4. At present, probationary employees in the civil service system are not entitled to appeal disciplinary actions.

Measure D would authorize a probationary employee who has been disciplined in violation of any applicable state or federal law prohibiting discrimination in employment to appeal to the Civil Service Commission.

5. Measure D would retain the present provision requiring promotion from within the police and fire departments, but would delete the length of service requirements for promotion in those departments.

6. Measure D would delete from the Charter the present vacation and longevity pay provisions.

ARGUMENT IN FAVOR OF MEASURE D

The personnel and civil service sections of the City Charter are the only remaining major sections which have never been systematically up-dated since they were adopted in 1921. How out-of-date these sections are is illustrated best by Section 85 where branches of military service are listed. There is no mention of the air force because it did not exist at the time this was drafted.

After more than a year of work involving hundreds of hours and participation of numerous community organizations and individuals, Measure D comes to the voters with the consensus support of almost every group concerned with these important and sensitive matters. Labor and management, veterans groups, minority representatives, the League of Women Voters, the City Council and numerous other groups and individuals have approved this compromise package.

Measure D balances the competing demands for equal opportunity, merit civil service and recognition of military service to our country; balances management discretion and employee rights; and balances independent civil service and responsiveness to the citizenry.

Measure D will up-date the antiquated 1921 Charter into modern personnel practice for the 1980's. Vote Yes on D.

Sacramento City Council
s/Phillip L. Isenberg, Mayor

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE D

Citizens should VOTE NO on D, as this charter amendment seeks to authorize preferential hiring practices at the expense of equal job opportunities for all in city employment. Special treatment for some job applicants that is based on ethnic origins, sex or economic situation is a blow to equal job opportunities for the most able applicants!

Measure D works against the creation of an efficient and effective city work force by making ability ratings, as determined by competitive examinations, secondary in the awarding of city jobs. Naturally, this is against the interests of the taxpayers and inhibits cost-effective municipal services!

Under this proposed amendment, favoritism for selected job applicants would be made lawful by the use of preferential appointment devices, such as, "selective certification", "rule-of-three-ranks", and, informal ethnic job quotas for most jobs.

There is NO QUESTION that such preferential hiring practices in disregard of competitive ability scores on city job examinations will act as a body blow to our merit civil service! Ultimately, it will result in the deterioration of municipal services and rising costs per service unit!

Citizens concerned with fairness to our veterans should VOTE NO because this measure abolishes all veterans' preferences for city promotional jobs.

Measure D steps back into the past by opening the door to favoritism and special treatment in city employment!

Cast your NO VOTE on D to prevent ability and merit appointments from becoming obsolete in our city services!

s/Raymond E. Vandegriff, Chairman
Citizens Committee Against Tax
Abuse and Waste

USE OF VETERANS' PREFERENCE POINTS
SIX-CITY AND COUNTY/STATE SURVEY
MAY 3, 1979

	Number of Points	Entry-level Positions	Promotional Positions	Any Restrictions	One-time Use	Multiple Use	When Discontinued	Contact Name
ANAHEIM	None (never used)	N/A	N/A	N/A	N/A	N/A	N/A	Rick Hall
FRESNO	5	Any Open Position	NO	None	No	Each Open Exam	N/A	Sandy Hindman
LONG BEACH	10*	Any Open Position	NO	Last 10 years with Vietnam Cutoff Date: July 1973	No	Each Open Exam	N/A	Cindy Gonzalez
OAKLAND	5% of Final Grade	Any Open Position	Restricted** For City Employees	Within 5 years of Discharge	No	Each Open and Restricted Exam	N/A	Bertha Chew
SAN JOSE	5	Any Open Position	NO	Discharged within last 5 years and served 18 months or disabled	No	Each Open Exam	N/A	Shirley Oswald
SANTA ANA	None	N/A	N/A	N/A	N/A	N/A	Approximately 1969	John Burkhart
COUNTY	5***	Any Open Position	NO	Within 8 years through March 5, 1975 Cutoff Date	NO	Each Open Exam	N/A	Pat Prater
STATE	10 Regular 15 Disabled	Any Open Position	NO	None	NO	Each Open Exam	N/A	Ludna Victor

* Also applies to any unremarried spouse of deceased veteran; spouse of veteran with 30% (or more) disability.

** Restricted positions are those which are only for City employees and which do not require a probationary period.

** Not added to examination score; added at certification after pass point is set; and names are placed below those who have already received scores.



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL
PERSONNEL MANAGEMENT SERVICE DIVISION
801 NINTH STREET, ROOM 210
SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5726/5729

WILLIAM F. DANIELSON
DIRECTOR OF PERSONNEL

October 11, 1978

Personnel and Public Employees Committee
of the City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Review of Personnel Sections of the City Charter: Personnel Selection

SUMMARY

This report provides background information for consideration by the Council's Personnel and Public Employees Committee at its October 20, 1978, meeting. At this meeting the Committee will review Charter sections dealing with personnel selection.

BACKGROUND INFORMATION

The City of Sacramento's personnel selection program is directly affected by various sections of the City Charter. Identified below are the specific Charter sections affecting personnel selection and comments as to the effect of the specific section on the day-to-day administration of the program.

City Charter Section 84. Examinations

City Charter Section 84 is basically divided into five different components. These components mandate that the following shall be adhered to in the administration of the personnel selection program:

1. ".....it shall be the duty of the Civil Service Board to conduct competitive examinations....."
2. "Positions in the higher classes shall be filled, as far as is practicable and consistent with the best interests of the service, by promotion following competitive tests of employees in lower classes holding permanent civil service status."
3. "The Civil Service Board shall, by rule, establish regulations for promotional eligibility,"
4. ".....in the Police and Fire Departments, all higher uniform positions in the classified service shall be filled from eligible registers established as a result of promotional examination only....."

1 (d)

5. "All officers or employees shall be chosen or promoted, whenever a list of eligibles is furnished by the Civil Service Board, from the three candidates standing highest on the list."

Comments of Staff Regarding Charter Section 84

Said Charter section mandates that the Civil Service Board shall establish rules and regulations in regards to promotional examination eligibility. City Charter Section 92, "Power and Duties of the Civil Service Board," states that the Civil Service Board shall "formulate rules and regulations covering the examinations of applicants" As a result thereof, the Civil Service Board has adopted rules and regulations in regards to personnel selection. However, the rules and regulations adopted by the Civil Service Board must be consistent with the provisions of the City Charter. For example, civil service positions in the Police and Fire Departments above the rank of Firefighter (i.e., Fire Apparatus Operator, Fire Captain) and Police Officer (i.e., Police Sergeant, Police Lieutenant), respectively, "shall be filled from eligible lists established as a result of promotional examination only. . . ." As a result of this specific wording, the City is unable to consider qualified persons from other agencies to laterally transfer or compete in Police and Fire examinations above the entry level. It is not unusual for other agencies to be able to provide this opportunity to qualified persons.

Another restrictive section of the Charter is the rank order procedure required by Charter Section 84. Eligible lists are established as a result of competitive examinations. For any one appointment, ". . . .the three candidates standing highest on the list. . . ." shall only be considered for the position. This has commonly been referred to as the "Rule of Three." Historically, the "rule of three" began with the passage of the Pendleton Act in 1883. This procedure has been part of the federal civil service system since that time. However, the President's recommendation regarding the reorganization of the federal civil service system eliminates the rule of three. Other California cities and counties have eliminated the kinds of charter restrictions that inhibit the City of Sacramento's system. For example, the County of Sacramento has what is referred to as the "Rule of Three Ranks." This system works in the following manner: A candidate's placement on an eligible list is dependent upon his final score in the examination process. An examination score is normally broken down into the hundredth point. For example, the highest candidate on an eligible list may have the score of 96.32 percent, the next candidate may be 96.21 percent, while the next candidate is 96.02 percent. Under the County of Sacramento's personnel selection program, all scores between 96.00 and 96.99 would be one rank. All scores between 95.00 and 95.99 would be the second rank, and so on. As a result of this method, more than three persons usually may be considered for a vacant position.

The City of San Diego has a new (1978) examination ranking system in which eligible lists are divided into categories. For example, an eligible list may consist of only one category or may be divided into many categories. The number of categories and the range of scores covered by each category will be determined on an examination by examination basis and will be based on such factors as ability of the testing device to differentiate among candidates, content of the test to be given, department needs, specialized duties of positions within the classification, anticipated turnover and availability of applicants in the labor market, and the number of vacancies. The number of categories and the

number of scores to be included in each category are included on each job announcement. The City of San Diego's system provides the flexibility necessary for today's personnel selection programs.

Another factor to be considered by the Committee is the fact that the "Uniform Guidelines on Employee Selection Procedures (1978)" adopted by the Equal Employment Opportunity Commission, the United States Civil Service Commission, the Department of Justice, the Department of Labor, and the Department of the Treasury affect jurisdictions throughout the United States. The Guidelines require that personnel selection practices be valid. The process of validation is very technical, extremely costly, and time consuming. As a result thereof, it will be extremely difficult for agencies to validate all procedures. However, if substantially different rates of selection in hiring, promotion, or other employment decisions are not indicated as a result of the personnel selection practice, litigation will normally not arise. Flexibility is therefore necessary and should be considered by the Personnel and Public Employees Committee as related to the number of candidates to be considered for vacant positions.

City Charter Section 85. Preferences

City Charter Section 85 provides that ".....any person who at the time of taking (a civil service) test or examination has served in the (military service)..... of the United States in time of war and who received an honorable discharge therefrom.....shall be allowed an increase of ten points above the credit such applicant has attained in such (civil service) examination." This section goes on to state that preference does not apply to promotional examinations.

As a result of this specific section of the City Charter, the final scores of candidates successful in civil service examinations (who qualify under Charter Section 85) are increased by ten points. This credit applies to all qualified persons without limitation. To provide an example of the effect of ten points veteran's preference, a recent Firefighter candidate moved up 102 positions on an eligible list as a result of the ten points veteran's preference.

It is generally found that other agencies provide a limitation as to the use of veteran's preference. For example, the County of Sacramento's civil service rules adopted by the Civil Service Commission regarding veteran's preference provide credit for "military veterans who have served during war time and whose military service terminated within eight years immediately prior to the final filing date for an examination....." The County's rules go on to state that "such preference shall apply only to the first appointment in any permanent County position."

Other agencies have been more restrictive than the County of Sacramento. For example, the County of San Diego allows veteran's preference to apply to qualified persons only one time after the release from military service even if the preference is for other than the County of San Diego. In other words, an applicant for a position within the County of San Diego who has previously been provided credit for veteran's preference will not be provided veteran's preference with the County of San Diego. I am not aware of any other jurisdiction in the United States that provides the identical type of continuing credit as set forth in the Sacramento City Charter. Furthermore, Sacramento's concern for the employment of persons

under-represented in the City's work force is detrimentally affected by the provisions of Section 85 of the City Charter.

City Charter Section 86. Record of Efficiency

City Charter Section 86 reads as follows: "Success in similar positions in the employ of the City shall be considered in estimating the standing of the candidate and to that end the Board shall, wherever feasible, cause to be kept a record of efficiency of all City employees."

This Charter section specifically provides that previous successful experience in similar positions shall be a factor as to the standing of a candidate on an eligible list. Historically, "records of efficiency" of City employees have not been kept. As a result thereof, the City's personnel selection program has functioned without "efficiency" records as set forth in the said Charter section.

City Charter Section 87. Discriminations

City Charter Section 87 reads as follows: "No person in the classified service or seeking admission thereto shall be appointed, promoted, demoted or discharged or in any way favored or discriminated against because of political opinions or affiliations or because of race, color or religious belief." The federal Uniform Guidelines on Employee Selection Procedures provide that discrimination shall not occur as a result of race, color, religion, sex, or national origin. Other legislation such as the State of California 1978 Fair Employment Practice Act include "race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age." An important factor for the Committee to consider is that to have an effective Affirmative Action Program and to be recognized as an equal opportunity employer the City of Sacramento shall not discriminate against persons in the administration of its personnel management program.

City Charter Section 88. Employee Development Programs

City Charter Section 88 was approved by the voters in June 1976. Said section provides that ".....the Civil Service Board may provide for the establishment of programs, including trainee programs, designed to attract and utilize persons with minimal qualifications, but with the potential for development, in order to provide career development opportunities for such persons, including but not limited to members of disadvantaged groups, handicapped persons, and veterans entitled to preference....." under the Charter.

The Civil Service Board on November 16, 1976, complied with a City Council resolution requesting that the Board establish an Employee Development Program. The Board subsequently adopted Civil Service Board Rule 11.13 providing for the transitioning of employees. Since November 1976 there have been approximately 125 persons transitioned from non-career positions to career positions under this section of the Charter. The flexibility provided by Charter Section 88 is essential to a successful personnel management program. Federal public service employment programs require the ability to transition participants into career service.

City Charter Section 92. Power and Duties of the Civil Service Board

City Charter Section 92 as related to the personnel selection program reads as follows: "It shall be the duty of the Civil Service Board to.....formulate rules and regulations covering the examination of applicants for positions in the classified service and the promotion of employees in the classified service, including rules for preparation of examination announcement notices, accepting applications, administering examinations, eligibility for promotion, seniority credits, establishing eligible lists and reinstatement lists, service, appointment, probationary period, and any other matter necessary to the recruitment and selection of employees."

The Civil Service Board has subsequently adopted Civil Service Board Rules and Regulations relating to the personnel selection program. The Personnel Director acting as agent of the Board is responsible for the day-to-day administration of the personnel selection program. The Personnel Director must administer the program as set forth in the rules and regulations.

It is not uncommon to find that personnel directors have independent responsibility for the administration of the personnel selection program. In cases where the personnel director has independent responsibility, the decisions of said director are appealable to the Civil Service Board. In Sacramento County, for example, the Director of Personnel Management has this responsibility.

POLICY ALTERNATIVES

The policy alternatives which the Committee may consider in regards to the administration of the personnel selection program are:

1. To have the Civil Service Board retain exclusive, independent authority over the personnel selection program.
2. To shift the authority for the personnel selection program from the Civil Service Board to the Personnel Director/City Manager whose decisions would be appealable to the Civil Service Board (in effect in Sacramento County since 1972).
3. To have the Civil Service Board act in a capacity directed by the City Council through Council resolution.

CONCLUSION

As indicated within this report, there are several sections of the City Charter directly affecting the City of Sacramento's personnel selection program. More changes have occurred in the last five years affecting personnel selection than in the previous fifty years. Substantial change will continue. It is necessary that Charter sections pertaining to the personnel selection program be sufficiently flexible as to enable the City of Sacramento to comply with mandated legislation and other regulations and, at the same time, to meet the personnel selection needs of the City.

October 11, 1978

I have attached for the Committee's information the relevant sections of the City Charter referred to within this report.

Respectfully submitted,

William F. Danielson
Director of Personnel

WJW:cn:ma

Attachments



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL
PERSONNEL MANAGEMENT SERVICES DIVISION
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TELEPHONE (916) 449-5728/5729

DONNA L. GILES
DIRECTOR OF PERSONNEL

January 23, 1980

Personnel and Public Employees Committee
of the City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Voluntary Reduction of Part-Time Employment.

SUMMARY

The Jarvis-Gann Initiative (Proposition 13) was passed by the electorate in June, 1978. The Sacramento City Council, on July 5, 1978, requested staff to prepare a report exploring the feasibility and desirability of a Voluntary Job Sharing Program for the City of Sacramento. The purpose of this report is to provide information as to the current status of the City Council's request.

BACKGROUND INFORMATION

The City of Sacramento's budget for the 1978-79 fiscal year resulted in approximately 100 career positions being eliminated. In July, 1978, the City of Sacramento laid off approximately 200 non-career employees as a result of budget reductions.

The City Council, on July 5, 1978, requested staff to prepare a report regarding a Voluntary Job Sharing Program for the City of Sacramento. Said report was subsequently prepared and presented to the City Council at its July 18, 1978 meeting. The City Council subsequently referred the matter to the Personnel and Public Employees Committee.

The Personnel and Public Employees Committee first heard the matter on July 28, 1978. A request was subsequently made for additional information to be presented to the Committee at a later date. A report was then prepared on September 7, 1978 and presented to the Personnel and Public Employees Committee at its September 15, 1978 meeting. At that meeting, a motion was made by Mr. Hoerber ".....to have the Personnel and Public Employees Committee return to the full City Council on the matter. The full Council would then direct staff to develop a program." The motion was seconded by Ms. Rudin and carried by a 3 to 1 vote with Council members Hoerber, Rudin and Thompson supporting the motion and Councilman Fisher opposing.

P & P E Committee
Voluntary Reduction of Part-Time Employment

January 23, 1980

I am not aware of any subsequent action taken in regard to the subject matter by the City Council.

CONCLUSION

The Department of Personnel has various reports on file relating to job sharing and reduction in hours. If it is the desire of the City Council to develop a program, I would anticipate it would take approximately 4 to 6 weeks to do the staff work. I have attached for your information copies of the July 13 and September 7, 1978 reports to the City Council on this matter.



William J. Woska
Personnel Management Administrator

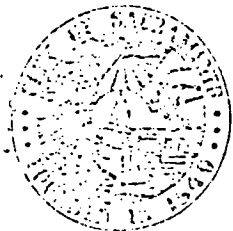
WJW/sch

att.

APPROVED:



Donna L. Giles
Director of Personnel



(CITY OF SACRAMENTO)

after

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WILLIAM F. DANIELSON
DIRECTOR OF PERSONNEL

September 7, 1978

Personnel and Public Employees Committee
of the City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: VOLUNTARY REDUCTION TO PART-TIME EMPLOYMENT

SUMMARY

This report identifies some of the problems which will be encountered and which should be resolved upon entering into a program which would permit voluntary reduction to part-time employment. This report discusses potential problems which may occur because of (1) layoffs and (2) probationary and permanent appointments to positions which are less than full time.

BACKGROUND INFORMATION

The City Attorney has stated that there is no legal barrier which would prevent the voluntary reduction from full-time work hours (40 hours per week) to less than full time for career employees holding either probationary or permanent status in a civil service classification. Therefore, the problems which would then be encountered are primarily administrative and involve policy, rather than legal, decisions and interpretations.

Historically, the City of Sacramento has limited probationary-status and permanent-status appointments to full-time, civil service career positions. No probationary-status or permanent-status appointments have been made for those employees appointed to limited-term or part-time positions.

The City of Sacramento has had hundreds of appointments each year to limited-term, part-time, and seasonal positions. Some of the limited-term, part-time, and seasonal appointments have been made in classifications which are exempt. There have been several hundred such exempt positions filled each year, prior to 1978.

Layoffs

For those limited-term and part-time positions where full-time positions also exist within the same classifications, the City of Sacramento, historically, has not permitted probationary or permanent appointments. As a consequence of

this historic policy, this year the City of Sacramento has laid off limited-term and part-time employees prior to the layoff of full-time, career employees. In June and July 1978, over 200 limited-term and part-time employees were laid off. These employees had no tenure. They had no civil service status, although many of them have worked for many years with the City (one part-time employee who was laid off had more than forty years of service with the City).

It is probable that in 1979 additional layoffs will be required. The City Council has directed the City Manager to prepare a preliminary budget for 1979-80 which will be 15% less than the current adopted 1978-79 budget. Unless other revenue sources become available, it is likely that additional layoffs of career and of non-career employees will be required in 1979-80.

If full-time, career employees are permitted to reduce from full time to less than full time, such as half time, the City, at the time the next layoffs occur, may find persons working half time with no civil service status and persons working half time who have permanent status in the same classifications. Therefore, one major area which needs to be reviewed carefully, prior to the beginning of a program of voluntary reduction of full-time employees to part-time employment, should be a full evaluation of the impact on prospective layoffs.

Probationary and Permanent Appointments to Positions Which are Less Than Full Time

At such time as full-time, career employees who hold permanent status voluntarily reduce to half-time employment, or other less-than-full-time employment, the policy question will arise as to whether the City should begin to make probationary appointments from eligible lists to limited-term or part-time positions. For example, assume that a career Senior Typist-Clerk with permanent status reduces to one-half time and later resigns. The position is to be filled on a half-time, continuing basis. No career employees wish to voluntarily reduce to half time to fill the position. Should the position be filled by a probationary appointment from an eligible list?

The instant that a less-than-full-time position is filled on a probationary basis (and later on a permanent-status basis after the employee has completed the probationary period), the question then arises as to whether the same opportunity should be extended to the several hundred other non-career employees who are working for the City of Sacramento.

The question also will arise as to whether CETA employees should be entitled to receive probationary-status and permanent-status appointments. The conditions of employment for the CETA program is that the CETA employees would receive exactly the same employment conditions as other employees in like status. Until now, CETA employees have received exactly the same working conditions as limited-term employees with whom they are compared. CETA employees are not covered under civil service; they do not receive probationary or permanent appointments; and they are not eligible for step increases. If any limited-term employee or part-time employee is appointed with probationary and permanent status, the employee so appointed will be eligible for step increases.

The policy question of who may be eligible for probationary and permanent appointment with the consequent other changes in employment conditions, such as step

September 7, 1978

increases, is one which needs careful evaluation prior to beginning a program of voluntary reduction to part-time employment. With regard to step increases, significant additional costs could result if many or all limited-term and part-time employees would have the same eligibility as full-time, career employees.

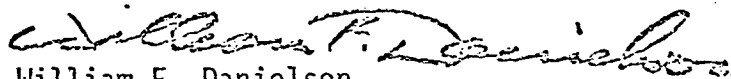
There probably are other areas of concern which should be completely identified with regard to any program of voluntary reduction to part-time employment, such as whether the Civil Service Board or the City Council has the ultimate authority to determine policy in a specific problem area.

I personally feel that it should be possible to appoint persons to positions which are part time or which are limited term of half a year or more with probationary status from eligible lists. I believe the City of Sacramento would be well served if we can create a mechanism which will permit career employees to voluntarily reduce hours from full time to less than full time, where the employee and the employer mutually agree to do so. However, the City of Sacramento does not have a single personnel system. Further, the City is undergoing new problems resulting from layoffs. Before beginning any program of voluntarily reducing to part-time employment, which we now know is legally possible, we should be also aware of the potential consequences of any new policy.

RECOMMENDATION

It is recommended that the Personnel and Public Employees Committee consider whether the City of Sacramento should or should not proceed with the development of a program which would permit voluntarily reducing to part-time employment. If the Committee decides that we should proceed to develop such a program, it is recommended that staff be directed to explore thoroughly the consequences of such a program and the potential impacts on costs, administrative problems, and any additional policy problems which may be discovered.

Respectfully submitted,



William F. Danielson
Director of Personnel

WFD:MA



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL

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RECEIVED
JUL 1 1978

WILLIAM F. DANIELSON
DIRECTOR OF PERSONNEL

CITY MANAGER'S OFFICE

July 13, 1978

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Voluntary Job Sharing

SUMMARY

At the City Council meeting of July 5, 1978, request was made for staff to prepare a report exploring the feasibility and desirability of a voluntary job-sharing program for the City of Sacramento. This report reviews the experience to date of the Part-time Employment Pilot Program now underway at the Department of Motor Vehicles, State of California, which will expire January 1, 1979, unless renewed by the Legislature. The advantages and the disadvantages of the operation of the State's voluntary job-sharing program are useful in considering a voluntary job-sharing program for the City. A number of difficult obstacles which do not exist in the State's personnel system but which do exist within the City's personnel systems are identified.

BACKGROUND INFORMATION

State of California Part-Time Employment Pilot Program

On August 30, 1976, Senate Bill 570 was signed into law by the Governor and became effective January 1, 1977. This bill required the Department of Motor Vehicles of the State of California to conduct a two-year pilot program to establish the feasibility of a part-time employment program. The new law established the policy of the State to be that a proportion of classes at various salary levels be available on a part-time employment basis (defined as employment requiring not more than 32 hours of work per week) to individuals unable or not desiring to work on a full-time basis. The law prohibited abolishing or reducing in hours any full-time class or position occupied by an employee without the voluntary consent of the employee holding that position. The law further prohibited the impairing of any employment rights or benefits of any employee participating in the pilot program.

"Part-time employment" in the State's pilot program is defined as employment in positions which require not more than 32 hours of work per week and which may include arrangements involving job sharing, four-, five- or six-hour work days and

jobs which provide eight hours of employment or less for one, two, three, four or five days per week.

Employees participating in the program, even though working as little as eight hours per week, may be appointed with probationary status and may earn permanent status. Such employees earn pro-rata benefits even though working less than half time, except that group health insurance benefits are available only for persons working half time or more. Participants in the program who have qualified within the PERS Retirement System may continue to earn retirement, although working less than half time.

The January 1978 Interim Report to the Governor and the Legislature on the pilot program gives the following summary, conclusion and findings:

- The demand for the program has come primarily from full-time employees in the Department of Motor Vehicles, although a substantial percentage of participants were formerly on a permanent-intermittent status. At the current level of participation, part-time employees constitute 2.4% (238 employees out of 9,917) of the total departmental work force.
- The effect of this program on unemployment is not great at the present time; however, modifications to the State civil service system might enhance the impact of the program somewhat.
- Most of the participants in the program are clerical employees, despite attempts to implement the program at all job classification levels.
- In general, employees interviewed are extremely satisfied with their new part-time statuses; yet their rate of turnover is 50% higher than the departmental rate, and their rate of reinstatement to full-time work is about 23%.
- The Department of Motor Vehicles is likely to incur additional costs in the area of employee benefits as a result of this program. These costs may be offset to some extent by decreases in sick leave usage and in extra pay for overtime.
- A variety of time bases are available, but most employees prefer to work half time, and 95% elect to work half time or more.

The above findings are presented in the report to the Legislature based upon the first eleven months of the pilot program's existence. Subsequent reports will be presented to the Legislature which will attempt to substantiate, explain or refute the preliminary findings as well as to augment the existing information.

Possible Introduction of a Voluntary Job-Sharing Program Into the City of Sacramento Personnel Systems

The City of Sacramento has four personnel systems for its employees:

July 13, 1978

An immediate problem which occurs in considering any voluntary job-sharing program within the City of Sacramento is that, when a regular, full-time employee becomes a part-time or limited-term employee, the employee moves from one personnel system to another. By definition in the Charter, only regular, full-time employees can have permanent status. Our existing personnel legislation does not have the flexibility of the State Personnel Board's constitutional provisions and rules. Therefore, any employee who would leave his regular, full-time position to move into a voluntary job-sharing position would jeopardize return rights to a regular, full-time position in the City service.

Our present Charter provisions, City ordinances, and Civil Service Rules do not contemplate the possibility of voluntary job sharing. A State of California employee who would move to a two-fifth position is protected on return rights, benefits and status. Under present City personnel structure, a City of Sacramento employee who moves to a two-fifth position would not be protected.

State of California employees presently are not affected by provisions of negotiated Memorandums of Understanding. City personnel policies are very much affected by the provisions of each Memorandum of Understanding which is entered into between a recognized employee organization and the City and ratified by the City Council.

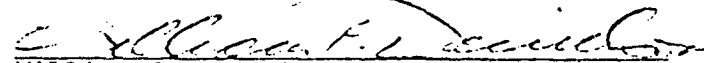
Within the last few weeks, layoff provisions have been added to each Memorandum of Understanding with recognized employee organizations. The layoff provisions commonly require that part-time employees of the City of Sacramento be laid off prior to the layoff of any regular, full-time employee within the same regression ladder. Therefore, a further problem encountered in a voluntary job-sharing program for the City of Sacramento, which does not exist in the State of California at this time, is that, in the implementation of layoffs, the part-time, non-career employees are laid off first.

The City of Sacramento will complete the layoffs of all affected non-career employees on July 21, 1978. Career layoffs will commence September 30, 1978. The introduction of a voluntary job-sharing program creating part-time, non-career positions, while regular, full-time employees in the same regression ladder remain on recall lists, would present difficult problems.

RECOMMENDATION

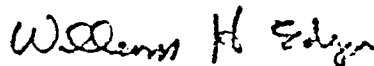
The Personnel and Public Employees Committee of the City Council presently is undertaking a review of the personnel sections of the Charter, looking toward consideration by the voters of Charter changes at the September 1979 election. Many of the problems of the creation of voluntary job-sharing programs appear to be closely related to changes in basic personnel legislation. It is recommended that the matter of voluntary job sharing be referred to the Personnel and Public Employees Committee for review and evaluation.

Respectfully submitted,



William F. Danielson
Director of Personnel

RECOMMENDATION APPROVED:



Walter J. Slupe
City Manager

July 18, 1978
All Districts



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL

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DONNA L. GILES
DIRECTOR OF PERSONNEL

January 23, 1980

Personnel and Public Employees Committee
of the City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Occupational Health Program for City Employees

SUMMARY

The P & P E Committee has had a continued item (Occupational Health Program) on its agenda for some time, a disposition of which is requested at this time. While recognizing there are merits to such an Occupational Health Program, staff considers there are sufficient problems with its adoption to warrant either its delay for at least one year, or to drop the matter entirely at this time.

BACKGROUND

There have been previous discussions by the P & P E Committee regarding an occupational health program involving periodic physical examinations for management employees. The main purpose of such a program would be to insure the ongoing health of this group, and to hopefully lessen costs of group insurance and Workers' Compensation. The Personnel Department has twice requested funds for such a program as part of its budget request, to no avail. (Because of severe limitations placed on budgetary requests for FY 1980 - 81, no consideration of the program could be given).

In 1977, the City Attorney's office gave an opinion that a requirement of physical examinations would be a mandatory subject of meeting and conferring with recognized employee organizations under the Myers - Milias - Brown Act. Since 1977, approximately 100 management employees have become recognized in two organizational units, necessitating a meet and confer process on the subject for future MOUs with the two groups. The program could however, be instituted unilaterally for the approximately 40 unrepresented management employees.

A central problem of the periodic physical examination program lies in the following two questions: (1) Who gets the results of the exam? (2) What

Personnel and Public Employees Committee
of the City Council
Occupational Health Program for City Employees

January 23, 1980

do you do about adverse findings? Courses of action range from merely giving the results (only) to the employee for his/her information, to the extremes of enforced health regimens, terminations and retirement. Also, Workers' Compensation disabilities may be created where they otherwise may not have surfaced.

FINANCIAL IMPACT

The type of program under consideration involves a modest physical examination, including chest X-ray, EKG, and lab work at a current cost of approximately \$185 per exam. Costs for unrepresented management would be approximately \$7,400 and represented employees would be approximately \$18,500 for a total of \$25,900.

RECOMMENDATION

Based on the problems inherent to such a program, and fiscal limitations, a plan for physical examinations for management employees is recommended to be delayed at least one year, or to be dropped from further consideration.

Respectfully submitted,



Dunbar Heins
Employee Services Administrator

DH:mm

Approved:



Donna L. Giles
Director of Personnel



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DEPARTMENT OF PERSONNEL

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DONNA L. GILES
DIRECTOR OF PERSONNEL

January 22, 1980

Personnel and Public Employees Committee
of the City Council
Sacramento, California

Honorable Members in Session:

Subject: B.F.O.Q. Exemption for the Retirement of Police Officers
and Firefighters

Summary:

The Personnel and Public Employees Committee has previously taken action on the mandatory retirement age of police officers and firefighters as it relates to the Age Discrimination in Employment Act Amendments of 1978. The Committee decided to recommend to the full council, that the City of Sacramento apply for a BFOQ exemption with the Department of Labor. A BFOQ exemption would have allowed the mandatory retirement age to remain at 60 years of age, rather than 70, as required by law.

This issue is again before the P & P E Committee due to changes in the BFOQ process, and the need for further direction from the Committee on this subject.

Background Information:

Prior to 1979, the City of Sacramento mandatorily retired police officers and firefighters when they reached 60 years of age. When the Age Discrimination in Employment Act Amendments became effective in 1979, the City of Sacramento complied with the Act by changing the mandatory retirement age to 70.

When the issue was before the P & P E Committee last year, there appeared to be some interest in keeping the 60 year old limit. To accomplish that, it would have been necessary for the City to do one of two things:

- (1) Apply for a "BFOQ" with the Department of Labor. This process required a study of the affected classifications using the Department's "criteria" as the basis for the study.
- (2) Request the Department of Labor to exempt all "affected classifications" on an administrative basis rather than case by case, as in the BFOQ process.

P & P. E Committee of the City Council
B.F.O.Q. Exemption for the Retirement of Police Officers and Firefighters January 22, 1980

At the time of the Committee hearing, the Secretary of the Department of Labor had not administratively exempted any police officers or firefighters from the provisions of the Act. Therefore, the Committee's action to request a BFOQ exemption was correct, based on the process in use at that time. However, the Reorganization Plan No. 1 of 1978 shifted the responsibility for enforcement and recordkeeping away from the Department of Labor, and placed those functions within the Equal Employment Opportunities Commission.

The EEOC has not developed a process to grant BFOQ exemptions. It is up to each entity to decide whether the use of a lower age standard qualifies as a BFOQ. In our case, it would mean a policy decision would have to be made on whether to return to 60 or to leave the mandatory retirement age at 70.

Recommendation:

Staff is seeking direction from the Committee on whether the mandatory retirement age for police officers and firefighters should be lowered to 60, or left at 70 years of age.

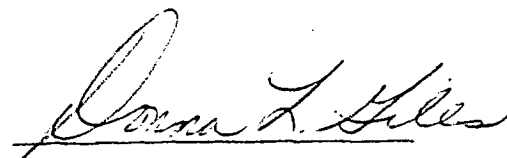
Respectfully submitted,



Gary L. Little
Affirmative Action Officer

GL:mm

Approved:



Donna L. Giles
Director of Personnel



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL

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

DONNA L. GILES
DIRECTOR OF PERSONNEL

January 25, 1980

Personnel and Public Employees Committee
of the City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Status Report on the Classification and
Pay Study

As you are aware, the consultant firm of Ralph Andersen and Associates was selected to perform a limited classification and pay study for the City of Sacramento.

The first phases of this study were for the consultants to meet with all department heads and discuss the nature of the study. The next step was for all persons in positions affected by the classification study to fill out job questionnaires, which basically described their duties and responsibilities and reporting relationships for each position.

The consultants then reviewed the job questionnaire material and selected a number of positions for job audit. Approximately 472 positions were selected for audit as part of this study. The audits are being completed this week, and the next step is for the consultants to review the audit material and to report back recommendations.

Respectfully submitted,

Donna L. Giles
Director of Personnel

6

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

January 17, 1980

Personnel and Public Employees Committee
Sacramento, CA 95814


Honorable Members in Session:

SUBJECT: Status Report: Classification Study,
Project Area Committees

As you are aware, we have been in the process of conducting a Classification Study on the three Project Area Committees (PAC's): Alkali Flat, Oak Park and Del Paso Heights, as requested by William Edgar, Assistant City Manager.

The Classification Study is presently in its final stages of completion. Job Description Forms have been reviewed in conjunction with other PAC's throughout California and comparable classifications (where applicable) within the City of Sacramento and the Sacramento Housing and Redevelopment Agency. Field audits have been completed and we are temporarily holding the study in abeyance pending the receipt of budgetary and statistical data from the Housing and Redevelopment Agency.

In an effort to make this study more comprehensive and conclusive, it is felt that the City Planning and Engineering Departments should be consulted prior to finalization and presentation of the study to the individual PAC Directors and representatives of their Personnel Committees. Upon completion of these meetings, the findings will be revised, if necessary, to include their inputs, and the report will be formalized and forwarded accordingly by mid- to latter February, 1980, excluding any pertinent data problems or diversion to other priorities.



JERRY T. SYKES
Associate Personnel Analyst

JTS:cmc

Approved:



Donna L. Giles
Director of Personnel

7



CITY OF SACRAMENTO

DEPARTMENT OF PERSONNEL

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TELEPHONE (916) 449-5270

DONNA L. GILES
DIRECTOR OF PERSONNEL

January 22, 1980

Personnel and Public Employees Committee
of the City Council

Honorable Members in Session:

Subject: Affirmative Action Status Report.

DEPARTMENTAL GOALS AND TIMETABLES

The work force utilization analysis is nearing completion. The Department of Data Processing is developing a report which will compare the present City work force to the Sacramento County labor force, the standard metropolitan statistical area labor force and population of the City of Sacramento. This information is being developed for each department and for each occupational group.

The work force analysis will assist staff in the development of suggested goals and timetables for the employment of women and minorities. The data processing information will also allow us to monitor our progress once the goals and timetables have been established. It is anticipated that this portion of the data processing program will be completed by mid February.

Employment projections and an analysis of training programs are two factors which are also being evaluated. The employment projections will help us to determine how quickly we could meet whatever goals are established by providing us with data indicating the number of vacancies to be expected over the course of two, three, five, ten or twenty years. The analysis of training programs will help us by showing the various programs from which we could recruit qualified candidates. The training programs analysis covers both in-house training programs and those supplied by independent organizations.

SPECIAL PROGRAMS

We are working with department representatives on the development of special programs to assist our current affirmative action. Two such programs are:
(1) A special recruitment program to recruit minority and female candidates

Personnel and Public Employees
of the City Council.
Affirmative Action Status Report

January 22, 1980

for firefighter positions (to be announced shortly); and, (2) A special program to train handicapped individuals to work as police dispatchers.

The special recruitment program will focus on trying to get more minority and female firefighters, and special recruitment posters specifically designed to attract minority and female applicants. Hopefully, this program will help result in a greater number of minorities and women on the firefighter eligible list.

The special employment of handicapped individuals as police dispatchers is a program now under consideration. The Personnel Department has been meeting with the Police Department and the State Department of Rehabilitation in an effort to determine whether such a plan would be feasible. If successful, this program would indicate significant progress will have been made towards meeting our responsibilities under Section 504 of the Rehabilitation Act of 1973.

EEO - 4 REPORT

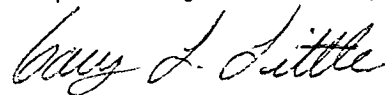
The annual EEO - 4 report has been completed and will be delivered to Washington before the January 31, 1980 deadline. As in past years, the 1978 - 79 EEO - 4 report is a survey of the City employment statistics to determine the levels and positions at which minorities and women are employed. The only change in this report from last year's is in the actual data. All of the categories used last year are continued for this report.

Copies of the EEO - 4 report will be made available to all Committee members before the next scheduled meeting.

AFFIRMATIVE ACTION ADVISORY COMMITTEE

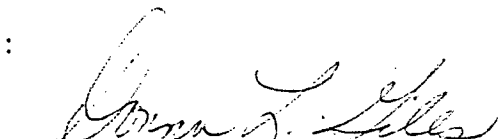
Staff has contacted the groups and organizations suggested by each Personnel and Public Employees Committee member. Each organization was asked to suggest one or two individuals who would serve on the Affirmative Action Advisory Committee. As soon as all of the recommendations are in, selections will be made.

Respectfully submitted,



Gary L. Little
Affirmative Action Officer

APPROVED:


Donna L. Giles
Director of Personnel

Veteran Organizations

American G.I. Forum
Lou Contreras, Executive Director
1911 "F" St.
Sacramento, CA. 95814
Phone: 448 - 3211

American Red Cross
Nancy Vickers, Field Director
2001 21st St.
Sacramento, CA. 95814
Phone: 452 - 6541

A.M.V.E.T.S
G.W. "Bill" Stewart, Adjutant
5301 Sky Parkway
Sacramento, CA. 95823
Phone: 422 - 2115

Veterans of Foreign Wars (VFW)
George S. Bellow, Commander
1521 "I" Street
Sacramento, CA. 95814
Phone:

Veterans of Foreign Wars (VFW)
Carl L. Zagar, Adjutant
1521 "I" Street
Sacramento, CA. 95814

American Legion
John Jones, Board Manager
1550 Auburn Blvd.
Sacramento, CA. 95813
Phone: 925 - 9823(Legion)

American Legion
Ray Edwards
P.O. Box 123
Rio Linda, CA. 95673
Phone: 991 - 2035(Home)
Phone: 991 - 9921(Legion)

Veterans of World War I
John E. Whiteford, Commander
198 Whispering Pines Dr.
Rancho Cordova 95670

Disabled American Veterans, Chapter
Theodore Sconiers, Jr., Service -Chapter 6
7558 Twilight Dr.
Sacramento, CA. 95822
Phone: 451 - 2405

Office of the Sacramento City Council

MEMORANDUM

January 15, 1980

TO: Persons interested in veterans preference
section of Sacramento City Charter

FROM: Thomas R. Hoerber, Chairman
Personnel & Public Employees Committee
Sacramento City Council

SUBJECT:

Last spring the Personnel Committee and the City Council held numerous hearings on the Personnel sections of the City Charter and placed a measure before the voters in September. The proposal was narrowly defeated.

The only controversy to surface during the campaign concerned the veterans preference section. Apparently there was some misunderstanding about whether the proposed section was acceptable to veterans groups.

In an effort to resolve this matter and hopefully bring a "concensus" measure to the voters in June, a hearing is scheduled for 9:00 AM Thursday, January 31, 1980 in the Council Chambers, City Hall, 9th & I Street, Sacramento, to discuss all aspects of the current Charter language and the proposed language (copies of which are attached).

Your written or oral testimony will be most helpful to the Committee.


Thomas R. Hoerber

TRH/wl

Attachment

Sec. 85 Preferences. Veterans preferences.

(a) In all tests and examinations held by the civil service ~~board~~ commission pursuant to the provisions of this Charter, any person who at the time of taking such test or examination has served in the army, navy, marine corps, air force, or coast guard ~~or-revenue-marine~~ service of the United States in time of war or in time of peace in a campaign (excepting the Army of Occupation of Berlin) or expedition for service in which a medal has been authorized by the government of the United States and who received an honorable discharge therefrom or who, after such service of the United States in time of war, has continued in such service or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, as such persons are defined by state law in effect at that time and who has obtained a percentage qualifying such applicant for any position under civil service regulations, shall be allowed an increase of ~~ten~~ five points above the credit of such examination. Preference under this subsection shall be limited to ten years after the date of termination of the last war or campaign or expedition during which such person served in the armed forces.

(b) Veterans who are declared by the United States Veterans Administration to have a service connected disability of 30% or more at the time of taking such test or examination, if otherwise qualified for the preference provided for by subsection (a), shall be entitled to such preference without limitation as to the time during which such preference may be used.

(c) Former prisoners of war and persons formerly declared missing-in-action, if otherwise qualified for the preference provided for by subsection (a), shall be entitled to such preference. Preference under this subsection shall be limited to 10 years after the date of termination of the last war or campaign or expedition during which such person served in the armed forces plus the time that such status as a prisoner of war or person formerly declared missing in action existed, as verified by the United States Veterans Administration.

(d) Preference under this section does not apply to promotions, or to promotion examinations.

LANGUAGE PROPOSED FOR DELETION APPEARS IN ~~Strike-out-type~~.
PROPOSED NEW LANGUAGE IS Underlined.