

(O-87-8)

ORDINANCE NUMBER O- **16698** (NEW SERIES)

ADOPTED ON **AUG 18 1986**

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING THE RULES OF THE CIVIL SERVICE COMMISSION BY AMENDING SECTION 23.1203 [RULE XI, SECTION 3] RELATING TO CAUSE FOR REMOVAL OR SUSPENSION.

WHEREAS, the Civil Service Commission, at its meeting of June 5, 1986, considered and adopted a revision to Civil Service Rule XI, which is codified in Municipal Code section 23.1203; and

WHEREAS, the Commission believes that this revision is necessary for the proper administration of the Personnel system; and

WHEREAS, the revision removes language which unnecessarily limited management rights to take appropriate action for the failure of an employee to follow lawful and reasonable direction given by a superior officer; and

WHEREAS, the revision was discussed with employee organizations during the meet and confer process and its approval by City Council is recommended; NOW, THEREFORE,

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

Section 1. That Chapter II, Article 3, of the San Diego Municipal Code be and the same is hereby amended by amending the Rules of the Civil Service Commission by amending section 23.1203 [Rule XI, section 3] to read as follows:

SEC. 23.1203 CAUSE FOR REMOVAL OR SUSPENSION  
[Rule XI, Section 3 of the Rules  
of the Civil Service Commission]

The following are declared to be causes for removal or suspension from the classified service of the City, though charges may be based on causes other than those enumerated:

No changes in subsections (a) through (c).

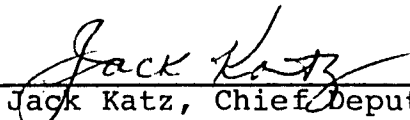
(d) That the employee has violated any lawful, or official regulation or order or failed to obey any lawful and reasonable direction given by a superior officer when such violation or failure to obey amounts to insubordination or serious breach of discipline.

No changes in subsections (e) through (n).

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By

  
\_\_\_\_\_  
Jack Katz, Chief Deputy

JK:smm  
7/9/86  
7/22/86-CORRECTED COPY  
Or.Dept:Pers.  
O-87-8  
Form=o.code

NEW LANGUAGE - UNDERLINED  
OLD LANGUAGE - STRIKEOUT

(O-87-8)

STRIKEOUT ORDINANCE

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

ADOPTED ON \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 3,  
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
THE RULES OF THE CIVIL SERVICE COMMISSION BY  
AMENDING SECTION 23.1203 [RULE XI, SECTION 3]  
RELATING TO CAUSE FOR REMOVAL OR SUSPENSION.

SEC. 23.1203 CAUSE FOR REMOVAL OR SUSPENSION  
[Rule XI, Section 3 of the Rules  
of the Civil Service Commission]

The following are declared to be causes for  
removal or suspension from the classified service  
of the City, though charges may be based on causes  
other than those enumerated:

No changes in subsections (a) through (c).

(d) That the employee has violated any lawful  
or official regulation or order or failed to obey  
any lawful and reasonable direction given by a  
superior officer when such violation or failure to  
obey amounts to insubordination or serious breach  
of discipline. ~~which may reasonably be expected to  
result in lower morale in the organization or to  
result in loss, inconvenience, or injury to the  
City or the Public.~~

No changes in subsections (e) through (n).

Passed and adopted by the Council of The City of San Diego on..... **AUG 18 1986**  
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By *Maureen L. Potecon* 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 **AUG 04 1986**, and on **AUG 18 1986**.

~~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.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By *Maureen L. Potecon* Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-16698** Adopted **AUG 18 1986**

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RECEIVED  
CITY CLERK

1995 JUL 22 AM 10:42

SAN DIEGO, CALIF.

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CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET 12th FLOOR  
SAN DIEGO, CA. 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, OF  
THE SAN DIEGO MUNICIPAL CODE BY AMENDING THE RULES  
OF THE CIVIL SERVICE COMMISSION BY AMENDING  
SECTION 23.1203

**ORDINANCE NUMBER O-16698 (NEW SERIES)**

**AN ORDINANCE AMENDING CHAPTER II, ARTICLE 3, OF  
THE SAN DIEGO MUNICIPAL CODE BY AMENDING THE  
RULES OF THE CIVIL SERVICE COMMISSION BY AMEN-  
DING SECTION 23.1203 (RULE XI, SECTION 3) RELATING TO  
CAUSE FOR REMOVAL OR SUSPENSION.**

This ordinance amends the Rules of the Civil Service Commission by amending Municipal Code section 23.1203 [Rule XI, Section 3 of the Rules of Civil Service Commission] by deleting from subsection (d) of section 23.1203 language which unnecessarily limited management's rights to take appropriate action for the failure of an employee to follow a lawful and reasonable direction given by a superior officer.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

INTRODUCED ON AUGUST 4, 1986  
Passed and Adopted by the Council of The City of San Diego on  
AUGUST 18, 1986

AUTHENTICATED BY: MAUREEN O'CONNOR  
Mayor of The City of San Diego, CA  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, CA

(SEAL)  
By MAYDELL L. PONTECORVO, Deputy.  
Pub. September 1

58818

I, Thomas D. Kelleher, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16698

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

September 1

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 1st day of Sept, 19 86

Thomas D. Kelleher

(Signature)

00989

$2 \frac{3}{4} \times 2 \times 10.24 = 48.64$