CLOSED SESSION

The Commission met in Closed Session pursuant to Government Code Section 54956.9(b)(1) to confer with legal counsel regarding procedural options available to the Board as it considers the Court’s order in the matter of Rupert STAINE v. City of Los Angeles.

Closed Session meeting was called to order by Commission President Jonathan Weiss at 9:45 a.m. All members were present including Commissioner Perez participating by telephone.

The Closed Session meeting was adjourned at 10:05 a.m.

OPEN SESSION CALLED TO ORDER

Open Session meeting was called to order by Commission President Jonathan Weiss at 10:15 a.m.

APPROVAL OF MINUTES

The Board unanimously approved, as corrected, the minutes of the regular meeting of Thursday, September 14, 2017 on a motion by Commissioner Esparza, Seconded by Commissioner McClelland.

COMMISSION ACTION ON ROUTINE AND OTHER MATTERS

The Board unanimously approved routine and nonappearance matters, as amended, under Unfinished Business, page 5, item 9 and New Business, pages 5 through 13, items 10 and 11 on a motion by Commissioner McClelland, seconded by Commissioner Esparza.
5. **GENERAL MANAGER’S REPORT**
Assistant General Manager Raul Lemus reported that General Manager Wendy Macy had been called to jury duty and was unable to attend the Board meeting. She wanted the Board to know of two Council motions currently pending:

- **City Succession Planning.** A motion by Council Member Paul Koretz (CD-5) to have the Personnel Department work with all City Departments to prepare for the potential drain of talent as a large percentage of the current City workforce becomes eligible for retirement. For more than a year, the Personnel Department has been working closely with all of the City Departments to prepare them for the loss and replacement of a large percentage of the City workforce. The Personnel Department will periodically update the City Council and the Commission on its ongoing efforts on this issue.

- **Technology use in the selection process.** A motion by Council Member Monica Rodriguez (CD-7) encourages the Personnel Department to use advancements in technology to improve access and reduce the time needed to create the necessary lists for Departments to hire new or promote current City employees by the use of “on-line” testing. Again, the Personnel Department has been working on this issue for nearly a year to find ways and means to use on-line testing in the Civil Service exam process. Here, too, the Personnel Department will report its continuing efforts in this area to the City Council and the Commission periodically.

6. **PUBLIC COMMENTS ON MATTERS WITHIN BOARD’S JURISDICTION**
There were no requests for public comment.
7. **WRIT OF MANDAMUS**

Consideration of the Writ of Mandate and Decision in the matter of Rupert STAINE v. City of Los Angeles (BS162399)

File No. 53967

On May 3, 2017, the Superior Court of California, County of Los Angeles, issued an order to the Los Angeles City Board of Civil Service Commissioners commanding it make findings in support of its January 28, 2016 decision, in the administrative proceedings entitled Appeal from Discharge of Rupert STAINE, Airport Police Officer III, Department of Airports and to render a decision consistent with its obligations under *Topanga Ass’n for a Scenic Community v. County of Los Angeles*, (1974) 11 Cal.3d 506, 515 without taking additional evidence.

**COMMISSION ACTION:**

*Discussion:*

The Commission President reviewed the instruction from the Superior Court detailing the two options the Board was offered to satisfy the requirements under the *Topanga* ruling; either to simply adopt the findings in the Hearing Examiner’s Report as its own or make independent findings to support the Board’s actions in January, 2016. He also noted that only the administrative proceeding was before the Board, that in all other aspects, the Court denied the Writ of Mandamus filed by the Appellant.

The Representative of the Airport Department concurred with the review by the Commission President that it was only the technical administrative action that was before the Board.

The Appellant’s Representative noted that while the President was correct in his review, he urged the Board to make the extra effort and create findings of its own and not rely on those found in the Hearing Examiner’s report.

Commissioner McClelland noted that she was disinclined to go off and make independent findings when it was the Hearing Examiner’s report that the Board relied on when it made its original decision. Recreating the excellent work of the Hearing Examiner seems unnecessary.

Commissioner Fugate agreed, stating that it was the findings and discussions in the Hearing Examiner’s report that guided her in making her decisions and votes. It is an excellent report with complete findings.

*Commission Action:*

In a motion by Commissioner McClelland, seconded by Commissioner Esparza, the Board voted unanimously to adopt the findings from the Hearing Examiner’s report as its own in the Appeal from Discharge of Rupert Staine, Airport Police Officer III, Department of Airports.

**Appearances:**

Christina Checel, Legal Division, Department of Airports
Kevin A. Flautt, Appellant’s Representative
Rupert Staine, Appellant
8. **APPEALS UNDER CHARTER SECTION 1016**

   a. **George ASHIKIAN**, Gardener Caretaker, Department of Recreation and Parks. Discharge effective March 31, 2017,

   Report and recommendations of the Board’s Hearing Examiner Thomas Friedman following the conduct of a hearing held on July 20, 2017 into the subject appeal of Mr. Ashikian.

   The Hearing Examiner recommends that the Board:

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

   1) SUSTAIN the cause of action of demonstrating insensitivity to others by making derogatory comments, epithets, jokes, teasing, remarks, slurs or making suggestive gestures or displaying images or written material that derogatorily depicts or demeans people;

   2) SUSTAIN the cause of action of violation of safety rules or practices, which endanger the employee or others or damages City property or equipment.

   B. FIND that the Discharge effective March 31, 2017 was appropriate and is SUSTAINED.

   C. MAKE A DETERMINATION on the findings and conclusions in the Hearing Examiner’s report;

   File No. 54688

**COMMISSION ACTION:**

**Discussion:**

The Department expressed its agreement with the findings and recommendations in the Hearing Examiner’s report and asked the Board to adopt it.

Commissioners Weiss and McClelland noted their deep concern at the extensive delay in the conduct of this case as expressed by the Hearing Examiner.

The Department Representative agreed with the Hearing Examiner and the Commissioners that the delay in this case was unacceptable. Internal steps have been taken to assure that discipline cases are handled in an expeditious fashion taking only the time necessary to properly process the complaint.

Commissioner Esparza asked the Department to detail the methods used to communicate the use and restrictions imposed on Community Service Court Referrals working with City employees. The Department responded that supervisors regularly remind employees of the appropriate use and restriction upon Community Service Court Referrals assigned to the parks during “tail gate” meetings. The topic is not discussed at every meeting, but is mentioned at least quarterly.

Commissioner Esparza then turned to the Appellant’s contention of a lack of training in the area of interpersonal relationship. The Department refuted the claim by the Appellant. In his more than 14 years of City service, the Department has provided bi-annual EEO training that includes working within a diverse workforce and conflict resolution.

Commissioner Esparza asked about the penalty imposed on the Appellant. The Department responded that charge one, insensitivity, is being treated as a second offense. The recommendation in the guideline is for discharge on a second offense. Violation of safety rules, here treated as a first offense carries a recommended penalty of written notice to 20-working day suspension.
8. APPEALS UNDER CHARTER SECTION 1016, (Continued)
a. George ASHIKIAN, Gardener Caretaker, Department of Recreation and Parks, (Continued)

The Appellant said that he had nothing further to add to the items noted in his exceptions. He flatly denied that he ever, either in this case or his previous discipline, used derogatory language against fellow workers. In his 14-years of employment, he said, he never heard any supervisor instruct employees on the appropriate use of Court referrals or any restrictions either.

The parties further discussed the incidents resulting in the discharge as well as elements from previous disciplines not before the Commission. The Department said that the Appellant could offer no evidence to refute the testimony of several independent witnesses to the Appellant’s behavior and language. Further, the Hearing Examiner found that the Appellant’s testimony lacked any credibility, whereas the Department’s witnesses were deemed highly credible.

The Appellant reiterated that he never ever used derogatory language with other employees. He admitted to leaving the keys in a small utility vehicle so that a Court referral worker could get in and operate it. To that extent he was wrong, but he was never trained that Court referral workers could not operate City equipment.

The Department stated that it was in the record, when the Court referral worker was found operating the small utility vehicle, that the Appellant said “now I am going to get fired.” He knew the policy, he knew he was in the wrong. His defense, as the Hearing Examiner clearly stated, was fully without credibility.

Commission Action:
As the Commissioners were making motions to vote on this case, the Appellant left the Board Room.

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

FIND that the Skelly due process requirements were met.

SUSTAIN the cause of action of demonstrating insensitivity to others by making derogatory comments, epithets, jokes, teasing, remarks, slurs or making suggestive gestures or displaying images or written material that derogatorily depicts or demeans people;

SUSTAIN the cause of action of violation of safety rules or practices, which endanger the employee or others or damages City property or equipment.

FIND that the Discharge effective March 31, 2017 was appropriate and is SUSTAINED.

ADOPT the findings and conclusions in the Hearing Examiner’s report as the Board’s own.

Appearances:
Harold Fujita, Personnel Director, Department of Recreation and Parks
Theresa Walker, Human Resources Division, Department of Recreation and Parks
George Ashikian., Appellant (in pro per)
8. **APPEALS UNDER CHARTER SECTION 1016, (Continued)**

b. David G. GUAJARDO, Tree Surgeon Assistant, Department of Public Works, Bureau of Street Services, Discharge effective August 22, 2016.

Report and recommendations of the Board’s Hearing Examiner Jerry Ellner following the conduct of hearings held on February 8, 2017 and April 13, 2017 into the subject appeal of Mr. Guajardo.

The Hearing Examiner recommends that the Board:

A. FIND that the Skelly due process requirements were met.
   1) SUSTAIN the cause of action of failure to meet a condition of employment by loss of Commercial Driver’s License;
   2) SUSTAIN the cause of action of absence without a valid leave.

B. FIND that, while the penalty of discharge is within the discretion of the appointing authority under Personnel Policy 33.2, the Board should take notice of the mitigating circumstances in this case including the Appellant’s long and successful service to the City and the City’s considerable investment in its employees. The Hearing Examiner strongly urges the Board to recommend that the parties enter into a settlement discussion in search of a penalty less than a discharge. The parties should consider all other penalties including a time served suspension with a last chance agreement under which, when the Appellant’s Commercial Driver’s License is restored, early next year, that in the event that it should be lost again, the employee will face immediate termination.

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

File No. 54489

**COMMISSION ACTION:**

**Discussion:**

The Department restated its position that the Appellant knew from the beginning of his employment with the City that he was required to maintain a Class B Commercial Driver’s License as a condition of his employment. He failed to notify the Department of the loss of that license, the Department finding out from the DMV several months after the fact. During that time, the Appellant drove City equipment 13 times; exposing the City and the taxpayers to considerable liability should he have had an accident.

Commissioner McClelland asked the Department how they knew that a new employee had received the required Class B Commercial Driver’s License. The Department detailed the steps it took during a new employee’s probationary period to be sure that all required conditions of employment were met. Employees have four months to successfully achieve a Class B license. An employee could not clear probation without possessing such a license.

The Appellant’s Representative disagreed with the Department’s assessment. He noted that at the time the Appellant was hired, the City operated a training program to aid new hires in achieving a Class B license. In the case of the Appellant, he was enrolled by the City in a third party training program. He said that it took some considerable time to find a school and enroll.

In all, it was nearly three years before the Appellant actually achieved a Class B driver’s license in 2003. All the while, the City allowed the Appellant to operate City vehicles and equipment. The Department interjected that while such was the testimony of the Appellant, there was no documentation in the record that supported such a claim.
8. **APPEALS UNDER CHARTER SECTION 1016. (Continued)**

b. **David G. GUAJARDO**, Tree Surgeon Assistant, Department of Public Works, Bureau of Street Services (Continued)

Commissioner McClelland asked the Department when it learned that the Appellant had lost his Commercial License. The Department said that the City receives notices from the DMV when there is a change in the status of an employee’s driver’s license. In this case, DMV reported the suspension of the Appellant’s Class B license to the City on May 12, 2016.

The Appellant told the Commission that he had several DMV hearings and he was not sure just when his license was actually suspended. He said that he told his supervisor that his license was suspended on April 26, 2017, at which time he was sent home subject to his producing documentation on the status of his license. The Department noted that the Appellant failed to provide such documentation which resulted in the second charge of being absent without a valid leave.

The discussion continued as to exact dates noted in the record when the Appellant informed the Department of the loss of his driver’s license.

Also discussed was the Hearing Examiner’s suggestion that the Department consider penalties less than discharge, including a time served suspension to run until the Appellant’s driver’s license is restored, he could then be returned to duty with a last chance agreement that should he lose his license again he would face immediate termination. The Department objected to that suggestion, since as a condition of employment, the Appellant was on notice from his first day of work that he had to have the Class B license. She said that the Department had been consistent with its work force for decades, that if an employee fails to meet a condition of employment, the Department will terminate their employment.

**Commission Action:**

In a motion by Commissioner Fugate, seconded by Commissioner Esparza, the Board unanimously voted to continue the matter and the case was remanded to the Hearing Examiner for the production of a supplemental report. In the supplemental report, the Hearing Examiner is instructed to:

- Review the entire record of the case, including exhibits, and create a chronology based on that record of the incidents that resulted in the Appellant’s loss of his Class B driver’s license;
- When and how was the Department was informed of the loss of the driver’s license;
- If part of the record, provide the dates of the 13 occasions on which the Appellant drove a City vehicle without the required Class B license.
- The Hearing Examiner is to provide citations as to the page and line in the transcript that supports the supplemental report;
- The Hearing Examiner may use the transcript of the Board proceedings of September 28, 2017 as guidance and reference, but none of the dates mention therein may be used in his supplemental report that is not also noted in the transcript of the administrative hearing;
- The Hearing Examiner will have 30 days after receiving the record of the case.

**Appearances:**

Leticia Ortiz, Liaison Services Bureau, Personnel Department
Charles Ferrari, Appellant’s Representative
David Guajardo, Appellant
9. **UNFINISHED CLASSIFICATION ACTIONS**
   The General Manager recommends that, following the Board giving a 10-day notice of its intention on September 14, 2017, that the Civil Service Commission:
   
   1) Create the new classification of **PORT POLICE SPECIALIST**, 3238;
   and
   
   2) Adopt the new classification specification for **PORT POLICE SPECIALIST**, 3238;
   and
   
   3) Allow employees in the new classification 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.

COMMISSION ACTION: RECOMMENDATIONS APPROVED

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:

    **September 1, 2017**
    Interdepartmental Promotional
    INFORMATION SYSTEMS MANAGER
    SENIOR CONSTRUCTION INSPECTOR

    **September 8, 2017**
    Open Competitive
    CONTROL SYSTEMS ENGINEERING ASSOCIATE

    **September 13, 2017**
    Open Competitive
    ADVANCE PRACTICE PROVIDER

    **September 15, 2017**
    Open Competitive
    CRIME & INTELLIGENCE ANALYST
    MARINE AQUARIUM CURATOR
    RECREATION COORDINATOR

    **Interdepartmental Promotional and Open Competitive**
    REPROGRAPHICS SUPERVISOR
    TIRE REPAIRER

    **October 1, 2017**
    Open Competitive
    AIRPORT POLICE OFFICER
    AIRPORT POLICE SPECIALIST
    POLICE OFFICER
    POLICE SPECIALIST
    PORT POLICE OFFICER
10. **ADMINISTRATIVE ACTIONS, (Continued)**

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

1) **AUTO BODY BUILDER AND REPAIRER**
   Robert NIETO, Equipment Superintendent, Department of General Services, John LAWLER, Auto Body Representative Supervisor II, Los Angeles City Fire Department.

2) **COMMUNICATIONS INFORMATION REPRESENTATIVE**
   Ivy GARNETT, Senior Communications Operator II, Department of Transportation, Rosa Gracie MADRID, Principal Communications Operator, Department of Water & Power, Melissa DANIELS, Senior Administrative Clerk, Department of Public Works, Bureau of Sanitation.

3) **ELECTRIC STATION OPERATOR**
   Martin SALAZAR, Chief Electric Plant Operator and Humberto TORRES, Electrical Services Manager, Department of Water & Power.

4) **ELECTRICAL REPAIR SUPERVISOR**
   Richard DAVID, Shops Superintendent and Robert CASTELLANOS, Senior Electrical Repair Supervisor, Department of Water & Power.

5) **ELEVATOR MECHANIC HELPER**
   Ruben VERDUZCO, Elevator Repair Supervisor II, Department of General Services.

6) **ENGINEERING GEOLOGIST ASSOCIATE**
   Frederick BURNETT, Engineering Geologist, Department of Public Works, Bureau of Engineering, Kelvin LEW, Environmental Supervisor, Department of Water & Power and Jeffrey WILSON, Engineering Geologist, Department of Building and Safety.

7) **FINANCIAL DEVELOPMENT OFFICER**
   Edwin GIPSON and Douglas SWOGER, Directors of Housing, Housing and Community Investment Department.

8) **INFORMATION SERVICES SPECIALIST**
   David ALEXANDER, Executive Assistant to General Manager Water & Power, James LEVESQUE and Bruce UNTIEDT, Systems Programmers, Department of Water & Power.

9) **PARKING METER TECHNICIAN SUPERVISOR**
   Ray LAU, Transportation Engineer, Department of Transportation.

10) **POLICE ADMINISTRATOR**
    Jorge A. VILLEGAS, Assistant Chief and Gloria GRUBE, Police Administrator III, Los Angeles Police Department.

11) **POLICE COMMANDER**
    Justin EISENBURG and John SHERMAN, Deputy Chiefs, Los Angeles Police Department.

12) **SENIOR BUILDING MECHANICAL INSPECTOR**
    Eric JAKEMAN, Assistant Deputy Superintendent of Buildings II and Andrew LONGORIA, Chief Inspector, Department of Building & Safety.

13) **SENIOR COMPUTER OPERATOR**
    Casey RIGGS, Information Systems Operations Manager II, Information Technology Agency and John VASQUEZ, Systems Programmer III, Department of Water & Power.
10. **ADMINISTRATIVE ACTIONS, (Continued)**
   
b. Make a matter of record the General Manager’s action in approving the use of the following Special Examining Assistants, (Continued):
   
14) **SENIOR ELECTRIC SERVICE REPRESENTATIVE**
   
   George NINO and Wayne HINKSON, Power Engineering Managers, Department of Water & Power.

15) **SENIOR UNDERGROUND DISTRIBUTION CONSTRUCTION SUPERVISOR**
   
   Lance GORNICK, Senior Underground Distribution Construction Supervisor II, Department of Water & Power.

16) **SUPERINTENDENT OF RECREATION AND PARKS OPERATIONS**
   
   Vicki ISRAEL and Ramon BARAJAS, Assistant General Managers Recreation and Parks, Department of Recreation and Parks.

17) **TIRE REPAIRER**
   
   Alfonso SANTOYO, Tire Repairer Supervisor, Department of Water & Power, David OROZCO, Equipment Repair Supervisor, Harbor Department, Daniel DE LEON, Equipment Repair Supervisor, Los Angeles City Fire Department and Milton GOMEZ, Tire Repairer Supervisor, Department of General Services.

18) **TRANSPORTATION ENGINEER**
   
   Salvador S. ZAMBRANO, Harbor Engineer I, Harbor Department, Roy KIM, Senior Transportation Engineer, Department of Transportation and Patrick TOMCHECK, Senior Transportation Engineer, Department of Airports.

19) **WATER SERVICE REPRESENTATIVE**
   
   Hugo TORRES, Flordeliza GONZALEZ and Charles GUEL, Supervising Water Service Representatives, Department of Water & Power.

   File No. 54825

   c. Approve the use of interview boards consisting of representatives from inside and outside City service in the open and interdepartmental promotional examination for **ELECTRIC TROUBLE DISPATCHER**.

   File No. 54826

   d. Approve the use of interview boards consisting of representatives from inside and outside City service in the open competitive and interdepartmental promotional examination for **SENIOR CITY PLANNER**.

   File No. 54827

   e. Approve the use of interview boards consisting of representatives from inside and outside City service in the interdepartmental promotional examination for **SENIOR UNDERGROUND DISTRIBUTION CONSTRUCTION SUPERVISOR**.

   File No. 54828

   f. Approve the use of interview boards consisting of representatives from inside and outside City service in the interdepartmental promotional examination for **STRUCTURAL STEEL FABRICATOR SUPERVISOR**.

   File No. 54829

   g. Approve the change of the test of fitness method in the open competitive examination for **COMMUNICATIONS INFORMATION REPRESENTATIVE**. The examination will be comprised of an advisory technical exercise and an interview weighted at (100%)

   File No. 54830
10. **ADMINISTRATIVE ACTIONS. (Continued)**

**h.** Approve changes to the test of fitness for **AIRPORT POLICE OFFICER** as follows, effective October 1, 2017.

Remove the Physical Abilities Test 1 from the **AIRPORT POLICE OFFICER** selection process. Replace the Physical Abilities Test 1 with attendance at Airport Physical Fitness Assessment and completion of the Physical Fitness Qualifier. Candidates will be required to complete the Physical Fitness Qualifier at least once prior to appointment. Scores on the Physical Fitness Qualifier will be advisory and considered at the time of appointment.

Remove the Preliminary Background Application (PBA) and Job Preview Questionnaire (JPQ) as step 1 in the selection process for the **AIRPORT POLICE OFFICER** classification. The PBA is advisory and no longer used. The JPQ is required at the time of interview, so it is redundant to be completed at step 1 of the **AIRPORT POLICE OFFICER** selection process.

File No. 54831

**i.** Approve changes to the test of fitness for **AIRPORT POLICE SPECIALIST** as follows, effective October 1, 2017.

Remove the Physical Abilities Test 1 from the **AIRPORT POLICE SPECIALIST** selection process. Replace the Physical Abilities Test 1 with attendance at Airport Physical Fitness Assessment and completion of the Physical Fitness Qualifier. Candidates will be required to complete the Physical Fitness Qualifier at least once prior to appointment. Scores on the Physical Fitness Qualifier will be advisory and considered at the time of appointment.

Remove the Preliminary Background Application (PBA) and Job Preview Questionnaire (JPQ) as step 1 in the selection process for the **AIRPORT POLICE SPECIALIST** selection process. The PBA is advisory and no longer used. The JPQ is required at the time of interview, so it is redundant to be completed at step 1 of the **AIRPORT POLICE SPECIALIST** selection process.

File No. 54832

**j.** Approve changes to the test of fitness for **POLICE OFFICER** as follows, effective October 1, 2017.

Remove the Physical Abilities Test 1 from the **POLICE OFFICER** selection process. The Physical Abilities Test 1 is replaced with attendance at the Candidate Advancement Program and completion of the Physical Fitness Qualifier. Candidates will be required to complete the Physical Fitness Qualifier at least once prior to appointment. Scores on the Physical Fitness Qualifier will be advisory and considered at the time of appointment.

Remove the Preliminary Background Application (PBA) and Job Preview Questionnaire (JPQ) as step 1 in the selection process for the **POLICE OFFICER** classification. The PBA is advisory and no longer used. The JPQ is required at the time of interview, so it is redundant to be completed at step 1 of the **POLICE OFFICER** selection process.

Approve the addition that candidates who are currently employed as Associate Community Officers may waive the Personal Qualifications Essay previously taken and passed.

File No. 54833
10. **ADMINISTRATIVE ACTIONS, (Continued)**

k. Approve changes to the test of fitness for **POLICE SPECIALIST** as follows, effective October 1, 2017.

Remove the Physical Abilities Test 1 from the **POLICE SPECIALIST** selection process. Replace the Physical Abilities Test 1 with attendance at the Candidate Advancement Program and completion of the Physical Fitness Qualifier. Candidates will be required to complete the Physical Fitness Qualifier at least once prior to appointment. Scores on the Physical Fitness Qualifier will be advisory and considered at the time of appointment.

Remove the Preliminary Background Application (PBA) and Job Preview Questionnaire (JPQ) as step 1 in the selection process for the **POLICE SPECIALIST** classification. The PBA is advisory and no longer used. The JPQ is required at the time of interview, so it is redundant to be completed at step 1 of the **POLICE SPECIALIST** selection process.

File No. 54834

l. Approve changes to the test of fitness for **PORT POLICE OFFICER** as follows, effective October 1, 2017.

Remove the Physical Abilities Test 1 from the **PORT POLICE OFFICER** selection process. Replace the Physical Abilities Test 1 with attendance at Airport Physical Fitness Assessment and completion of the Physical Fitness Qualifier. Candidates will be required to complete the Physical Fitness Qualifier at least once prior to appointment. Scores on the Physical Fitness Qualifier will be advisory and considered at the time of appointment.

Remove the Preliminary Background Application and Job Preview Questionnaire as step 1 in the selection process for the **PORT POLICE OFFICER** classification. The PBA is advisory and no longer used. The JPQ is required at the time of interview, so it is redundant to be completed at step one of the **PORT POLICE OFFICER** selection process.

File No. 54835

m. Make the following **APPEALS** a matter of record:

**Suspension**


In accordance with Charter Section 1016, the Appellant filed an appeal through his attorney with the Office of the Commission on September 7, 2017 via email.

File No. 54836


Cause of Action: Leaving assigned work location without proper approval or appropriate reason.

Discipline: Suspension effective September 11, 2017 to September 18, 2017, inclusive, (six-working days).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on September 10, 2017.

File No. 54837
10. **ADMINISTRATIVE ACTIONS, (Continued)**

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

  **Discharge**


  **Cause of Action:** Violation of safety standards per Harbor Department Employee Manual section 2.130. On September 20, 2016, employee, while operating a Department Bobcat, rammed into and damaged the brick support structure and concrete wall of Harbor Department owned building “G” (second offense).

  **Discipline:** Discharge effective September 7, 2017.

  In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on September 7, 2017.

  File No. 54838

  n. Make the following NOTICE a matter of record.

  **Suspension**

  **BUILDING MECHANICAL INSPECTOR**, Department of Building and Safety. Form 77 filed with Records on September 13, 2017.

  **Cause of Action:**

  1) Falsifying Inspector Daily Report by reporting location on June 29, 2015 as your assigned office at 35550 Wilshire Boulevard between 7 a.m. and noon when employee was actually at LSDBS Metro Office obtaining a permit for the installation of an Electric Vehicle for his residence;

  2) Falsifying Inspector Daily Report by reporting location on March 1, 2017 as conducting surveys between 1 p.m. and 4:30 p.m. when employee was actually at LADBS office at 6262 Van Nuys Blvd picking up a personal conversion permit;

  3) Falsifying Daily Report stating employee was at LADBS office at 221 N Figueroa St. between 7 a.m. and 11:30 a.m. when actually at LADBS Van Nuys Office applying for a building permit for his home.

  **Discipline:** Suspension effective September 11, 2017 to October 23, 2017, inclusive (30-working days).


  **Cause of Action:**

  1) Violation of safety rules, procedures or accepted practices which resulted in injury, disability or death, interruption or degradation of electric or water service or damage to equipment or property;

  2) Failure to enforce safety rules, practices, procedures, allowing unsafe practices, or conditions to continue.

  **Discipline:** Suspension effective September 11, 2017 to September 22, 2017, inclusive (10-working days).
10. **ADMINISTRATIVE ACTIONS, (Continued)**

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

Suspension, (Continued)

**ELECTRICAL INSPECTOR**, Department of Building and Safety. Form 77 filed with Records on September 13, 2017.

Cause of Action: 1) Falsifying City Records such as Inspector Daily Reports, Inspection records or permits when employee finalized, without authorization, a permit for the installation of an Electrical Vehicle (EV) charger at the residence of a co-worker on June 29, 2015;

2) Engaging in a confrontation with the public on July 26, 2017 when the employee parked in a parking structure at 8640 West Third Street, Los Angeles, and did not take a ticket for parking then refused to leave vehicle keys with parking attendant, blocking other customer's vehicles. Upon returning, employee refused to pay the parking fee and failed to stop after brushing the parking attendant's leg with his vehicle.

Discipline: Suspension effective September 11, 2017 to October 23, 2017, inclusive (30-working days).

**IRRIGATION SPECIALIST**, Department of Recreation and Parks. Form 77 filed with Records on August 28, 2017.

Cause of Action: 1) Engaging in a confrontation with the public, supervisors or co-workers;

2) Engaging in action on the job or City property intended to inflict bodily injury.

Discipline: Suspension effective September 6, 2017 to September 13, 2017, inclusive (six-working days) to be served as agreed.

**TRAFFIC OFFICER II**, Department of Transportation. Form 77 filed with Records on August 24, 2017.

Cause of Action: Falsifying City Records by providing locations for her hourly check-ins inconsistent with her Vehicle Status Reports.

Discipline: Suspension effective August 23, 2017 to October 3, 2017, inclusive (30-working days).

**TRANSITIONAL WORKER**, Department of Recreation and Parks. Form 77 filed with Records on September 11, 2017.

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.

Discipline: Suspension effective September 18, 2017 to September 25, 2017, inclusive (six-working days).
10. **Administrative Actions, (Continued)**

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

Discharge

**Gardner Caretaker**, Department of Recreation and Parks. Form 77 filed with Records on September 12, 2017.

**Cause of Action:** Failure to meet condition of employment by loss of driver’s license.

**Discipline:** Discharge effective September 12, 2017.

**Planning Assistant**, Department of City Planning. Form 77 filed with Records on September 8, 2017.

**Cause of Action:**
1) Failure to perform work assignments adequately or promptly;
2) Requiring excessive supervision or instruction in the performance of duties after completion of training for the position;
3) Refusal to cooperate with supervisors and follow a reasonable work assignment.

**Discipline:** Discharge effective September 11, 2017.

**Commission Action:** Made a Matter of Record

11. **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:

<table>
<thead>
<tr>
<th>CSC No.</th>
<th>No. of Positions</th>
<th>Class Title and Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>2819</td>
<td>5</td>
<td>Asset Manager, 1954</td>
</tr>
</tbody>
</table>

2. Allocate the following new position in the Department of Public Works, Bureau of Engineering as indicated:

<table>
<thead>
<tr>
<th>CSC No.</th>
<th>No. of Positions</th>
<th>Class Title and Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>2820</td>
<td>1</td>
<td>Principal Civil Engineer, 9489</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>DWP No.</th>
<th>No. of Positions</th>
<th>DDR No.</th>
<th>Class Title and Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>5034</td>
<td>1</td>
<td>91-12031</td>
<td>Commercial Service Supervisor, 1213</td>
</tr>
<tr>
<td>5035</td>
<td>1</td>
<td>91-12031</td>
<td>Commercial Service Supervisor, 1213</td>
</tr>
<tr>
<td>5036</td>
<td>1</td>
<td>93-91251</td>
<td>Management Analyst, 9184</td>
</tr>
<tr>
<td>5037</td>
<td>1</td>
<td>91-15137</td>
<td>Senior Utility Accountant, 1521</td>
</tr>
<tr>
<td>5042</td>
<td>1</td>
<td>95-91055</td>
<td>Utility Administrator, 9105</td>
</tr>
<tr>
<td>5046</td>
<td>1</td>
<td>95-14091</td>
<td>Information Systems Manager, 1409</td>
</tr>
<tr>
<td>5047</td>
<td>1</td>
<td>95-15390</td>
<td>Management Assistant, 1539</td>
</tr>
<tr>
<td>5048</td>
<td>2</td>
<td>93-37134</td>
<td>Heavy Duty Equipment Mechanic, 3743</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>DWP No.</th>
<th>No. of Positions</th>
<th>DDR No.</th>
<th>Class Title and Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>5043</td>
<td>15</td>
<td>94-38116</td>
<td>Underground Distribution Construction Mechanic, 3812</td>
</tr>
<tr>
<td>5050</td>
<td>1</td>
<td>94-75108</td>
<td>Electrical Engineer, 7539</td>
</tr>
</tbody>
</table>

Continued…
11. **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:

<table>
<thead>
<tr>
<th>DWP No.</th>
<th>No. of Positions</th>
<th>DDR No.</th>
<th>Class Title and Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>5038</td>
<td>2</td>
<td>93-39109</td>
<td>Maintenance and Construction Helper, 3115</td>
</tr>
<tr>
<td>5039</td>
<td>2</td>
<td>93-33114</td>
<td>Building Repairer, 3333</td>
</tr>
<tr>
<td>5040</td>
<td>1</td>
<td>93-35144</td>
<td>Heavy Duty Truck Operator, 3584</td>
</tr>
<tr>
<td>5041</td>
<td>3</td>
<td>93-39109</td>
<td>Maintenance and Construction Helper, 3115</td>
</tr>
<tr>
<td>5044</td>
<td>1</td>
<td>93-39129</td>
<td>Water Utility Supervisor, 3976</td>
</tr>
<tr>
<td>5045</td>
<td>3</td>
<td>93-13641</td>
<td>Senior Administrative Clerk, 1368</td>
</tr>
<tr>
<td>5049</td>
<td>3</td>
<td>93-39129</td>
<td>Water Utility Supervisor, 3976</td>
</tr>
</tbody>
</table>

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

   Reallocate the following position for the **DEPARTMENT OF PUBLIC WORKS, BUREAU OF ENGINEERING**:

<table>
<thead>
<tr>
<th>CSC No.</th>
<th>No. of Positions</th>
<th>From:</th>
<th>To:</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/18-293</td>
<td>1</td>
<td>Civil Engineer, 7237</td>
<td>Structural Engineer, 7956</td>
</tr>
<tr>
<td>17/18-294</td>
<td>1</td>
<td>Systems Analyst, 1596</td>
<td>Systems Programmer, 1455</td>
</tr>
<tr>
<td>17/18-295</td>
<td>1</td>
<td>Administrative Clerk, 1358</td>
<td>Accounting Clerk, 1223</td>
</tr>
</tbody>
</table>

   File No. 54839

   COMMISSION ACTION: RECOMMENDATIONS APPROVED
12. **ADJOURNMENT**
   The meeting was adjourned by Commission President Jonathan Weiss at 11:43 a.m.

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JONATHAN M. WEISS,  
President

BRUCE E. WHIDDEN,  
Commission Executive Director