



# CITY OF LOS ANGELES BOARD OF CIVIL SERVICE COMMISSIONERS

## AGENDA

COMMISSIONERS

JEANNE A. FUGATE  
President

RAUL PEREZ  
Vice President

ERICA L. JACQUEZ  
NANCY P. MCCLELLAND  
TODD SARGENT  
Commissioners

REGULAR MEETING  
THURSDAY, MARCH 28, 2019  
ROOM 350, PERSONNEL BUILDING  
700 EAST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012

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1. **CALL TO ORDER**
  
2. **PRESENTATION – “Employee of the Quarter”**  
Commission President Jeanne Fugate, General Manager Wendy Macy, Assistant General Manager William Weeks to present the Personnel Department “Employee of the Quarter” Award.
  
3. **PRESENTATION – “Retirement of Caryl Miller”**  
Commission President Jeanne Fugate, General Manager Wendy Macy and Liaison Services Bureau Division II Director, Mark Crisan to present a Civil Service Commission Resolution to Senior Personnel Analyst I Caryl Miller, who is retiring after more than 30 years of service to the City of Los Angeles.
  
4. **APPROVAL OF MINUTES**
  - a) Minutes of the regular meeting of Thursday, February 14, 2019, submitted for approval.  
Only Commissioners Fugate, Perez and Sargent may vote on this item.
  - b) Minutes of the regular meeting of Thursday, February 28, 2019, submitted for approval.  
Only Commissioners Fugate, Jacquez and McClelland may vote on this item.
  - c) Minutes of the regular meeting of Thursday, March 14, 2019, submitted for approval.  
Only Commissioners Fugate, McClelland and Sargent may vote on this item.

5. **PUBLIC COMMENTS ON MATTERS WITHIN BOARD'S JURISDICTION**

A maximum of 10 minutes will be provided for members of the public to address the Board on matters of interest to the public that are within the subject jurisdiction of the Board, but not on the printed Agenda. No single speaker shall exceed 2 minutes.

6. **COMMISSION ACTION ON ROUTINE AND OTHER MATTERS**

Approve routine and nonappearance matters under Unfinished Business, page six, item 9 and New Business, pages seven through 14, items 10 and 11, subject to any requests for reconsideration by the end of the meeting.

7. **GENERAL MANAGER'S REPORT**

**8. APPEALS UNDER CHARTER SECTION 1016**

- a. **Alfonso CORONADO**, Security Officer, Department of Airports. Discharge effective February 20, 2018.

Report and recommendations of the Board’s Hearing Examiner Daniel Saling following the conduct of hearings held April 9, 2018 and July 2, 2018 into the appeal of Mr. Coronado.

The Hearing Examiner recommends that the Board:

- A. FIND that the *Skelly* due process requirements were met.
- 1) NOT SUSTAIN the cause of action of refusal to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties (insubordination);
  - 2) NOT SUSTAIN the cause of action of failure to comply with a lawful order;
  - 3) NOT SUSTAIN the cause of action of recording conversation with other member of the agency without the express permission of all parties engaged in the conversation;
  - 4) NOT SUSTAIN the cause of action of making threats (verbal or non-verbal) or initiating a confrontation with the public, supervisors or co-workers;
  - 5) NOT SUSTAIN the cause of action of using privately owned vehicles traveling to and from duty station;
  - 6) NOT SUSTAIN the cause of action of making false or misleading statements during an administrative investigation, whether given on or off-duty;
  - 7) NOT SUSTAIN the cause of action of making threats (verbal or non-verbal) or initiating a confrontation with the public, supervisors or co-workers;
  - 8) NOT SUSTAIN the cause of action of disrupting the work of others;
  - 9) NOT SUSTAIN the cause of action of conduct unbecoming an Airport Police Division employee;
  - 10) NOT SUSTAIN the cause of action of refusal to perform reasonable work assignment or to cooperate supervisors or management in the performance of duties (insubordination);
  - 11) NOT SUSTAIN the cause of action of using privately owned vehicles traveling to and from duty station;
  - 12) NOT SUSTAIN the cause of action of making false or misleading statements during an administrative investigation, whether given on or off-duty;
  - 13) NOT SUSTAIN the cause of action of making threats (verbal or non-verbal) or initiating a confrontation with the public, supervisors or co-workers;
  - 14) NOT SUSTAIN the cause of action of disrupting the work of others;
  - 15) NOT SUSTAIN the cause of action of conduct unbecoming an Airport Police Division employee;
  - 16) NOT SUSTAIN the cause of action of refusal to perform reasonable work assignment or to cooperate supervisors or management in the performance of duties (insubordination);
  - 17) NOT SUSTAIN the cause of action of making false or misleading statements during an administrative investigation, whether given on or off-duty;
  - 18) NOT SUSTAIN the cause of action of making threats (verbal or non-verbal) or initiating a confrontation with the public, supervisors or co-workers;
  - 19) NOT SUSTAIN the cause of action of conduct unbecoming an Airport Police Division employee;
- B. FIND that the Discharge effective November 6, 2017 was NOT appropriate and is NOT SUSTAINED. The Appellant should be made whole and returned to his position with the Department of Airports.
- C. MAKE A DETERMINATION to adopt the findings and conclusions in the Hearing Examiner’s report as its own.

File No. 54881

Continued...

8. **APPEALS UNDER CHARTER SECTION 1016, (Continued)**

- a. **Alfonso CORONADO**, Security Officer, Department of Airports. Discharge effective February 20, 2018, (Continued):

COMMISSION ACTION: Continued from November 15, 2018.

On November 15, 2018, this matter came before the Board. The Commissioners all expressed concerns over the report as presented and, after nearly an hour of discussion, decided to remand the case with its entire record including the transcript of the Board's discussion back to the hearing examiner with instructions:

The Hearing Examiner is to review the entire case record, including the hearing transcripts from the April 9 and July 2, 2018 administrative hearings and all exhibits presented by the parties; the transcript of the Commission meeting of November 15, 2018 including the Board's action to take judicial notice of its own record as to the Appellant's disciplinary history as sustained at the Board's meeting of March 26, 2015. The Hearing Examiner is further instructed to provide a revised report on this case that provides the Board with a Table of Contents and assesses the credibility of all witness testimony taken and the weight given to exhibits and that testimony in reaching his decisions.

Following the Board's instructions, the Hearing Examiner reviewed the record and submitted a revised report that addressed the Board's concerns; however, his recommendations to the Board in this case did not change and are reflected on the agenda on page 3.

COMMISSION ACTION

8. **APPEALS UNDER CHARTER SECTION 1016, (Continued)**

b. **Ray FU**, Chemist, Department of Water & Power. Discharge effective February 6, 2018. Report and recommendations of the Board’s Hearing Examiner, Joseph Duffy, following the conduct of hearings held on May 10, 2018 and July 18, 2018 into the subject appeal of Mr. Fu.

The Hearing Examiner recommends that the Board:

- A. FIND that the *Skelly* due process provisions were met;
  - 1) SUSTAIN the cause of action of intentionally falsifying or destroying City records without proper authorization;
- B. FIND that the Discharge effective February 6, 2018 was appropriate and is SUSTAINED.
- C. MAKE A DETERMINATION to adopt the findings and conclusions in the Hearing Examiner’s report as its own.

File No. 54954

COMMISSION ACTION: Continued from January 10, 2019

***Commission Action:***

On January 10, 2019, the Board of Civil Service Commissioners took action to:

FIND that the *Skelly* due process requirements were met;

SUSTAIN the cause of action of intentionally falsifying or destroying City records without proper authorization;

FIND that the Discharge effective February 6, 2018 was appropriate and is SUSTAINED.

While the Board agreed with and adopted the recommendations of the Hearing Examiner to sustain the cause of action and your discharge, it found that there was significant confusion in the findings noted by the Hearing Examiner that lead to his recommendations. Therefore, a member of the Commission was assigned to work with the Board’s Counsel to produce a Findings Report based on the case Record and the Board’s discussion during its January 10, 2019 meeting.

Only the discussion and adoption of the Board’s Findings Report is before the Commission.

8. **APPEALS UNDER CHARTER SECTION 1016, (Continued)**

- c. **Gerardo MENDEZ**, Maintenance Laborer, Department of Transportation. Discharge effective September 18, 2018.

Report and recommendations of the Board's Hearing Examiner, David Beauvais following the conduct of hearings held on December 12, 2018 and January 8, 2019 into the subject appeal of Mr. Mendez.

The Hearing Examiner recommends that the Board:

- A. FIND that the *Skelly* due process provisions were met;
- 1) SUSTAIN the cause of action of job performance below standard; failure to maintain a valid Commercial Drivers' License, a condition of employment.
- B. FIND that the Discharge effective September 18, 2018 was appropriate and is SUSTAINED.
- C. MAKE A DETERMINATION to adopt the findings and conclusions in the Hearing Examiner's report as its own.

File No. 55176

COMMISSION ACTION:

9. **RESIGNATIONS, SETTLEMENTS AND WITHDRAWALS UNDER CHARTER**  
**SECTION 1016 TO BE MADE A MATTER OF RECORD**

**Lamont MARSHALL, Detention Officer, Los Angeles Police Department.** Suspension effective March 22, 2018 to April 17, 2018, inclusive (22-working days). Settlement agreement whereby the Department agreed to rescind the penalty a 22 working-day suspension and substitute a five working-day suspension; The Department agreed to make the Appellant whole for the 17 day difference in the manner required by law; The Department agreed to amend the personnel complaint to reflect agreed upon language; the Appellant agreed to withdraw his appeal from Suspension now pending before the Civil Service Commission; the parties agreed to other terms and conditions. The Commission Office received the signed settlement/withdrawal from Appeal on March 7, 2019.

File No. 54996

COMMISSION ACTION:

10. ADMINISTRATIVE ACTIONS

The General Manager recommends that:

- a. Pursuant to Civil Service Rule 4.2, the Board shall make the significant changes in the following bulletins promulgated on the date noted a matter of record:

March 8, 2019

Interdepartmental Promotional and Open Competitive

CHIEF OF OPERATIONS

Interdepartmental Promotional

LEGISLATIVE ASSISTANT

SENIOR COMPUTER OPERATOR

Open Competitive

GARAGE ATTENDANT

March 15, 2019

Interdepartmental Promotional and Open Competitive

FINANCIAL DEVELOPMENT OFFICER

REPROGRAPHICS OPERATOR

Open Competitive

WASTEWATER TREATMENT OPERATOR

- b. Make a matter of record the General Manager's recommendation to approve the use of the following Special Examining Assistants:

1. ARCHITECTURAL ASSOCIATE

Celso DEL POSO, Senior Architect, Department of Public Works, Bureau of Engineering and Michael NIKAIDO, Architectural Associate, Department of Water & Power.

2. CEMENT FINISHER WORKER

Scott BOCKMAN, Cement Finisher Supervisor, Department of Recreation and Parks and Rogelio MARTINEZ, Cement Finisher, Department of Public Works, Bureau of Street Lighting.

3. COOK

Traci GOLDBERG, Recreation Supervisor, Department of Recreation and Parks.

4. MACHINIST

Hector HOLGUIN, Machinist Supervisor, Department of Water & Power, Christopher PATRIZIO, Machinist Supervisor, Harbor Department and Timmy PADGETT, Sanitation Wastewater Manager I, Department of Public Works, Bureau of Sanitation.

5. MACHINIST SUPERVISOR

Bhupinder MUDHAR, Sanitation Wastewater Manager I, Department of Public Works, Bureau of Sanitation, David OROZCO, Mechanical Repair General Supervisor, Harbor Department and Randy MOYES, Senior Machinist Supervisor, Department of Water & Power.

6. POLICE SERGEANT

Anthony CATO, Julie RODRIGUEZ, and Emanda TINGIRIDES, Police Lieutenants; Steven EMBRICH, Daniel RANDOLPH and Craig VALENZUELA, Police Captains, Los Angeles Police Department.

7. PRINCIPAL ARCHITECT

Gary Lee MOORE, City Engineer, Department of Public Works, Bureau of Engineering.



10. **ADMINISTRATIVE ACTIONS, (Continued)**

b. Make a matter of record the General Manager’s recommendation to approve the use of the following Special Examining Assistants, (Continued):

8. **WASTEWATER TREATMENT ELECTRICIAN SUPERVISOR**

Ollie VEASEY, Sanitation Wastewater Manager III and Pritpal S. JHAJ, Sanitation Wastewater Manager II, Department of Public Works, Bureau of Sanitation.

File No.

c. Make a matter of record the General Manager’s action in approving the use of the following raters for the evaluation of training and experience questionnaires for the following examination:

**PERSONNEL RESEARCH ANALYST**

Vincent CORDERO, Senior Personnel Analyst II and Alyssa MARTINEZ, Senior Personnel Analyst I, Personnel Department.

File No.

d. Approve the change of the test of fitness method in the open competitive examination for **Medical Assistant**. The examination will be comprised of a qualifying recorded interview and a training and experience questionnaire (T&E) weighted at (100%).

File No.

e. Make the following APPEALS a matter of record:

**Suspension**

**Enrique MIRANDA-MUNOZ**, Asbestos Worker, Department of Water & Power. Form 77 filed with Records, March \_\_, 2019.

Cause of Action: 1) Harassment: repeated and/or multiple actions which created or could lead to a hostile, offensive, threatening or intimidating work environment;  
2) Demonstrating insensitivity to others by making derogatory comments, epithets, jokes, teasing remarks or slurs based on race, ethnicity, national origin, gender, religion, sexual orientation or disability.

Discipline: Suspension effective March 18, 2019 to April 26, 2019, inclusive (30-working days)

In accordance with Charter Section 1016, the Appellant filed an appeal through his legal representative with the Office of the Commission on March 19, 2019.

File No.

10. **ADMINISTRATIVE ACTIONS, (Continued)**

e. Make the following APPEALS a matter of record, (Continued):

Discharge

**AIRPORT POLICE LIEUTENANT**, Department of Airports. Form 77 filed with Records, March 13, 2019.

Cause of Action: 1) Employee accessed pornography on the internet from assigned workplace computer during working and non-working hours;  
2) Employee downloaded, uploaded, procured, viewed, stored, saved or shared pornographic images, videos and/or personal photos depicting nudity and/or sexual activity on assigned workplace computer;  
3) Employee took self-photos and/or photos of others in the workplace that were of a sexual nature and/or knowingly permitting such photos to be taken in violation of Department policy;  
4) Employee engaged in sexual activity in the workplace, on and off duty;  
5) Employee had knowledge that one of the employee's sexual partners kept a locked box in office and had reason to believe it contained naked pictures of the employee in violation of policy and rules;  
6) Employee obtained information about his own internal affairs investigation from other employees during January and/or February 2018, in violation of rules and policy.

Discipline: Discharge effective March 8, 2019.

In accordance with Charter Section 1016, the Appellant filed an appeal through his legal representative with the Office of the Commission on March 12, 2019.

File No.

**Andrew CAMPBELL**, Electrical Craft Helper, Department of Water & Power. Form 77 filed with Records, March 5, 2019.

Cause of Action: 1) Refusal to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties (insubordination) [second offense];  
2) Using threats or attempting to harm another employee or the public;  
3) Failure to cooperate with or use of abusive language toward other employees or the public;  
4) Leaving assigned work location without proper approval or appropriate reason.

Discipline: Discharge effective March 1, 2018.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on March 8, 2019.

File No.

10. ADMINISTRATIVE ACTIONS, (Continued)

f. Make the following NOTICES a matter of record:

Suspension

**AIRPORT POLICE OFFICER II**, Department of Airports. Form 77 filed with Records, March 5, 2019.

Cause of Action: 1) Requiring excessive supervision or instruction in performance of duties after the completion of training for the position;  
2) Failure to perform work assignments adequately or promptly;  
3) Violation of Department safety rules or practices, which endangered the employee or others or damages City property or equipment.

Discipline: Suspension effective February 28, 2019 to April 5, 2019 (12-working days) to be served as agreed.

**MECHANICAL REPAIRER**, Department of Recreation and Parks. Form 77 filed with Records, March 7, 2019.

Cause of Action: 1) Causing or contributing to an accident by operating City equipment in an unsafe manner.

Discipline: Suspension effective March 31, 2019 to May 27, 2019 (20-working days) to be served as agreed.

**MOTOR SWEEPER OPERATOR**, Department of Recreation and Parks. Form 77 filed with Records, March 15, 2019.

Cause of Action: 1) Leaving assigned work location without proper approval;  
2) Falsifying City records such as time reports.

Discipline: Suspension effective March 18, 2019 to April 12, 2019 (20-working days).

Discharge

**HEAVY DUTY TRUCK OPERATOR**, Department of Public Works, Bureau of Street Services. Form 77 filed with Records, March 15, 2019.

Cause of Action: 1) Absence without valid leave from March 21, 2018 to date;  
2) Unexcused, excessive or patterned absenteeism, including continuous unexcused absence from August 14, 2017 to March 20, 2018;  
3) Failure to follow established procedure for notification of inability to report for work;

Discipline: Discharge effective March 15, 2019.

10. **ADMINISTRATIVE ACTIONS, (Continued)**

f. Make the following NOTICES a matter of record, (Continued):

**Discharge, (Continued)**

**POLICE SERVICE REPRESENTATIVE**, Los Angeles Police Department. Form 77 filed with Records, March 5, 2019.

Cause of Action:        1) During July 2018, the employee, while off-duty, conspired to commit felony battery resulting in her arrest;  
                                 2) During 2018, the employee, while off-duty, associated with persons she knew or should have known were convicted felons and active gang members;  
                                 3) On or about August 10, 2018, the employee, while on-duty, inappropriately released real-time confidential law enforcement information to a known associate of the North Hollywood Boyz criminal street gang;  
                                 4) Between July 2018 and August 2018 the employee, while off-duty, ingested marijuana;  
                                 5) On or about September 26, 2018, the employee, while on-duty, was insubordinate when she failed to comply with a direct order given by a supervising sergeant to provide a hair sample for administrative purposes;  
                                 6) On or about October 4, 2018, the employee, while on-duty, was insubordinate when she failed to comply with a direct order given by a supervising sergeant to submit to an administrative interview.

Discipline:                Discharge effective February 5, 2019.

**REFUSE COLLECTION TRUCK OPERATOR**, Department of Public Works, Bureau of Sanitation. Form 77 filed with Records, March 15, 2019.

Cause of Action:        1) Failure to meet a condition of employment by being disqualified for life from holding a California Commercial Driver’s License by the California Department of Motor Vehicles.

Discipline:                Discharge effective March 15, 2019.

COMMISSION ACTION:

**11. CLASSIFICATION ACTIONS**

a. The General Manager recommends that the Board approve the following Classification actions:

1. Allocate the following new positions for the **Department of Airports** as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3183	1	Airport Manager, 7260
3184	1	Instrument Mechanic Supervisor, 3844

2. Allocate the following new positions in the Joint System of the **Department of Water & Power**, as indicated:

<u>DWP No.</u>	<u>No. of Positions</u>	<u>DDR No.</u>	<u>Class Title and Code</u>
5493	1	94-15023	Senior Systems Analyst, 1597
5494	1	95-37553	Utility Services Specialist, 3755
5495	1	93-79200	Architect, 7925
5496	1	91-15024	Senior Systems Analyst, 1597
5497	1	91-13640	Senior Administrative Clerk, 1368
5498	1	91-17131	Senior Claims Representative, 1770

3. Allocate the following new positions in the Power System of the Department of **Water & Power**, as indicated:

<u>DWP No.</u>	<u>No. of Positions</u>	<u>DDR No.</u>	<u>Class Title and Code</u>
5502	11	94-38116	Underground Distribution Construction Mechanic, 3812

4. Allocate the following new positions in the Water System of the **Department of Water & Power**, as indicated:

<u>DWP No.</u>	<u>No. of Positions</u>	<u>DDR No.</u>	<u>Class Title and Code</u>
5499	2	95-75252	Electrical Engineering Associate, 7525
5500	1	95-75252	Electrical Engineering Associate, 7525
5501	1	95-75252	Electrical Engineering Associate, 7525

5. Allocate the following new positions in the **Department of Public Works, Bureau of Street Services**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3185	1	Senior Street Services Investigator, 4285
3186	1	Street Services Investigator, 4283

6. Allocate the following new position in the **Los Angeles City Employees' Retirement System**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3187	1	Systems Analyst, 1596

7. Allocate the following new positions in the **Office of the Controller**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3177	4	Fiscal Systems Specialist, 1555 File No.

11. **CLASSIFICATION ACTIONS, (Continued)**

- b. The General Manager recommends that the Board of Civil Service Commissioners give 10-days notice of intention to:
  - 1. Create the new class of **Animal License Canvasser Assistant**, Code 4329;  
and
  - 2. Adopt the Duties Statement for **Animal License Canvasser Assistant**, Code 4329  
File No.

COMMISSION ACTION:

12. **ADJOURNMENT**