

ORDINANCE NO. 11924
(New Series)

OCT 18 1976

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 3, DIVISION 12 OF THE SAN DIEGO MUNICIPAL CODE BY RENUMBERING SECTIONS 23.1208 AND 23.1209 AND ADDING A NEW SECTION 23.1208 [RULE XI, SECTION 8 OF THE RULES OF THE CIVIL SERVICE COMMISSION] RELATING TO RESIGNATIONS, REMOVALS, SUSPENSIONS AND LAYOFFS.

WHEREAS, Section 129 of the Charter of The City of San Diego was amended in 1976 to provide for nondisciplinary suspensions of City employees pending investigation into charges of misconduct; and

WHEREAS, it is necessary to amend the Civil Service Commission rule relating to suspensions to conform with the provisions of the Charter amendment; and

WHEREAS, the Civil Service Commission on August 5, 1976, approved the rule change to establish the appropriate policy under which the Charter amendment may be implemented; and

WHEREAS, pursuant to Section 118 of the Charter, the Civil Service Commission submits to the City Council such amendment for consideration and adoption; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 3, Division 12 of the San Diego Municipal Code [Rule XI of the Rules of the Civil Service Commission] be and the same is hereby amended by renumbering the following sections:

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| <u>Old Section Number</u> | | <u>New Section Number</u> | |
|---------------------------|------------------|---------------------------|------------------|
| <u>Mun. Code</u> | <u>[Rule XI]</u> | <u>Mun. Code</u> | <u>[Rule XI]</u> |
| 23.1208 | [8] | 23.1209 | [9] |
| 23.1209 | [9] | 23.1210 | [10] |

Section 2. That Chapter II, Article 3, Division 12 of the San Diego Municipal Code be and the same is hereby amended by adding Section 23.1208 [Rule XI, Section 8 of the Rules of the Civil Service Commission] to read as follows:

SEC. 23.1208 SUSPENSION PENDING INVESTIGATION
 [Rule XI, Section 8 of the Rules
 of the Civil Service Commission]

Any officer or employee of the City may be suspended without pay, for up to thirty (30) calendar days, pending investigation of charges of misconduct, when in the opinion of the appointing authority such suspension is necessary in order to maintain the safety of the community or the reputation, morale, or harmony of the organization. Such suspension is not a disciplinary action and may not be appealed to the Commission. If the charges are substantiated, disciplinary action may be taken in accordance with the other provisions of this rule. If the charges are unfounded, the employee shall be restored to duty and paid for the term of the suspension.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

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JK:k:314.4

8-24-76

Or.Dept.: Personnel

By

Jack Katz
 Jack Katz
 Chief Deputy City Attorney

OCT 13 1976

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

| Councilmen | Yeas | Nays | Excused | Absent |
|---------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Gil Johnson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lee Hubbard | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Floyd L. Morrow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Gade | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Ellis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jess D. Haro | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Rathleen Martinez, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

SEP 28 1976

OCT 13 1976

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Rathleen Martinez, Deputy.

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SAN DIEGO, CALIF.

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MAY 12 1978

CC-1255-A (REV. 12-75)

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| Office of the City Clerk, San Diego, California | |
| Ordinance Number | 11924 |
| Adopted | OCT 13 1976 |
| CO219 | |