



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, APRIL 25, 2019 – 10:00 A.M.
ROOM 350, PERSONNEL BUILDING
700 EAST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

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1. **CALL TO ORDER**
2. **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, April 11, 2019, submitted for approval.
Only Commissioners Fugate, Jacquez and Sargent may vote on this item.
3. **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.
4. **COMMISSION ACTION ON ROUTINE AND OTHER MATTERS**

Approve routine and nonappearance matters under Unfinished Business, page five, item 8 and New Business, pages six through ten, items 9 and 10, subject to any requests for reconsideration by the end of the meeting.
5. **PRESENTATION – “Ruben B. Vasquez, Jr.”**

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 Personnel Director II Ruben B. Vasquez, Jr. who is retiring after more than 30 years of service to the City of Los Angeles.
6. **GENERAL MANAGER'S REPORT**

7. APPEALS UNDER CHARTER SECTION 1016

- a. Gregory RANDALL , Animal Control Officer II, Department of Animal Services.
Discharge effective August 18, 2017.

Report and recommendations of the Board’s Hearing Examiner Isabelle Gunning following the conduct of hearings held August 28, 2018, August 30, 2018, September 30, 2018 and December 13, 2018 into the appeal of Mr. Randall.

The Hearing Examiner recommends that the Board:

- A. FIND that the *Skelly* due process requirements were met.
 - 1) SUSTAIN the cause of action of using official position or office for personal gain or advantage;
 - 2) SUSTAIN the cause of action of engaging in any activity which constitutes a conflict of interest;
 - 3) SUSTAIN the cause of action of failure to see and receive approval prior to engaging in outside employment or business activity in accordance with Department of Animal Services policies and procedures;
 - 4) SUSTAIN the cause of action of using City time, property or equipment without authorization;
- B. FIND that the Discharge effective August 18, 2017 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. 54817

COMMISSION ACTION:

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

- b. **Suren SAHAKYAN**, Accountant, Department of Airports. Discharge effective December 5, 2017.

Report and recommendations of the Board's Hearing Examiner Christina Page following the conduct of hearings held on May 1, 2018, May 2, 2018 and May 22, 2018 into the subject appeal of Mr. Sahakyan.

The Hearing Examiner recommends that the Board:

- A. FIND that the *Skelly* due process provisions were met with regard to all charges except to allegations that (1) Appellant engaged in off-duty misconduct in conflict with job duties; 2) after receiving the Copier NTCD, Appellant continued to use the copier machine for improper purposes; FIND that the Appellant is entitled to back pay award from December 5, 2017 until the Board files its decision;.
- 1) SUSTAIN the cause of action of engaging in off-duty misconduct in conflict with his job duties;
 - 2) SUSTAIN the cause of action of violating Departmental rules relating to disclosure of outside employment;
 - 3) NOT SUSTAIN the cause of action of continued failure to perform work assignments;
 - 4) NOT SUSTAIN the cause of action of failing to provide information, including notice of his arrest;
 - 5) SUSTAIN the cause of action of falsifying City records;
 - 6) NOT SUSTAIN the cause of action of falsely claiming sick pay;
 - 7) NOT SUSTAIN the cause of action of continued use of City equipment without authorization.
- B. FIND that the Discharge effective December 5, 2017 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. 54914

COMMISSION ACTION: Continued from December 13, 2018

On December 13, 2018, this matter came before the Board of Civil Service Commissioners. After a full discussion, the parties retired out of the Board Room, returning some time later to announce that they had reached a settlement agreement, which was entered into the record. In the interim, the Appellant decided that he would decline the settlement. The matter now returns to the Board for final adjudication.

7. **APPEALS UNDER CHARTER SECTION 1016 - CLOSED SESSION**
CITY EMPLOYEE WITH PEACE OFFICER STATUS.

c. **AIRPORT POLICE SERGEANT II**, Department of Airports, Discharge.

Pursuant to Government Code 54957, the Civil Service Commission will adjourn into closed session to consider this employee's discipline discussion.

The Commission will report any votes taken when it returns to open session.

COMMISSION ACTION:

8. UNFINISHED CLASSIFICATION ACTIONS

The General Manager recommends that, after the Board of Civil Service Commissioners gave 10-days notice of intention on April 11, 2019, it should now:

1. CREATE the new class of **City Forest Officer**, Code 3136;
and
2. ADOPT the duties statement for **City Forest Officer**, Code 3136.

File No. 55283

COMMISSION ACTION:

9. **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:

April 5, 2019

Interdepartmental Promotional

SENIOR BUILDING OPERATING ENGINEER

SENIOR UTILITY ACCOUNTANT

Open Competitive

ENVIRONMENTAL SPECIALIST

SECURITY OFFICER

April 12, 2019

Interdepartmental Promotional

ELECTRIC SERVICE REPRESENTATIVE

STEAMPLANT MAINTENANCE MECHANIC

Departmental Promotional

FIRE HELICOPTER PILOT

Open Competitive

ART INSTRUCTOR

PLANNING ASSISTANT

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

1. **AIRPORT SUPERINTENDENT OF OPERATIONS**

Cary BUCHANAN and Rodney THOMPSON, Airport Managers I and Lewis WINSLOW, Chief of Operations II, Department of Airports.

2. **CARPENTER SUPERVISOR**

Vicki Dianne SMITH, Construction and Maintenance Supervisor I, Department of Water & Power and Daniel GAGE, Construction and Maintenance Supervisor II, Department of General Services.

3. **CEMENT FINISHER WORKER**

Nestor FARAO, Airports Maintenance Supervisor II, Department of Airports.

4. **CIVIL ENGINEERING DRAFTING TECHNICIAN**

John LU, Senior Civil Engineering Drafting Technician, Department of Water & Power, Robert Stanton ODA, Principal Civil Engineering Drafting Technician, Department of Public Works, Bureau of Engineering.

5. **GALLERY ATTENDANT**

Amitis MOTEVALLI, Art Center Director I and Isabelle LUTTERODT, Art Center Director III, Cultural Affairs Department.

6. **GARAGE ATTENDANT**

Francelle VERCHER, Senior Heavy Equipment Mechanic, Department of Airports.

7. **MECHANICAL HELPER**

Richard CARDONA, Building Repair Supervisor, Department of Water & Power, Kristopher GIACOMA, Wastewater Treatment Mechanic Supervisor, Department of Public Works, Bureau of Sanitation and Christophe PATRIZIO, Machinist Supervisor, Harbor Department.

9. **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. **PARK SERVICES ATTENDANT**

Andrew SEJA, Park Services Attendant II, Zoo Department.

9. **PLANNING ASSISTANT**

Priya MEHENDALE and Valentina KNOZ-JONES, City Planners, City Planning Department and James HARRIS, City Planning Associate, Department of Airports.

10. **SENIOR BUILDING OPERATING ENGINEER**

Marcelino CARREON, Building Maintenance District Supervisor, Department of General Services, Tyrone JESSAMY, Airport Manager II, Department of Airports.

11. **STAFF ASSISTANT TO THE GENERAL MANGER, DEPARTMENT OF WATER & POWER**

Sharon GROVE and Donna STEVENER, Assistant General Managers, Department of Water & Power.

12. **STEAM PLANT MAINTENANCE MECHANIC**

Ulysses AQUINO and Felipe CARRILLO, Jr., Steam Plant Maintenance Supervisors, Department of Water & Power.

13. **WELDER**

Miguel HERNADEZ, Welder Supervisor, Department of Airports

File No.

c. APPROVE the General Manager’s recommendation to use of the following raters for the evaluation of training and experience questionnaires for the following examination:

1) **DEPARTMENTAL AUDIT MANAGER**

Eduardo LUNA, City Auditor, City of Beverly Hills, Alfred RODAS, Sr., Audit Director, Los Angeles County Metropolitan Transit Authority, Mike PIROLO, Audit Division Interim Chief, County of Los Angeles, and Debbie KUKTA, City Treasurer, City of Burbank.

2) **OCCUPATIONAL HEALTH NURSE**

Seung LEE, Physician II, Department of Water & Power, Francisco ESQUIVEL, Safety Administrator, Department of Airports.

File No.

d. Make the following APPEALS a matter of record:

Suspension

James HAN, Electrical Mechanic, Department of Water & Power. Form 77 filed with Records, April __, 2019.

Cause of Action: 1) Using threats or attempting to harm another employee or the public;
2) Unnecessarily disrupting the work of other employees;
3) Violating safety rules, procedures or accepted practices which could have resulted in the injury, damage to equipment or degradation of electric or water service when employee called an unnecessary “All Stop.”

Discipline: Suspension effective April 15, 2019 to May 24, 2019, inclusive (30-working days).

In accordance with Charter Section 1016, the Appellant filed an appeal in the Office of the Commission on April 15, 2019.

File No.

9. ADMINISTRATIVE ACTIONS, (Continued)

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

Discharge

MARCUS LEVIAS, Office Engineering Technician III, Department of Building and Safety. Form 77 filed with Records, April 5, 2019.

Cause of Action: 1) Fragrant refusal to cooperate with supervisors or management in the performance of duties (insubordination);
 2) Using abusive language towards or making inappropriate statements to the supervisor;
 3) Disrupting the work of other employees;
 4) Failure to provide information related to work to supervisors or other requiring the information;
 5) Unexcused, excessive or patterned absenteeism;
 6) Failure to follow established procedure for notification of inability to report for work;
 7) Leaving assigned work location without proper approval or appropriate reason.

Discipline: Discharge effective April 5, 2019.

In accordance with Charter Section 1016, the Appellant filed an appeal in the Office of the Commission on April 9, 2019.

File No.

e. Make the following NOTICES a matter of record:

Suspension

AIRPORT POLICE OFFICER II, Department of Airports. Form 77 filed with Records March 22, 2019 – Revised.

Cause of Action: 1) Misconduct on or off the job, seriously reflecting on City employee or employment;
 2) Engaging in illegal behavior or conduct in conflict with job duties on or off the job;
 3) Conduct unbecoming an Airport Police employee.

Discipline: Suspension effective October 4, 2018 to January 11, 2019, inclusive (30-working days) to be served as agreed.

CUSTODIAN, Department of Airports. Form 77 filed with Records April 2, 2019.

Cause of Action: 1) Unexcused, excessive or patterned absenteeism;
 2) Failure to follow established procedure for notification of inability to report for work.

Discipline: Suspension effective March 27, 2019 to April 7, 2019, inclusive (10-working days).

PAINTER II, Harbor Department. Form 77 filed with Records April 8, 2019.

Cause of Action: 1) Reporting for duty under the influence of drugs or alcohol resulting in being unfit to work.

Discipline: Suspension effective April 12, 2019 to May 13, 2019, inclusive (10-working days) to be served as agreed.

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

e. Make the following NOTICES a matter of record, (continued):

Suspension, (Continued)**SENIOR AIRPORT ENGINEER I**, Department of Airports. Form 77 filed with Records, April 12, 2019.Cause of Action: 1) Unexcused, excessive or patterned absenteeism;
2) Failure to follow established procedures for notification of inability to report for work.

Discipline: Suspension effective April 8, 2019 to May 7, 2019, inclusive, (20-working days).

SENIOR ELECTRICAL MECHANIC SUPERVISOR, Department of Water & Power. Form 77 filed with Records, April 5, 2019.Cause of Action: 1) Falsifying time or mileage reports, reasons for absence, expense accounts or similar work-oriented documents: Falsely claiming sick or allowed pay;
2) Using City time, property or equipment without authorization;
3) Failure to carry out assigned work or supervisory responsibilities adequately, directly or properly;
4) Violating Department rules.

Discipline: Suspension effective April 16, 2019 to April 29, 2019, inclusive, (10-working days).

SENIOR GARDENER, Department of Recreation and Parks. Form 77 filed with Records, April 14, 2019.

Cause of Action: 1) Using City time, property or equipment without authorization.

Discipline: Suspension effective March 27, 2019 to April 4, 2019, inclusive, (six-working days) to be served as agreed.

TRAFFIC OFFICER II, Department of Transportation. Form 77 filed with Records, April 4, 2019.Cause of Action: 1) Neglect of Duty;
2) Unexcused, excessive or patterned absenteeism.

Discipline: Suspension effective April 8, 2019 to June 14, 2019, inclusive, (30-working days) to be served as agreed.

TRAFFIC OFFICER II, Department of Transportation. Form 77 filed with Records, April 12, 2019.Cause of Action: 1) Neglect of Duty;
2) Unexcused, excessive or patterned absenteeism.

Discipline: Suspension effective April 15, 2019 to June 26, 2019, inclusive, (30-working days) to be served as agreed.

Discharge**SECURITY OFFICER**, Department of Airports. Form 77 filed with Records, April 2, 2019.Cause of Action: 1) Unexcused, excessive or patterned absenteeism;
2) Failure to be available to perform reasonable work assignments;
3) Failure to provide acceptable medical documentation for absences.

Discipline: Discharge effective March 15, 2019.

COMMISSION ACTION:

10. **CLASSIFICATION ACTIONS**

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

1. Allocate the following new positions for 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>
3224	1	Chief Management Analyst, 9182

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>
5514	1	95-91051	Utility Administrator, 9105
5515	1	94-11031	Systems Programmer, 1455
5516	1	94-11032	Programmer Analyst, 1431
5517	1	94-15023	Senior Systems Analyst, 1597
5518	1	91-15017	Systems Analyst, 1596
5519	2	94-11030	Systems Programmer, 1455
5521	2	93-18174	Storekeeper, 1835
5522	1	93-13641	Senior Administrative Clerk, 1368

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>
5524	4	82-17001	Management Analyst, 9184
5525	1	94-75703	Sr. Electrical Service Representative, 7521

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>
5520	1	93-39131	Water Utility Supervisor, 3976
5523	1	93-16100	Supervising Water Service Representative, 1697

5. Allocate the following new positions 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>
3225	1	Benefits Specialist, 1203
3226	1	Benefits Specialist, 1203

File No.

COMMISSION ACTION:

11. **ADJOURNMENT**