

Existing wording:

Section 254. Discharge or Reduction of Compensation. No employee in the classified service shall be discharged or reduced in rank or compensation until he/she has been presented with reasons for such discharge or reduction specifically stated in writing and has been given an opportunity to be heard before the Board in his/her own defense. The reason for such discharge or reduction and any reply thereto by the employee, shall be in writing and filed with the Civil Service Board.

Proposed wording:

Section 254. Discharge or Reduction of Compensation. No employee in the classified service shall be suspended, discharged or reduced in classification for disciplinary reasons until the employee has been presented with the reasons for such action specifically stated in writing. The reason for such discharge or reduction and any reply thereto by the employee, shall be filed in writing with the Civil Service Board.

Argument in Favor of Measure R

All unionized City employees who have been suspended, discharged or reduced in classification for disciplinary reasons have the right to appeal that decision to the Civil Service Board.

Currently, employees who **successfully** appeal a decision to suspend or discharge them, or to reduce their classification, receive 'back pay' to cover their lost compensation between the date action was taken and the date they return to work. However, under the current wording of the Charter, those who lose their appeal to the Civil Service Board also receive 'back pay'. That is, they are paid for work they didn't do, even though the disciplinary action taken against them was upheld.

This simply doesn't make sense. The City and its taxpayers should not be forced to pay an employee that lost his or her job due to disciplinary reasons simply because the employee is appealing the decision. It is, in effect, a loophole in the Charter that was never intended.

Under the proposed amendment to Charter Section 254, those who successfully appeal an action taken against them would continue to receive full 'back pay' for time lost. However, those whose appeals are denied by the Civil Service Board would no longer be paid for the period of time between the date action was taken against them and the date their appeal to the Civil Service Board was denied.

Please vote FOR the amendment to Charter Section 254. It's fair and it makes common sense.

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