



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 22, 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 – “Retirement of Jody Yoxsimer”**
Commission President Jeanne Fugate, General Manager Wendy Macy and Assistant General Managers Aram Kouyoumdjian, Grayce Liu and William Weeks to present a Civil Service Commission Resolution to Assistant General Manager Jody Yoxsimer, who is retiring after more than 38 years of service to the City of Los Angeles.
3. **APPROVAL OF MINUTES**
Minutes of the regular meeting of Thursday, August 8, 2019, submitted for approval.
4. **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.
5. **COMMISSION ACTION ON ROUTINE AND OTHER MATTERS**
Approve routine and nonappearance matters under Unfinished Business, page three, items 8, 9 & 10, and New Business, pages four through nine, items 11, 12 and 13, subject to any requests for reconsideration by the end of the meeting.
6. **GENERAL MANAGER’S REPORT**

7. **APPEALS UNDER CHARTER SECTION 1016**

Enrique MIRANDA-MUNOZ, Asbestos Worker, Department of Water & Power. Suspension effective March 18, 2019 to April 25, 2019, inclusive (30-working days). Report and recommendations of the Board’s Hearing Examiner David Beauvais, following a hearing on June 13, 2019 into the appeal of Mr. Miranda-Munoz.

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 Department Manual Sec. 50-04 (H-4) Harassment: repeated and/or multiple actions which created or could lead to a hostile, offensive, threatening or intimidating work environment;
 - 2. SUSTAIN the cause of action of violation of Department Manual Sec. 50-04 (H-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.
- B. FIND that the suspension effective March 18, 2019 to April 25, 2019, inclusive (30-working days), 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. 55271

COMMISSION ACTION:

8. **DEMAND FOR REINSTATEMENT**

Deny the Demand for Reinstatement regarding the Discharge of **David WHITEHURST** from his position as a Principal Inspector, Los Angeles Housing & Community Investment Department, effective June 22, 2017. In his filing, Mr. Whitehurst asserts as grounds for his demand for reinstatement that the Hearing Examiner was prejudiced against him, harassing and denied him due process and that in no way should his actions have led to his Discharge.

Further, make it a matter of record that Mr. Whitehurst filed his Demand with the Office of the Civil Service Commission within the 90-day period as prescribed by Charter Section 1017.

File No. 54760

COMMISSION ACTION:

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

a. **Robyn FRAZIER**, Senior Police Service Representative, Los Angeles Police Department. Discharge effective June 12, 2018.

Settlement agreement between the City and Robyn Frazier whereby the Department agreed to reduce the penalty of discharge imposed June 12, 2018 and substitute a 22 working day suspension following with the Appellant will retire from City service. The Appellant acknowledged and agreed to accept the causes of action filed against her. The Appellant agreed to withdraw her Appeal from Discharge now pending before the Civil Service Commission. The parties agreed to other terms and conditions. The signed Settlement Agreement documents including the Appellant's Withdrawal from Appeal were received in the office of the Civil Service Commission on August 5, 2019.

File No. 55076

b. **Armando MARTINEZ**, Gardener Caretaker, Department of Public Works, Bureau of Sanitation. Suspension effective May 6, 2019 to May 17, 2019, inclusive (10 working days).

On July 31, 2019, the Office of the Civil Service Commission received a signed Commission Withdrawal of Appeal form from the Appellant via email.

File No. 55299

COMMISSION ACTION:

10. **UNFINISHED CLASSIFICATION ACTION**

After giving 10-days' notice of its intention, the General Manager recommends that the Board of Civil Service Commissioners:

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. 55349

COMMISSION ACTION:

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

- a. **Bob GOBUTY** 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 30, 2019 with an offer for him to appear before the Board on August 22, 2019. The Complainant was asked to notify the Commission Office by August 12, 2019 of his preference. As of date of publication of this agenda, no response had been received.

Recommendation: Approve the General Manager’s recommendation to adopt the findings of the Office of Discrimination Complaint Resolution (ODCR) staff to close the complaint citing that the investigation found no evidence to substantiate Mr. Gobuty’s allegations of discrimination based on disability (real or perceived) or any other protected basis.

File No.

- b. **Janine HAWTHORNE** 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 25, 2019 with an offer for her to appear before the Board on August 22, 2019. The Complainant was asked to notify the Commission Office by August 12, 2019 of his preference. As of date of publication of this agenda, no response had been received.

Recommendation: Approve the General Manager’s recommendation to adopt the findings of the Office of Discrimination Complaint Resolution (ODCR) staff to close the complaint citing that the investigation found no evidence to substantiate Ms. Hawthorne’s allegations of discrimination on the basis of race/ethnicity, sexual orientation or disability (real or perceived).

File No.

COMMISSION ACTION:

12. ADMINISTRATIVE ACTIONS, (Continued)

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:

August 2, 2019

Interdepartmental Promotional and Open Competitive

CHIEF PARK RANGER
POWER SHOVEL OPERATOR
SIGN PAINTER

August 9, 2019

Interdepartmental Promotional and Open Competitive

DATA PROCESSING TECHNICIAN
PRINCIPAL CITY PLANNER
SYSTEMS PROGRAMMER

Interdepartmental Promotional

FLEET SERVICES MANAGER

Open Competitive

ASSISTANT INSPECTOR

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

1) CABINETMAKER

Larry MADRID, Building Repairer Supervisor and Vicki Dianne SMITH, Construction and Maintenance Supervisor, Department of Water & Power.

2) CHIEF TRANSPORTATION INVESTIGATOR

Jarvis MURRAY, Taxicab Administrator, Department of Transportation.

3) CHILD CARE ASSOCIATE

Micha MIMS, Recreation Coordinator and Catherine HILLIARD, Child Care Center Director, Department of Recreation and Parks.

4) CONSTRUCTION AND MAINTENANCE SUPERVISOR

Richard TELLES, Building Construction and Maintenance Superintendent, Department of General Services and James MANNINO, Construction and Maintenance Superintendent, Department of Water & Power.

5) FLEET SERVICES MANAGER

Earnest Keith HALL, Fleet Services Manager III, Department of Water & Power.

6) GEOGRAPHIC INFORMATION SYSTEMS SUPERVISOR

Raul VIRGEN, Geographic Information Systems Chief, Department of Public Works, Bureau of Engineering, Oscar FIGUEROA, Geographic Information Systems Chief, Department of Public Works, Bureau of Sanitation, James VAN GERPEN, Director of Systems, City Planning Department and Lai LAM, Geographic Information Systems Supervisor II, Los Angeles Police Department.

7) PHOTOGRAPHER

Rose WATSON, Public Information Director, Department of Recreation and Parks.

Continued...

12. ADMINISTRATIVE ACTIONS, (Continued)

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, (Continued):

8) SENIOR ELECTRICAL ENGINEERING DRAFTING TECHNICIAN

Russel WOLL, Waterworks Engineer, Department of Water & Power, Rie HAYASHI, Principal Civil Engineering Drafting Technician, Harbor Department and Timothy LUE, Senior Communications Engineer, Department of Airports.

9) SYSTEMS AIDE

Tony YOUNG, Information Systems Manager I, Department of Water & Power and Kirk YAMAMOTO, Senior Systems Analyst II, Los Angeles Police Department.

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:

ZOO NUTRITIONIST

Jordan DAVIS-POWELL, Zoo Veterinarian II and Candace SCLIMENTI, Zoo Curator, Zoo Department.

File No.

- d. Approve the change of the test of fitness method in the promotional examination for **Fleet Services Manager**. The examination will be comprised of an advisory essay and an interview weighted at (100%).

File No.

- e. Approve the change of the test of fitness method in the open competitive examination for **Child Care Associate**. The examination will be comprised of an advisory essay and a weighted interview (100%).

File No.

- f. Approve the change of the test of fitness method in the interdepartmental promotional and open competitive examination for **Risk Manager**. The examination will be comprised of an advisory essay and a weighted interview (100%).

File No.

- g. Approve the change in the test of fitness method for the promotional examination for **Senior Park Ranger**. The examination will be comprised of an advisory essay and 100% weighted interview (100%).

File No.

- h. Approve the change of the test of fitness method in the promotional examination for **Steam Plant Maintenance Supervisor**. The examination will be comprised of an interview weighted at (100%).

File No.

- i. Approve the change of the test of fitness method in the open examination for **Traffic Painter and Sign Poster**. The examination will be comprised of a weighted multiple-choice test (100%) and a qualifying physical abilities test (pass/fail).

File No.

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

j. Make the following APPEAL a matter of record:

Suspension

Jesus S. CASILLAS, Park Maintenance Supervisor, Department of Recreation and Parks. Form 77 filed with Records August __, 2019.

Cause of Action: 1) Failure to perform work assignments adequately or promptly;
2) Failure to carry out supervisory responsibilities adequately.

Discipline: Suspension effective August 19, 2019 to August 30, 2019, inclusive (10-working days).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on August 14, 2019.

File No.

k. Make the following NOTICES a matter of record:

Suspension

GARDENER CARETAKER, Harbor Department. Form 77 filed with Records August 02, 2019.

Cause of Action: 1) While operating a Department vehicle on December 31, 2018, the employee was involved in an accident that resulted in damage to City property;
2) Violation of Department Rules when employee failed to notify supervisor, manager or Port Police of the accident.

Discipline: Suspension effective August 12, 2019 to October 25, 2019, inclusive (30-working days) to be served as agreed.

GARDENER CARETAKER, Department of Recreation and Parks. Form 77 filed with Records August 01, 2019.

Cause of Action: 1) Requiring excessive supervision or instruction in the performance of duties after the completion of training for the position;
2) Failure to perform work assignments adequately or promptly.

Discipline: Suspension effective August 13, 2019 to August 24, 2019, inclusive (10-working days).

Discharge

METER READER, Department of Water & Power. Form 77 filed with Records July 30, 2019.

Cause of Action: 1) Theft of property as established by proper investigation;
2) Misconduct, on or off the job, seriously reflecting on City employees or employment;
3) Violating Department rules, procedure or accepted practices which resulted in damage to equipment or property.

Discipline: Discharge effective July 27, 2019.

COMMISSION ACTION:

13. 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>
3293	1	Irrigation Specialist, 3913
3294	4	Painter, 3423
3296	1	Financial Manager, 1557

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>
5608	1	95-37531	Senior Utility Services Specialist, 3753
5610	2	95-75252	Electrical Engineering Associate, 7525
5611	1	95-75253	Electrical Engineering Associate, 7525
5613	1	94-11025	Programmer Analyst, 1431
5616	1	94-11032	Programmer Analyst, 1431
5617	2	94-11025	Programmer Analyst, 1431

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>
5609	1	94-19118	Real Estate Associate, 1941
5612	1	93-91251	Management Analyst, 9184
5614	2	95-72463	Civil Engineering Associate, 7246
5615	1	93-13641	Senior Administrative Clerk, 1368
5618	1	93-13641	Senior Administrative Clerk, 1368

4. Allocate the following new positions in the **Department of Public Works, Board of Public Works**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3297	1	Risk Manager, 1530
3299	1	Accountant, 1513
3300	1	Accountant, 1513
3301	1	Accounting Clerk, 1223

5. Allocate the following new positions in the **Harbor Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3292	1	Mechanical Engineering Drafting Technician, 7551

6. Allocate the following new position in the **Animal Services Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3295	1	Executive Administrative Assistant, 1117

7. Reallocate the following position for the **Department of Public Works, Board of Public Works**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>From:</u> <u>Class Title and Code</u>	<u>To:</u> <u>Class Title and Code</u>
3298	1	Management Analyst, 9184	Senior Management Analyst, 9171

File No.

13. **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</u> <u>Class Title and Code</u>
19/20-357	1	DEPARTMENT OF ANIMAL SERVICES Public Information Director, 1800
		DEPARTMENT OF PUBLIC WORKS
		BUREAU OF SANITATION
19/20-358	2	Administrative Clerk, 1358
19/20-359	2	Administrative Clerk, 1358
19/20-360	1	Administrative Clerk, 1358
19/20-361	1	Delivery Driver, 1121
19/20-362	1	Environmental Engineering Associate, 7871
19/20-363	1	Administrative Clerk, 1358
19/20-364	1	Programmer Analyst, 1431
19/20-365	1	Systems Analyst, 1596
19/20-366	1	Applications Programmer, 1429
19/20-367	5	Refuse Crew Field Instructor, 4100
19/20-368	1	Safety Engineering Associate, 1726
19/20-369	1	Environmental Compliance Inspector, 4292
19/20-370	1	Environmental Engineering Associate, 7871
19/20-371	1	Administrative Clerk, 1358
19/20-372	1	Management Analyst, 9184
19/20-373	1	Environmental Specialist, 7310
19/20-374	1	Irrigation Specialist, 3913
19/20-375	1	Systems Analyst, 1596
19/20-376	1	Systems Analyst, 1596
19/20-377	1	Maintenance Laborer, 3112
19/20-378	1	Refuse Collection Truck Operator, 3580
19/20-379	2	Environmental Compliance Inspector, 4292
19/20-380	2	Senior Environmental Compliance Inspector, 4293
19/20-381	14	Environmental Compliance Inspector, 4292
19/20-382	1	Environmental Specialist, 7310
19/20-383	1	Environmental Engineering Associate, 7871
19/20-384	1	Environmental Engineering Associate, 7871
19/20-385	1	Environmental Engineer, 7872
		EMERGENCY MANAGEMENT DEPARTMENT
19/20-386	1	Public Relations Specialist, 1785

File No.

COMMISSION ACTION:

14. **ADJOURNMENT**