



**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
MARINA A. TORRES
Commissioners

**REGULAR MEETING
THURSDAY, AUGUST 8, 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. **PRESENTATION – Core Supervisory Training Program**
Commission President Jeanne Fugate and General Manager Wendy Macy to recognize the City managers and supervisors who completed the *Core Supervisory Training Program*.
3. **PRESENTATION – “Employee of the Quarter”**
Commission President Jeanne Fugate and General Manager Wendy Macy to present the Personnel Department “Employee of the Quarter” Award.
4. **APPROVAL OF MINUTES**
Minutes of the regular meeting of Thursday, July 28, 2019, submitted for approval.
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. No single speaker shall exceed 2 minutes.
6. **COMMISSION ACTION ON ROUTINE AND OTHER MATTERS**
Approve routine and nonappearance matters under Unfinished Business, page four, items 9, 10 & 11, and New Business, pages six through 11, items 13, 14 and 15, subject to any requests for reconsideration by the end of the meeting.
7. **GENERAL MANAGER’S REPORT**

8. APPEALS UNDER CHARTER SECTION 1016

OPEN HEARING AT THE APPELLANT’S REQUEST

- a. **Jay M. COLLINS**, Airport Police Sergeant I, Department of Airports. Discharge effective June 5, 2018. Report and recommendations of the Board’s Hearing Examiner Linda Klibanow following hearings on November 19, 2018, January 18, 2019, January 22, 2019, February 21 and March 7, 2019 into the appeal of Mr. Collins.

The Hearing Examiner recommends that the Board:

A. FIND that the *Skelly* due process requirements were met.

1. SUSTAIN the cause of action of violation of LAWA Admin. Manual Sec. 5.020.B.1 – Departmental Rule, Airport Police Procedural Manual Section 5/8.6 – Making False or Misleading Statements
2. SUSTAIN the cause of action of violation of LAWA Admin. Manual Sec. 5.020.B.5 – Failure to perform work assignments adequately or promptly
3. SUSTAIN the cause of action of violation of LAWA Admin. Manual Section 5.020.B.6 – Failure to carry out supervisory responsibilities
4. SUSTAIN the cause of action of violation of LAWA Admin. Manual Section 5.020.D.7 – Failure to provide information related to work to supervisors or others requiring information
5. SUSTAIN the cause of action of violation of LAWA Admin. Manual Section 5.020.H.3 – Standards of Conduct for Peace Officers – Failure to report or take action against officer misconduct, on or off the job, both on August 29, 2016 when you failed to properly document and address the negative report of APOs’ behavior and on March 23, 2017 when you failed to perform your duties as a supervisor and have a wanted suspect arrested.

B. FIND that the discharge effective June 5, 2018 was appropriate and should be sustained.

C. MAKE A DETERMINATION to adopt the findings and conclusions in the Hearing Examiner’s report as its own.

File No. 55075

COMMISSION ACTION:

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

b. **Thomasina LEWIS**, Custodian Supervisor, Department of Airports. Discharge effective March 28, 2018.

Report and recommendations of the Board’s Hearing Examiner Jerry Ellner following the conduct of hearings held on January 10, 2019, January 29, 2019 and February 1, 2019 into the subject appeal of Ms. Lewis.

The Hearing Examiner recommends that the Board:

A. FIND that the *Skelly* due process provisions 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 illegal behavior or conduct in conflict with job duties, on or off the job;
- 3) SUSTAIN the cause of action of violation of Department rules;
- 4) SUSTAIN the cause of action of failure to carry out supervisory responsibilities adequately;
- 5) SUSTAIN the cause of action of theft of or aiding or encouraging the theft of cash, City property or equipment, as established by proper investigation;
- 6) SUSTAIN the cause of action of falsifying City records such as time reports, mileage reports, expense accounts or other work related documents including but not limited to providing false or misleading statements during fact-finding investigation;
- 7) SUSTAIN the cause of action of failure to exercise proper supervisory oversight to protect City assets.

B. FIND that the Discharge effective March 28, 2018 was appropriate and should be SUSTAINED.

C. MAKE A DETERMINATION to adopt the findings and conclusions in the Hearing Examiner’s report as its own.

File No. 55002

COMMISSION ACTION: Continued from June 27, 2019

9. **ADMINISTRATIVE CLOSURE - APPEAL UNDER CHARTER SECTION 1016 TO BE MADE A MATTER OF RECORD**

Linda KAWAGUCHI, Golf Starter, Department of Recreation and Parks. Discharge effective December 10, 2015.

DISCUSSION:

On December 15, 2015, an Appeal from Discharge as a Golf Starter with the Department of Recreation and Parks was filed by the Appellant in the Office of the Civil Service Commission.

Following the usual procedures, a Hearing Examiner was selected and a hearing date set for April 6, 2016. That hearing was reschedule several times until the Appellant's Representative reported to the Department and the Commission in May, 2017 that the Appellant had suffered a debilitating stroke and would not be able to proceed with her Appeal.

The parties began settlement discussion to conclude the Appeal and close the case. Issues between the parties dragged on until July 19, 2019 when the Appellant's representative advised the Commission Office that the Appellant had passed away on July 18, 2019.

Recommendation: Staff recommends that the Appeal from Discharge of Linda Kawaguchi be administratively closed and the action made a matter of record.

File No. 54262

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

Dante HENDERSON, Senior Administrative Clerk, Department of Public Works, Bureau of Street Services. Suspension effective April 8, 2019 to May 17, 2019, inclusive (20 working days) to be served as agreed.

On July 29, 2019, the Office of the Civil Service Commission received a signed Commission Withdrawal of Appeal form from the Appellant's Representative.

File No. 55281

COMMISSION ACTION:

11. **APPEAL FROM CLOSURE OF COMPLAINT FILED WITH THE OFFICE OF DISCRIMINATION COMPLAINT RESOLUTION.**

On February 27, 2014, the Board of Civil Service Commissioners heard the Appeal from Closure filed by **Nikolas SHADRIN**. Questions arose during the discussion that compelled the Board to return the matter to ODCR staff for further investigation. A supplemental report was prepared and sent to the Board for further consideration in June, 2016, however, the Complainant, who is retired, appears to have left the area, letters to his last known address have been returned and telephone numbers are no longer in service. Through an oversight, the file was not presented to the Board to be closed after the City lost contact with the Complainant.

RECOMMENDATION:

The General Manager recommends that the Board adopt the findings of the Office of Discrimination Complaint Resolution (ODCR) staff to close the complaints filed by Nikolas SHADRIN alleging harassment based on race/ethnicity, sexual orientation, age, disability, medical condition, religion, marital status, national origin and retaliation.

File No. 53631

COMMISSION ACTION:

August 8, 2019 agenda

12. **APPEARANCE IN THE APPEAL FROM CLOSURE OF COMPLAINT FILED WITH THE OFFICE OF DISCRIMINATION COMPLAINT RESOLUTION.**

Kenneth CRAWFORD, Appeal from closure to a complaint filed with the Office of Discrimination Complaint Resolution (ODCR).

The Complainant, after receiving the supplemental report, requested to exercise his option to appear before the Board.

RECOMMENDATION ACTION:

Approve the General Manager’s recommendation to adopt the findings of the Office of Discrimination Complaint Resolution staff to close the complaint citing that it found insufficient evidence to support Mr. Crawford’s allegations of discrimination based on race or any other protected basis.

File No.

COMMISSION ACTION:

13. **NON-APPEARANCE APPEAL FROM CLOSURE OF COMPLAINT FILED WITH THE OFFICE OF DISCRIMINATION COMPLAINT RESOLUTION.**

Irene BROWN filed an appeal from closure to a complaint filed with the Office of Discrimination Complaint Resolution. A supplemental report was prepared and sent to the Complainant on July 15, 2019 with an offer for her to appear before the Board on August 8, 2019. The Complainant was asked to notify the Commission Office by July 29, 2019 of her preference. As of date of publication of this agenda, no response had been received.

RECOMMENDATION:

Approve the General Manager’s recommends to adopt the findings of the Office of Discrimination Complaint Resolution (ODCR) to close the complaint citing that investigation found insufficient evidence to support Ms. Brown’s allegations of discrimination based on race, medical conditions, religion or any other protected basis.

File No.

COMMISSION ACTION:

14. **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:

July 19, 2019

Interdepartmental Promotional and Open Competitive

ELECTRIC METER SETTER
SPECIAL EVENTS COORDINATOR

Interdepartmental Promotional

SENIOR HEAVY DUTY EQUIPMENT MECHANIC

Open Competitive

AIRPORT SUPERINTENDENT OF OPERATIONS

July 26, 2019

Interdepartmental Promotional and Open Competitive

AUDITOR
WIND PLANT TECHNICIAN

Interdepartmental Promotional

CONSTRUCTION AND MAINTENANCE SUPERINTENDENT
EQUIPMENT REPAIR SUPERVISOR
INFORMATION SYSTEMS OPERATIONS MANAGER

Open Competitive

ZOO NUTRITIONIST

14. ADMINISTRATIVE ACTIONS

The General Manager recommends that:

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

1) COMMERCIAL SERVICE SUPERVISOR

George ROFAIL and Sharon GROVE, Assistant General Managers, Department of Water & Power.

2) INSTRUMENT MECHANIC SUPERVISOR

Donald TREINEN, Electrical Services Manager, Department of Water & Power.

3) LABOR SUPERVISOR

Donald DEMARSE, Construction and Maintenance Supervisor, Department of Water & Power and Elton HOWERTON, Wastewater Collection Supervisor, Department of Public Works, Bureau of Sanitation.

4) PORT PILOT

John DWYER and David FLINN, Chief Port Pilots II, Harbor Department.

5) SYSTEMS PROGRAMMER

Anson FONG, Chief Information Security Officer, Department of Airports, Lonney FERGUSON, Director of Systems, Information Technology Agency and Kenneth Wayne KINSEY, Information Systems Manager, Department of Water & Power.

File No.

- c. Make a matter of record the General Manager's recommendation to approve the use of the following raters for the evaluation of Training and Experience Questionnaires:

AIRPORT AIDE

Mark S. ADAMS, Chief Management Analyst and Heidi HUEBNER, Public Information Director, Department of Airports.

File No.

- d. Approve the change of the test of fitness method in the open and promotional examination for **Auditor**. The examination will be comprised of a technical exercise and weighted interview (100%).

File No.

- e. Approve the change of the test of fitness method in the interdepartmental promotional examination for **Information Systems Operations Manager**. The examination will be comprised of an advisory essay and weighted interview (100%).

File No.

14. ADMINISTRATIVE ACTIONS, (Continued)

f. Make the following APPEALS a matter of record:

Suspension**Sherman E. POLK**, Security Officer, Department of Airports. Suspension effective July 12, 2019 to August 9, 2019, inclusive (30-working days). Form 77 filed with Records.Cause of Action: 1) Violation of Airport Admin Manual 5.020 B (5): Failure to perform work assignments adequately;
2) Violation of Airport Admin Manual 5.020 C (2): Failure to follow established procedure for notification of inability to report for work;
3) Violation of Airport Admin Manual 5.020 C (3): Leaving assigned work location without approval;
4) Violation of Airport Admin Manual 5.020 G (5): Falsifying City records such as time reports, mileage reports, expense accounts or other work related documents;

Discipline: Suspension effective July 12, 2019 to August 9, 2019, inclusive (30-working days).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on July 17, 2019.

File No.

Discharge**Mark LINZEY**, Light Equipment Operator, Department of Recreation and Parks.

Discharge effective July 17, 2019. Form 77 filed with Records, July 17, 2019.

Cause of Action: 1) Falsifying City records such as time reports, mileage reports, expense accounts or other work related documents;
2) Unauthorized removal or possession of City equipment or property;
3) Leaving assigned work location without proper approval or appropriate reason;
4) Failure to perform work assignments adequately or promptly.

Discipline: Discharge effective July 17, 2019.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on July 18, 2019.

File No.

Cesar RESENDEZ, Senior Detention Officer, Los Angeles Police Department. Discharge effective July 24, 2019. Form 77 filed with Records, July __, 2019.Cause of Action: 1) On or about May 11, 2018, the employee, while off-duty, inappropriately used family illness;
2) On or about May 11, 2018, the employee, while off-duty, engaged in Department activities inconsistent with medical benefits claimed;
3) On or about March 11, 2019, the employee, while on-duty, made false statements to a Senior Detention Officer who was conducting an official investigation.

Discipline: Discharge effective July 24, 2019.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on July 25, 2019.

File No.

15. **CLASSIFICATION ACTIONS**

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

1. Allocate the following new position for the **Library Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3286	1	Community Program Assistant, 2501

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>
5601	2	93-17109	Management Analyst, 9184
5602	2	93-34002	Painter, 3423
5607	1	95-14700	Data Base Architect, 1470
5428	1	94-15018	Systems Analyst, 1596
5429	1	94-11026	Systems Programmer, 1455

3. 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>
5572	1	34-72120	Waterworks Engineer, 7248
5600	1	93-78126	Chemist, 7833
5604	2	95-72462	Civil Engineering Associate, 7246
5605	1	93-34005	Plumber, 3443
5606	1	95-72462	Civil Engineering Associate, 7246

4. Allocate the following new position in the Harbor Department, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3288	1	Personnel Analyst, 1731

5. Reallocate the following position for the **Department of General Services**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>From:</u>	<u>To:</u>
<u>CSC No.</u>	<u>Positions</u>	<u>Class Title and Code</u>	<u>Class Title and Code</u>
3287	1	Systems Analyst, 1596	Building Operating Engineer, 5923

File No.

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

b. The General Manager recommends that the Board approve the following Classification actions in connection with the 2019-2020 Budget, effective July 1, 2019.

Allocate the following positions:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Department Class Title and Code</u>
<u>HOUSING AND COMMUNITY INVESTMENT DEPARTMENT</u>		
19/20-354	2	Management Assistant, 1539
<u>ZOO DEPARTMENT</u>		
19/20-047	1	Storekeeper, 1835
19/20-053	1	Senior Management Analyst, 9171
19/20-056	1	Zoo Curator of Education, 4300
19/20-057	2	Zoo Curator of Education, 4300
<u>DEPARTMENT OF CITY PLANNING</u>		
19/20-174	2	Senior City Planner, 7947
19/20-176	1	Graphics Supervisor, 7935
19/20-177	2	Programmer Analyst, 1431
19/20-178	1	Payroll Supervisor, 1170
19/20-188	1	City Planner, 7944
19/20-189	2	City Planning Associate, 7941
19/20-192	1	City Planning Associate, 7941
19/20-355	1	City Planner, 7944
19/20-356	2	City Planning Associate, 7941
<u>DEPARTMENT OF TRANSPORTATION</u>		
19/20-307	1	Transportation Engineering Associate, 7280
19/20-310	1	Data Analyst, 1779
19/20-311	2	Transportation Planning Associate, 2480
19/20-312	2	Data Analyst, 1779
19/20-348	1	Senior Management Analyst, 9171
<u>DEPARTMENT OF GENERAL SERVICES</u>		
19/20-290	6	Materials Testing Technician, 7968
19-20-291	1	Emergency Management Coordinator, 1702
19/20-292	1	Accountant, 1513
19/20-293	1	Accounting Clerk, 1223
19/20-294	17	Custodian, 3156
19/20-295	6	Custodian, 3156
19/20-296	1	Custodian Supervisor, 3176
19/20-297	1	Senior Custodian, 3157
19/20-298	1	Head Custodian Supervisor, 3178
19/20-299	1	Management Analyst, 9184
19/20-300	1	Chief Management Analyst, 9182
19/20-301	1	Parking Manager, 9170
19/20-302	10	Parking Attendant, 3530

File No.

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

c. The General Manager recommends that the Board of Civil Service Commissioners:

1. Allocate the following new positions in the **Department of General Services**;

and

2. Exempt the following positions in accordance with Charter Section 1001(d)(2) for workers, mechanics, or craft persons employed exclusively for the construction of public works, improvements, or buildings.

CSC No.	No. of Positions	Class Title and Code
3289	2	Electrical Craft Helper, 3799
3290	1	Construction Estimator, 3341
3291	1	Construction and Maintenance Supervisor, 3127

File No.

d. The General Manager recommends that the Board of Civil Service Commissioners give a 10-day notice of its intention to:

1. Create the new classification of **Assistant Environmental Compliance Inspector**, Class Code 4288;

and

2. Adopt the new class specification for **Assistant Environmental Compliance Inspector**, Class Code 4288.

File No.

COMMISSION ACTION:

16. **ADJOURNMENT**