



CITY OF LOS ANGELES BOARD OF CIVIL SERVICE COMMISSIONERS

MINUTES

COMMISSIONERS

JONATHAN M. WEISS
President

JEANNE A. FUGATE
Vice President

GABRIEL J. ESPARZA
NANCY P. MCCLELLAND
RAUL PEREZ
Commissioners

REGULAR MEETING

THURSDAY, SEPTEMBER 14, 2017 – 10:00 A.M.
ROOM 350, PERSONNEL BUILDING
700 EAST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

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Website Address: <http://www.lacity.org>

Present:

President Jonathan Weiss

Vice President Jeanne A. Fugate
(via telephone – left at 11:32 a.m.)

Commissioner Nancy P. McClelland

Commissioner Raul Perez

Commissioner Gabriel J. Esparza

General Manager Wendy G. Macy

Deputy City Attorney Jennifer Handzlik

Commission Executive Director

Bruce E. Whidden

1. **CALL TO ORDER**

Meeting was called to order by Commission President Jonathan Weiss at 10:00 a.m.

2. **PRESENTATION – “Employee of the Quarter”**

Commission President Jonathan Weiss, General Manager Wendy Macy and Assistant General Manager Jody Yoxsimer presented the Personnel Department “Employee of the Quarter” Award for the Third Quarter of 2017 to Alfredo “Al” Noble, Senior Administrative Clerk with the Workers’ Compensation Division.

3. **APPROVAL OF MINUTES**

Board unanimously approved the minutes of the regular meeting of Thursday, August 24, 2017, as corrected, on a motion by Commissioner McClelland, seconded by Commissioner Esparza.

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

Board unanimously approved routine and nonappearance matters under Unfinished Business, pages 6-7, items 9, 10 & 11 and New Business, pages 8 through 17 items 12 and 13, as amended, on a motion by Commissioner Fugate, seconded by Commissioner McClelland.

5. **GENERAL MANAGER’S REPORT**

The General Manager announced a positive recommendation by the Mayor’s Innovation Commission to approve and send to City Council a grant of \$50,000 to produce virtual reality tools for LAPD candidate recruitment and \$250,000 to create and establish virtual mentors to assist candidates in the LAPD hiring and selection process. Council action is expected before the end of September.

6. **PUBLIC COMMENTS ON MATTERS WITHIN BOARD’S JURISDICTION**

No requests for public comment

7. APPEALS UNDER CHARTER SECTION 1016

- a. **Anson ANDERSON**, Senior Detention Officer, Los Angeles Police Department.
Suspension effective August 22, 2016 to September 9, 2016, inclusive (15-working days).

Report and recommendations of the Board's Hearing Examiner Jane Kearn following the conduct of a hearing held on May 17, 2017 into the subject appeal of Mr. Anderson.

The Hearing Examiner recommends that the Board:

- A. FIND that the *Skelly* due process requirements were met.
- NOT SUSTAIN the cause of action that between June 20, 2015 and June 22, 2015, the employee, while on duty, falsified the Jail Inspection Record.
- B. FIND that the Suspension effective August 22, 2016 to September 9, 2016, inclusive (15-working days), was NOT appropriate and is NOT SUSTAINED.
- C. MAKE A DETERMINATION to adopt the findings and conclusions in the Hearing Examiner's report as its own;

File No. 54485

COMMISSION ACTION:

Discussion:

The Department expressed its position that the Hearing Examiner did not seem to grasp the state and Department requirements that all new inmates be physically checked by a Detention Officer every half hour and that the checking officer write the time and initials on a sheet attached to the cell door. Further, it has long been against Department policy to exclusively rely on the CCTV system to check on inmates. The CCTV System is a tool to assist the Detention Officers in monitoring inmates but may not be used as a replacement for the Detention Officer personally visiting the inmate's cell.

The Department further noted that, as a long-term City employee and Detention Officer supervisor, the Appellant, by his disregard for the policy of the Department allowed an atmosphere of laxity in this regard to exist. The investigation of the Department found that the Appellant signed an inspection log several times at one sitting, including, according to the video record stipulated to by the Appellant's Representative, time which, according to the video time stamp, had yet to occur.

The Appellant's Representative agreed that he stipulated to such evidence. The stipulation was that the video speaks for itself.

A discussion as to the proper use of CCTV in the jails commenced, Department contending that it may only be used as a between visit monitor, and may never replace the actual inspections of cells by the Detention Officers. The Appellant's Representative stated that the chronic short staffing of jail facilities by the LAPD made it impossible for the officers to regularly visit cells. It was a common practice to use the CCTV as the primary tool checking inmates.

Commissioner McClelland expressed her concern that inspection records would be signed for times that had not yet occurred. While the Appellant's Representative strongly denied that his client did any such thing, the Department asserted with equal vehemence that the stipulated video evidence clearly shows the Appellant signing the log four times in a single sitting, for times, at least once which had yet to occur.

7. **APPEALS UNDER CHARTER SECTION 1016, (Continued)**
a. **Anson ANDERSON**, Senior Detention Officer, Los Angeles Police Department,
(Continued)

Commissioner Perez noted that there did not seem to be anything in the record that the policy of physical inspection changed once the CCTV was installed, that, contrary to the Appellant's testimony, no person in authority authorized the use of CCTV as a replacement for personal inspection of inmate cells even when the jail is understaffed or busy. He said that the rules long established and in place at the times in question were not followed.

Commissioner McClelland concurred and noted that the Department had shown its regard for the Appellant, a long-term employee with an outstanding record by not pursuing a penalty of discharge as recommended for the charge and instead implemented a 15-working day suspension.

Commissioner Perez noted that the Department command had reduced the penalty from the original recommendation of 22 days to 15. He said, based on the Appellant's record and the fact that he was not even at work when the incident involving a death of an inmate occurred, the penalty should be reduced further.

Commission Action:

In a series of motions by Commissioner McClelland, seconded by Commissioner Esparza, the Board voted unanimously to

FIND that the Skelly due process requirements were met.

SUSTAIN the cause of action that between June 20, 2015 and June 22, 2015, the employee, while on duty, falsified the Jail Inspection Record.

Board Counsel advised the Commission that before the penalty be considered, that the matter be continued to permit her to work with Commissioner McClelland, who volunteered to write findings and conclusions for the Board to consider and adopt, as it had not accepted the recommendations of the Hearing Examiner.

The matter was continued to a future agenda when the penalty and findings of law could be considered.

Appearances

Sgt. Marc Furniss, Internal Affairs Group, Los Angeles Police Department
Sgt. Maurice Del Rio, Internal Affairs Group, Los Angeles Police Department
Victor Gordo, Appellant's Representative
Anson Anderson, Appellant

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

b. Cecil ANDERSON, Traffic Officer II, Department of Transportation. Suspension effective July 25, 2016 to September 16, 2016, inclusive (20-working days) to be served as agreed.

Report and recommendations of the Board’s Hearing Examiner Christopher Cameron following the conduct of a hearing held on June 6, 2017 into the subject appeal of Mr. Anderson.

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 MPP Section 252 I (G) Misconduct, on or off the job, unfavorably or seriously reflecting on the City or its employees;
 - 2) SUSTAIN the cause of action of violation of MPP Section 252 II (A) violation of Department rules. Traffic Officers Manual Section 2/101 confrontations.
- B) FIND that the Suspension effective July 25, 2016 to September 16, 2016, inclusive (20-working days) to be served as agreed was appropriate and is SUSTAINED.
- C) MAKE A DETERMINATION to accept the findings, conclusions and recommendation in the Hearing Examiner’s report as its own.

File No. 54434

COMMISSION ACTION: Continued from August 24, 2017

On August 24, 2017, after a full discussion into the facts of the case, the Board voted unanimously to:

- FIND that the *Skelly* due process requirements were met.
- NOT SUSTAIN the cause of action of misconduct, on or off the job, unfavorably or seriously reflecting on the City or its employees;
- SUSTAIN the cause of action of engaging in a confrontation in violation of Traffic Officers Manual Section 2/101.

The matter was continued to allow time for the Department Representatives to return to the Appointing Authority to discuss a reduction in the penalty in light of the Board votes on the Charges.

COMMISSION ACTION: On September 14, 2017

Discussion:

The Department stated that it would reduce the penalty of the 15-working days suspension to a five-working days suspension as recommended in Personnel Policy 33.2 for the sustained count.

The Appellant’s Representative objected to the penalty as still too harsh and that the absolute minimum of verbal counseling could be imposed and additional training on conflict resolution be offered.

Commission Action:

In a series of motions by Commissioner Perez, seconded by Commissioner McClelland, the Board voted unanimously to:

- FIND that the five-working day suspension as modified by the Department was appropriate and is SUSTAINED.
- MADE the findings, conclusions and recommendation in the Hearing Examiner’s report as to the cause of action sustained as its own.

Appearances:

Mark Crisan, Director, Liaison Services Bureau, Personnel Department

Steven Presberg, Personnel Department

David De La Torre, Appellant’s Representative

Cecil Anderson, Appellant

7. APPEALS UNDER CHARTER SECTION 1016, (Continued)

c. **Marcus LEVIAS**, Office Engineering Technician, Department of Building and Safety, Suspension effective February 9, 2017 to March 1, 2017, inclusive (15-working days).

Report and recommendations of the Board’s Hearing Examiner Thomas Friedman following the conduct of a hearing held on May 16, 2017 into the subject appeal of Mr. Levias.

The Hearing Examiner recommends that the Board:

- A. FIND that the *Skelly* due process requirements were met.
 - 1) SUSTAIN the cause of action of flagrant refusal to cooperate with supervisors or management in the performance of duties (insubordination – second offense);
 - 2) NOT SUSTAIN the cause of action of leaving assigned work location without proper approval or appropriate reason.
- B. FIND that the 15-working day suspension effective February 9, 2017 to March 1, 2017, inclusive, falls within the policy guidelines for the single sustained charge and was therefore 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. 54264

COMMISSION ACTION:

Discussion:

The Department Representative expressed support for the Hearing Examiner’s findings and recommendations in his report, including the recommendation to not sustain the second cause of action. The Department disagreed with the recommendation but will not argue the point. Rather, the Department urged the Board to support the findings and sustain the 15-working day suspension.

The Appellant’s Representative said that the entire case revolved around the simple fact that the employee did not stay within his assigned cubical. In order to do his work, a work product which the Department has called outstanding, he needed a bigger space, so he utilized a vacant cubical across the aisle. No one was harmed, no property was damaged but the employee was penalized with a suspension.

Commissioner Esparza questioned by the Appellant did not inform his supervisors of his need for more space and why, when asked and then ordered to remain in his assigned work location did he get into an argument rather than “comply and grieve the order later?”

Appellant’s Representative could not answer. Commissioner McClelland, Perez and Weiss continued the discussion all noting that the Appellant had a history of insubordination, engaging in confrontations rather than seeking common ground. The need for more space to work on large plans is a reasonable request, yet nowhere in the record is there testimony that the Appellant made such a request. It is obvious the Department values the Appellant, seeking only a 15-day suspension where the guideline for insubordination on a second offense runs to discharge.

7. APPEALS UNDER CHARTER SECTION 1016, (Continued)

- c. **Marcus LEVIAS**, Office Engineering Technician, Department of Building and Safety
(Continued)

In response to the Appellant's assertion that he was only told once to return to his workspace, the Department noted testimony in the record that stated that the supervisor was instructed to observe and document the Appellant's actions when outside his workspace in an effort to avoid disruption in the work place.

Commissioner McClelland noted that the Appellant's version of events is a direct contradiction to the events as stated in the record. She noted that the Hearing Examiner failed to make a credibility finding in his report as to the Appellant's testimony and version of events.

Commissioner Weiss agreed and added that without such a finding the Board cannot make a determination.

Commission Action:

Commissioner McClelland moved, with a second by Commissioner Perez, to remand the matter back to the Hearing Examiner with the entire record, including the transcript of the Board's discussion. The Hearing Examiner was instructed to provide the Board with credibility findings on the testimony presented and the process through which the Hearing Examiner made his decisions, as required by law. Motion was approved unanimously.

Appearances:

Narvia Wells, Liaison Services Bureau, Personnel Department
Adam Stern, Appellant's Representative
Marcus Levias, Appellant

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

The General Manager recommends that the Board adopt the findings of the Office of Discrimination Complaint Resolution (ODCR) staff to close the complaint filed by **Jeanne WILLIAMS** citing that it found insufficient evidence to support her allegations of sexual harassment, racial discrimination and retaliation resulting in her discharge by the Los Angeles Police Department.

File No. 54806

COMMISSION ACTION:

Discussion:

The Representative of the Office of Discrimination Complaint Resolution stated that the ODCR investigation into the complaint found insufficient evidence to support her allegations.

The Complainant expressed her outrage that the ODCR staff could come to such a conclusion.

Commissioner Esparza attempted to explain that it was not the function of ODCR to assess blame, but rather to seek ways and means to resolve conflicts and, where discrimination or questionable actions occur to work with the City Department and Complainant to resolve the conflict and correct future actions. He asked the Complainant what it was she wanted the Board to do.

Before the Complainant could reply, the Board's Counsel interjected that two days prior to the Board meeting, a Superior Court judge ruled against the Complainant's Writ of Mandamus to recover her position with the City. That tentative decision would become final in the near future, and while the decision will be taken to the Court of Appeals, the judge's ruling would be beneficial to the Board.

Commission Action:

The matter was continued to a future agenda to allow the Board time to review related court actions on a motion by Commissioner Esparza, seconded by Commissioner McClelland. Motion approved unanimously.

Appearances:

Olivia Flores, Manager, EEO, Personnel Department
Jeanne Williams, Complainant

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

- a. **AIRPORT POLICE OFFICER II**, Department of Airports. Suspension effective August 1, 2017 to August 10, 2017, inclusive, (seven-working days). Settlement agreement whereby the Department agreed to reduce the penalty of a seven-working day suspension to a five-working day suspension; The Appellant agreed to withdraw the appeal pending before the Civil Service Commission; the parties agreed to other terms and conditions. The Commission Office received the signed documents implementing the agreement and withdrawal on August 17, 2017.

File No. 54812

- b. **Anthony BROWN**, Department of Water & Power. Discharge effective June 9, 2017. The Commission Office staff attempted by letter, telephone and text to reach the Appellant. Late on the afternoon of August 28, 2017, staff was finally able to make contact. He acknowledged that his union, SEIU 721, had withdrawn as his representative. When asked if he planned on getting new counsel or representing himself, he said, "no," that he was not planning to attend the October 12 hearing. Staff asked if he would rather end his appeal and withdraw, he said "yes." He was advised that the Commission would like his signature on a withdrawal form, if possible. He was sent a form and offered the Commission fax number to send it back. The Department was informed and agreed to take a Commission Withdrawal form for the Appellant's signature to an unemployment appeal hearing scheduled for later that same day. Mr. Brown failed to attend the state unemployment hearing, thus the Department was unable to get his signature. Repeated telephone message and text attempts have all gone unanswered. As it seems to be the clear intent of the Appellant to withdraw, his Appeal from Discharge as indicated by his telephone statements on August 28, 2017 the Board will make the withdrawal a matter of record.

File No. 54729

- c. **Lonnie B. HAYES**, Department of Airports. Discharge effective May 15, 2017. Settlement agreement whereby the Department agreed to rescind the penalty of discharge and accept the Appellant's resignation; the Appellant agreed to withdraw the appeal pending before the Civil Service Commission; the parties agreed to other terms and conditions. The Commission Office received the signed documents implementing the agreement and withdrawal on August 31, 2017.

File No. 54707

COMMISSION ACTION: MADE A MATTER OF RECORD

10. **UNFINISHED CLASSIFICATION ITEM**

The General Manager recommends that, following the Board giving a 10-day notice of its intention on August 24, 2017, that the Civil Service Commission:

1. Create the new classification of **EXECUTIVE DIRECTOR – DEPARTMENT OF CANNABIS**, Class Code 9429;
 2. Adopt the new duties statement for **EXECUTIVE DIRECTOR – DEPARTMENT OF CANNABIS**, Class Code 9429;
 3. Create the new classification of **ASSISTANT DIRECTOR – DEPARTMENT OF CANNABIS**, Class Code 9428;
- and
4. Adopt the new duties statement for **ASSISTANT DIRECTOR – DEPARTMENT OF CANNABIS**, Class Code 9428.

File No. 54805

COMMISSION ACTION: RECOMMENDATIONS APPROVED

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

The General Manager recommends that the Board adopt the findings of the Office of Discrimination Complaint Resolution (ODCR) staff that the closure of the complaints filed by Gus MALKOUN alleging retaliation by Bureau management for filing his complaint.

File No. 54586

COMMISSION ACTION: Continued from October 27, 2016 and January 27, 2017

Discussion:

On January 27, 2017, the Board requested that ODCR staff interview all witnesses, including the Complainant and any percipient witnesses available and produce a supplemental report for the Board's consideration. After receiving the supplemental ODCR report, the Complainant informed the Commission Office that he did not wish to pursue his appeal from closure any further and that the Commission could close the complaint.

COMMISSION ACTION: RECOMMENDATION APPROVED

12. 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:

August 18, 2017

Open Competitive

PORT PILOT

Interdepartmental Promotional

SENIOR BUILDING MECHANICAL INSPECTOR

August 25, 2017

Open Competitive

ENGINEERING GEOLOGIST ASSOCIATE

Interdepartmental Promotional

CHIEF INSPECTOR

ENGINEERING DESIGNER

Interdepartmental Promotional and Open Competitive

AQUATIC DIRECTOR

BLACKSMITH

MARINE AQUARIUM PROGRAM DIRECTOR

PORTFOLIO MANAGER

- b. Make a matter of record the General Manager's action in approving the use of the following Special Examining Assistants:

1) ELECTRICAL REPAIRER

Gillis BAKER, Electrical Repair Supervisor, Robert CASTELLANOS, Senior Electrical Repair Supervisor, Department of Water & Power.

2) INFORMATION SYSTEMS MANAGER

Joyce EDSON, Assistant General Manager, Information Technology Agency, Aura MOORE, Chief Information Officer, Department of Airports and David ALEXANDER, Executive Assistant to General Manager Water and Power, Department of Water & Power.

3) PRINCIPAL CITY PLANNER

Kevin KELLER and Lisa WEBBER, Deputy Directors of Planning, Department of City Planning.

4) RECREATION COORDINATOR

Linda FISHER, Recreation Supervisor and Traci GOLDBERG, Senior Recreation Director II, Department of Recreation and Parks.

5) REPROGRAPHICS SUPERVISOR

Annabel NUNO, Senior Management Analyst I and Nga NGUYEN, Principal Civil Engineering Drafting Technician, Department of Public Works, Bureau of Engineering.

6) UTILITY SERVICES SPECIALIST

Gregory HORNSBY and Armando BOLIVAR, Utility Services Managers, Department of Water & Power.

File No. 54807

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

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

Suspension, (Continued)

Steven W. MILLER, Traffic Officer II, Department of Transportation. Suspension effective August 28, 2017 to September 22, 2017, inclusive, (10-working days) to be served as agreed. Form 77 filed with Records on August 14, 2017.

Cause of Action: 1) Using City time, property or equipment without authorization when on October 20, 2016, the employee, while off duty, was observed driving a City vehicle outside the City limits, in the City of Hawthorne.

Discipline: Suspension effective August 28, 2017 to September 22, 2017, inclusive (10-working days) to be served as agreed.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on August 14, 2017.

File No. 54814

Dana L. PITT, Warehouse and Toolroom Worker, Department of Water & Power. Suspension effective August 21, 2017 to September 8, 2017, inclusive, (15-working days). Form 77 filed with Records on August 21, 2017.

Cause of Action: 1) Flagrantly refusing to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties (insubordination);
2) Sleeping on the job.

Discipline: Suspension effective August 21, 2017 to September 8, 2017, inclusive (15-working days).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on August 18, 2017.

File No. 54815

Discharge

Nichole L. BONNER, Traffic Officer II, Department of Transportation. Discharge effective August 25, 2017. Form 77 filed with Records on August 25, 2017.

Cause of Action: 1) Job Performance Below Standard: Failure to maintain a valid California Driver's License, a requirement for employment as a Traffic Officer;
2) Gambling, Drunkenness or Use of Liquor or Narcotics: Reporting for duty under the influence of drugs or alcohol as established by a "reasonable suspicion" test administered by the City's Medical Services Division.

Discipline: Discharge effective August 25, 2017.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on August 25, 2017.

File No. 54816

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

g. Make the following APPEALS a matter of record (Continued)

Discharge, (Continued)**Gregory B. RANDALL**, Animal Control Officer II, Department of Animal Services.

Discharge effective August 17, 2017. Form 77 filed with Records on August 18, 2017.

Cause of Action: 1) Using official position or office for personal gain or advantage;
 2) Engaging in an activity which constitutes a conflict of interest;
 3) Violation of Department Rules – 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) Using City time, property or equipment without authorization.

Discipline: Discharge effective August 17, 2017.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on August 18, 2017.

File No. 54817

h. Make the following NOTICE a matter of record.

Suspension**AUTO BODY BUILDER AND REPAIRER**, Los Angeles Police Department. Form 77 filed with Records on August 17, 2017.

Cause of Action: 1) On or about August 19, 2016, the employee, while off-duty, created a disturbance in a Verizon store with employees and customers;
 2) On or about August 19, 2016, the employee, while off-duty, failed to cooperate with on-duty officers from the Glendora Police Department who were conducting an investigation;
 3) On or about August 19, 2016, the employee, while off-duty, used profanity towards an on-duty Glendora Police Officer;
 4) On or about August 19, 2016, the employee, while off-duty, was under the influence of an alcoholic beverage while in public;
 5) On or about August 19, 2016, the employee, while off-duty, improperly identified himself as a Los Angeles Police Officer to Verizon employees.

Discipline: Suspension effective August 20, 2017 to September 16, 2017, inclusive (ten working days) to be served as agreed.

CUSTODIAN, Department of Water & Power. Form 77 filed with Records on August 17, 2017.Cause of Action: 1) Unexcused, excessive or patterned absenteeism (3rd offense);
 2) Frequent and unexcused tardiness (4th offense);

Discipline: Suspension effective August 16, 2017 to September 19, 2017, inclusive (25-working days).

ELECTRIC DISTRIBUTION MECHANIC, Department of Water & Power. Form 77 filed with Records on August 21, 2017.Cause of Action: 1) Actions on the job intended to inflict bodily injury (whether or not the injury actually occurred) during a fight (altercation);
 2) Using unauthorized dangerous weapons, such as firearms, knives or tools which could result in harm to another employee or the public.

Discipline: Suspension effective August 21, 2017 to September 29, 2017, inclusive (30-working days).

12. ADMINISTRATIVE ACTIONS, (Continued)

h. Make the following NOTICE a matter of record, (Continued).

REFUSE COLLECTION TRUCK OPERATOR II, Department of Public Works, Bureau of Sanitation. Form 77 filed with Records on August 14, 2017.

Cause of Action: Positive drug or alcohol test resulting from a “for-cause” test administered on or about March 14, 2017, under the provisions of the United States Department of Transportation Drug and Alcohol Testing Policy.

Discipline: Suspension effective August 14, 2017 to September 22, 2017, inclusive (20-working days) to be served as agreed.

TRAFFIC MARKING AND SIGN SUPERINTENDENT II, Department of Transportation. Form 77 filed with Records on August 14, 2017.

Cause of Action: 1) Conduct unbecoming to a City employee;
2) Engaging in any employment, activity or enterprise which results in a conflict of interest.

Discipline: Suspension effective August 28, 2017 to September 25, 2017, inclusive (seven-working days) to be served as agreed.

WATER UTILITY WORKER, Department of Water & Power. Form 77 filed with Records on August 10, 2017.

Cause of Action: Reporting for duty unfit to work due to the use of drugs or alcohol.

Discipline: Suspension effective August 7, 2017 to August 15, 2017, inclusive (10-working days).

Discharge

GARDENER CARETAKER, Department of Water & Power. Form 77 filed with Records on August 15, 2017.

Cause of Action: 1) Failure to meet minimum job requirement by failure to maintain a valid California Driver’s License;
2) Violation of Department Safe Driving Policy.

Discipline: Discharge effective August 15, 2017.

GARDENER CARETAKER, Department of Recreation and Parks. Form 77 filed with Records on August 11, 2017.

Cause of Action: Unexcused, excessive or patterned absenteeism.

Discipline: Discharge effective August 11, 2017.

WATER TREATMENT OPERATOR, Department of Water & Power. Form 77 filed with Records on August 17, 2017.

Cause of Action: 1) Failure to carry out assigned work adequately, promptly or safely which could have resulted in injury, damage to equipment or degradation of water services (4th Offense);
2) Failure to cooperate with or use of abusive language toward other employees or the public.

Discipline: Discharge effective August 16, 2017.

COMMISSION ACTION: MADE A MATTER OF RECORD

13. **CLASSIFICATION ACTIONS**

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

1. Allocate the following new positions in the **DEPARTMENT OF AIRPORTS**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
2806	1	Senior Management Analyst, 9171
2807	1	Management Analyst, 9184
2808	1	Senior Administrative Clerk, 1368

2. Allocate the following new position in the **BOARD OF PUBLIC WORKS**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
2801	1	Executive Administrative Assistant, 1117

3. 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>
5004	1	94-11026	Systems Programmer, 1455
5006	1	91-17020	Management Analyst, 9184
5015	2	95-56011	Rates Manager, 5601
5016	1	95-56012	Rates Manager, 5601
5017	21	91-15132	Utility Accountant, 1511
5021	3	91-15136	Senior Utility Accountant, 1521

4. 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>
5000	1	95-75253	Electrical Engineering Associate, 7525
5022	6	94-38305	Electric Distribution Mechanic, 3879
5027	7	94-38200	Electric Distribution Mechanic, 3879
5023	1	94-72025	Sr. Mechanical Engineering Drafting Technician, 7210
5024	1	94-72073	Sr. Civil Engineering Drafting Technician, 7207
5025	1	94-72022	Sr. Architectural Drafting Technician, 7208
5026	9	95-75252	Electrical Engineering Associate, 7525
5028	12	94-75009	Electrical Engineering Drafting Technician, 7532
5029	2	72-72073	Civil Engineering Drafting Technician, 7232
5030	1	94-75237	Mechanical Engineering Drafting Technician, 7551
5031	1	94-72012	Sr. Mechanical Engineering Drafting Technician, 7210
5032	1	72-72073	Civil Engineering Drafting Technician, 7232
5033	1	72-72151	Civil Engineering Drafting Technician, 7232

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

a. The General Manager recommends that the Board approve the following Classification actions, (Continued)

5. 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>
5002	1	93-72006	Senior Civil Engineering Drafting Technician, 7207
5003	8	93-39109	Maintenance and Construction Helper, 3115
5005	4	93-35144	Heavy Duty Truck Operator, 3584
5008	4	93-39120	Water Service Worker, 3931
5009	1	93-16104	Water Service Representative, 1693
5010	7	93-39126	Water Utility Worker, 3912
5011	4	93-35124	Equipment Operator, 3525
5012	8	93-39130	Water Utility Worker, 3912
5013	1	42-72107	Civil Engineering Drafting Technician, 7232
5014	2	93-39119	Water Service Worker, 3931

6. 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>
2802	1	Principal Public Relations Representative, 1786

7. Allocate the following new position for the **LOS ANGELES CITY EMPLOYEES' RETIREMENT SYSTEM (LACERS)** as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
2811	1	Senior Personnel Analyst, 9167

8. Allocate the following new positions in the **OFFICE OF THE CITY CLERK**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
2815	1	Management Analyst, 9184
2816	1	Management Analyst, 9184

9. Allocate the following new positions in the **DEPARTMENT OF CANNABIS**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
2812	1	Commission Executive Assistant, 9734
2813	1	Senior Administrative Clerk, 1368
2814	1	Management Analyst, 9184

10. Reallocate the following position for the **DEPARTMENT OF PUBLIC WORKS, BUREAU OF STREET LIGHTING:**

<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>
2810	1	Management Analyst, 9184	Senior Management Analyst, 9171 File No. 54818

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

b. The General Manager recommends that the Board approve the following Classification actions in connection with the 2017-2018 Budget effective July 1, 2017.

1. Allocate the following positions:

<u>CSC No.</u>	<u>No. of Positions</u>	Department Class Title and Code
		<u>DEPARTMENT OF NEIGHBORHOOD EMPOWERMENT</u>
17/18-288	1	Executive Administrative Assistant, 1117
		<u>DEPARTMENT OF PUBLIC WORKS – BUREAU OF ENGINEERING</u>
17/18-287	1	Environmental Supervisor
		<u>DEPARTMENT OF PUBLIC WORKS – BUREAU OF SANITATION</u>
17/18-290	2	Environmental Engineering Associate, 7871
17/18-291	1	Environmental Engineering Associate, 7871
17/18-292	1	Environmental Engineering Associate, 7871

2. Reallocate the following positions for the **DEPARTMENT OF PUBLIC WORKS, BUREAU OF SANITATION:**

<u>CSC No.</u>	<u>No. of Positions</u>	From: Class Title and Code	To: Class Title and Code
17/18-289	1	Laboratory Technician, 7854	Chemist, 7833 File No. 54819

c. The General Manager recommends that the Board approve the Classification Specification Revision of Wastewater Manager, 4128 in the **DEPARTMENT OF PUBLIC WORKS, BUREAU OF SANITATION.**

File No. 54820

d. The General Manager recommends that the Board approve the exemption of the following positions in the **DEPARTMENT OF CITY PLANNING** in accordance with Charter Section 1001(d)(4), based on the positions being grant-funded for a term not to exceed two years.

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
2803	1	Principal City Planner 7946
2804	1	Public Information Director 1800
2805	1	Public Relations Specialist 1785

File No. 54821

e. The General Manager recommends that the Board approve the exemption of the following positions in the **DEPARTMENT OF PUBLIC WORKS, BUREAU OF STREET LIGHTING,** in accordance with Charter Section 1001(d)(3). The positions will be employed no more than half-time and the salary will not exceed three-fourths of the monthly salary established for entry-level clerical positions.

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
2799	5	Administrative Clerk, 1358

File No. 54822

13. CLASSIFICATION ACTIONS, (Continued)

- f. The General Manager recommends that the Board approve the exemption of the following positions in the DEPARTMENT OF PUBLIC WORKS, BUREAU OF STREET LIGHTING, in accordance with Charter Section 1001(d)(1) for positions of unskilled laborers.

CSC No.	No. of Positions	Class Title and Code
2800	10	Maintenance Laborer, 3112

File No. 54823

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

- 1) Create the new classification of PORT POLICE SPECIALIST, 3238;
and
- 2) Adopt the new class specification for PORT POLICE SPECIALIST, 3238;
and
- 3) Allow employees in the new class of PORT POLICE SPECIALIST to receive a Special Assignment under Charter Section 1014 to the class of Port Police Officer, 3238 upon successful completion of the 18-month probationary period.

File No. 54824

COMMISSION ACTION: RECOMMENDATIONS APPROVED

14. ADJOURNMENT

Meeting was adjourned by the Commission President at 11:59 a.m.

JONATHAN M. WEISS,
President

BRUCE E. WHIDDEN,
Commission Executive Director