



CITY OF LOS ANGELES BOARD OF CIVIL SERVICE COMMISSIONERS

MINUTES

COMMISSIONERS

JEANNE A. FUGATE
President

RAUL PEREZ
Vice President

ERICA L. JACQUEZ
NANCY P. MCCLELLAND
TODD SARGENT
Commissioners

REGULAR MEETING

THURSDAY, SEPTEMBER 13, 2018 – 10:00 A.M.
ROOM 350, PERSONNEL BUILDING
700 EAST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

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Present:

President Jeanne A. Fugate

Vice President Raul Perez

Commissioner Erica L. Jacquez

Commissioner Nancy P. McClelland

Commissioner Todd Sargent

Deputy City Attorney Jennifer Gregg

General Manager Wendy Macy

Commission Executive Assistant I

Jolene Reyes

1. **CALL TO ORDER**

Commission President Jeanne Fugate called the meeting to order at 10:06 a.m.

2. **PUBLIC COMMENTS ON MATTERS WITHIN BOARD'S JURISDICTION**

No requests for public comment

3. **APPROVAL OF MEETING MINUTES**

a) The Board unanimously approved the minutes of the regular meeting of August 9, 2018 on a motion by Commissioner Jacquez, seconded by Commissioner Perez. Commissioner McClelland abstained from the vote.

b) The Board unanimously approved the minutes of the regular meeting of August 23, 2018 on a motion by Commissioner Jacquez, seconded by Commissioner McClelland. Commissioners Fugate and Perez abstained from the vote.

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

On a motion by Commissioner McClelland, seconded by Commissioner Sargent, the Board unanimously approved routine and non-appearance matters, as corrected, under Unfinished Business, pages four and five, items 8, 9, 10 & 11 and New Business, pages six through 13, items 12 and 13.

5. **PRESENTATION – Gabriel J. Esparza**

The members of the Commission and Personnel Department General Manager Wendy Macy to present a plaque of appreciation to former Commissioner Gabriel Esparza for more than nine years of service as a member of the Los Angeles Civil Service Commission.

COMMISSION ACTION: Former Commissioner Esparza was called back to his new home in North Carolina to help his family prepare for Hurricane Florence. The presentation was continued to a future agenda.

6. **GENERAL MANAGER’S REPORT**

As the General Manager’s Report, Ms. Macy introduced Miguel Sangalang, Deputy Mayor for Budget and Innovation and the Deputy Mayor for the Personnel Department, and Lidia Manzanaras, Director of Operations for the Mayor’s office of Budget and Innovation who is the Personnel Department Policy Liaison.

7. **APPEALS UNDER CHARTER SECTION 1016**

- a. **Rosie HOOKS**, Art Center Director II, Cultural Affairs Department, Suspension effective April 17, 2018 to May 5, 2018, inclusive (15-working days).

Report and recommendations of the Board's Hearing Examiner Stephen Biersmith following the conduct of a hearing held on July 31, 2018 into the subject appeal of Ms. Hooks.

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 rules: The Art Division Approval process was not adhered to when the employee initiated the mural installation at the Charles Mingus Youth Arts Center;
- 2) NOT SUSTAIN the cause of action of refusal to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties. On September 26, 2017, the employee was instructed via a follow-up email to terminate the installation of the mural at the Charles Mingus Youth Arts Center.

- B. FIND that the penalty of 15-working day suspension [effective April 17, 2017 to May 5, 2017, inclusive] is NOT appropriate as it exceeds the recommendations in Personnel Policy 33.2 for a violation of Departmental rules, the single charge sustained. It is recommended that, should the Board accept these recommendations and sustain the single charge of violation of Departmental rules, that the Department reduces the penalty to a five (5) working day suspension.

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

File No. 55011

COMMISSION ACTION:

Discussion:

The Board's Counsel, Jennifer Gregg recused herself from advising the Board as she had also advised the Department of Cultural Affairs. She was replaced by Phyllis Henderson.

After reviewing the causes of action and the Hearing Examiner's recommendations, the Commission President turned to a motion by the Appellant's Representative asking that the hearing be reopened for the limited purpose of submitting new evidence. The Board's Counsel reviewed the standard for submitting new evidence.

The Department expressed its opposition to the motion.

After continued discussion, Commissioner McClelland pointed out that the Appellant knew at the hearing that she had not attended the meeting as asserted by the Department's witness, but the witness was not challenged at the time. To attempt to impeach the witness now is not appropriate. Commissioner Sargent expressed his concern that the Appellant being at the meeting was less important to him than that she received the information disseminated at the meeting. Was it the Department's burden to see that she had the information or was it the Appellant's responsibility to know what she missed when unable to attend such an important meeting?

7. APPEALS UNDER CHARTER SECTION 1016, (Continued)

- a. **Rosie HOOKS**, Art Center Director II, Cultural Affairs Department, (Continued).

The Board voted four “yea” votes to a single “nay” vote cast by Commissioner Perez to deny the Appellant’s motion to submit new evidence on a motion by Commissioner McClelland, seconded by Commissioner Sargent.

The discussion turned to the Hearing Examiner’s report. The Department expressed its support for the findings and conclusions of the Hearing Examiner in regards to Skelly and the first cause of action, but took exception to the Hearing Examiner’s finding to Not Sustain the second and more serious cause of action of refusing to perform reasonable work assignments. The Appellant is a long term Department employee who knew the Department’s rules and procedures, her testimony at hearing that she would “take the hit” from the Department when she proceeded with a mural installation without authorization and verbal instruction not to proceed. The Department said that it felt that it made its case on both charges and urged the Board to sustain both the charges and the penalty.

Commissioner Perez questioned the Department’s position, questioning its witness’s testimony and exhibits. How can the Department claim it proved its case on charge two when there is no evidence in the record that the Appellant was ever given a direct instruction not to proceed with the installation of the mural; without that document the Department is left with only the conflicting testimony of the parties that such instructions were given. Department says it was, Appellant says it wasn’t. As the Hearing Examiner found, that charge cannot be sustained.

Moving to the first cause of action, “violation of Department rules,” the Department noted the Appellant knew that the type of mural to be installed would require days to complete. The same artist had done a similar mural at another City gallery, again using spray paint as a medium; that mural took five days to complete, the Appellant knew full well that the mural could not be completed in the four hours available. The Department also noted the Appellant’s record of not following Department rules, as she had received two prior notices to correct deficiency for her prior infractions.

Commissioner Perez said that the record referred to needed to be militated against the actual circumstances of this incident. He also noted that the Appellant had received several commendations for her work. The Department countered that the Appellant’s record of commendations was taken into consideration; the Personnel Guidelines to Discipline call for discharge for a second offense. This case could be construed as a third offense, so 15-working days is very measured and reasonable.

The Appellant’s Representative stated that he has serious concern at the state of the record in this case. There is nothing in the record that supports the Department’s contention that the Appellant has had discussions with the artist regarding the mural. There is much discussion on Department regulations and policies but nothing in the record on exactly what these regulations and policies are and when and where they were disseminated to the workforce. They were not included in the Skelly package.

Commissioner Perez suggested that the record as it stood was to the benefit of the Appellant and that discussion should be concluded. The Appellant’s Representative said he would defer to the Commissioner.

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

- a. **Rosie HOOKS**, Art Center Director II, Cultural Affairs Department, (Continued).

Commission Actions:

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

FIND that the Skelly due process requirements were met.

NOT SUSTAIN the cause of action of violation of Department rules: The Art Division Approval process was not adhered to when the employee initiated the mural installation at the Charles Mingus Youth Arts Center;

In further motions by Commissioner Perez, seconded by Commissioner Sargent, the Board voted four “yea” votes to one “Nay” vote by Commissioner McClelland to:

NOT SUSTAIN the cause of action of refusal to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties. On September 26, 2017, the employee was instructed via a follow-up email to terminate the installation of the mural at the Charles Mingus Youth Arts Center.

FIND that the penalty of 15-working day suspension is NOT appropriate and is NOT SUSTAINED.

In a final motion by Commissioner Perez, seconded by Commissioner Sargent, the Board voted unanimously to:

ADOPT the findings and conclusions in the Hearing Examiner’s report, as amended by the Board during the discussion, as its own.

Appearances:

Gina Tervalon, Liaison Services Bureau, Personnel Department
Sean Cumbie, Liaison Services Bureau, Personnel Department
Adam Stern, Appellant’s Representative
Rosie Hooks, Appellant

7. APPEALS UNDER CHARTER SECTION 1016, (Continued)

- b. **Erika WILBURN**, Traffic Officer, Department of Transportation, Suspension effective February 12, 2018 to March 12, 2018, inclusive (20-working days).

Report and recommendations of the Board's Hearing Examiner David Beauvais following the conduct of a hearing held on May 16, 2018 into the subject appeal of Ms. Wilburn.

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 cooperate with or using abusive language toward other employees;

2) SUSTAIN the cause of action of using threats to harm another employee.

- B. FIND that the Suspension effective February 12, 2018 to March 12, 2018, inclusive (20-working days), was appropriate and is SUSTAINED.

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

File No. 54952

COMMISSION ACTION: Continued from August 9, 2018

Discussion:

Board Counsel Jennifer Gregg resumed her role with the Board. The Commission President, after the parties had stated their appearances, noted that the Appellant's exceptions contained a large quantity of settlement information related to the case, which under the State evidence code is considered privileged and may not be considered by the Board. They have excluded such documents from its review. The Board Counsel reminded the Appellant's representative, again, that this material should not have been given to the Board or presented at hearing.

The Department expressed its concurrence with the Hearing Examiner's findings and recommendations. The Department expressed its disappointment in the behavior of the Appellant in the Department Communication Center; the incident was very serious and, except for the cool handling of some other Department employees, could have escalated to a dangerous event. The Department said that it felt it clearly had met its burden of proof well beyond the preponderance standard and asked the Board to adopt the Hearing Examiner's report and sustain the discipline.

The Department stated, in answer to a question from Commissioner Fugate, that both causes of action were first offenses in nature. Under the guidelines appearing in Joint Exhibit 1, the Department Representative continued, the charge of using abusive language toward another employee calls for a written notice to correct, and that the charge of making threats to harm another employee has a range of six days to discharge.

The Appellant's Representative reviewed the incident and subsequent investigation. There was testimony from the Department's own witness that the investigation and its report did not reflect his recollections of the incident and that the penalty of 20 working days for this incident was excessive.

7. APPEALS UNDER CHARTER SECTION 1016, (Continued)

b. **Erika WILBURN**, Traffic Officer, Department of Transportation, (Continued).

The Appellant, addressing the Board, felt that she was attacked by Ms. Davis, she regrets that the event escalated. Commissioner Perez questioned the Appellant in her interpretation of the incident. Commissioner Perez noted that her loud “discussion” disrupted the work of others and Ms. Davis, trying to do her work, wanted the argument to stop.

The Department Representative noted that the record does not support the statements by the Appellant and that she did use charged and threatening language.

The Appellant’s Representative acknowledged that there was fault on both sides in this incident, and that the Department had taken steps in the Communication Center to improve working conditions. However, he said he felt that the penalty was far too heavy and should be much less, more in order of a notice to correct.

Commissioner Perez agreed that the penalty seemed too high and thought the Department should consider something less.

The Commission President suggested that the Board vote on Skelly and the charges and see where the Board stood.

Commission Actions:

On a motion by Commissioner McClelland, seconded by Commissioner Sargent, the Board voted unanimously to:

FIND that the Skelly due process requirements were met.

On an additional motion by Commissioner McClelland, seconded by Commissioner Sargent, the Board voted four “yea” votes to one “Nay” vote by Commissioner Perez:

SUSTAIN the cause of action of failure to cooperate with or using abusive language toward other employees;

On a motion by Commissioner McClelland, seconded by Commissioner Sargent, the Board voted unanimously to:

SUSTAIN the cause of action of using threats to harm another employee.

Commissioner McClelland then made a motion on the penalty, however, the motion failed for lack of A second. There were no additional motions from the Board. Commissioner Perez suggested that the matter be continued for 30-days to permit the Department to consider a lesser penalty. It was so ordered.

Appearances:

Steven Presberg, Personnel Department

Oliver Quirante, Liaison Services Bureau, Personnel Department

David De La Torre, Appellant’s Representative

Erika Wilburn, Appellant

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

Jason HARRIS, Custodian, Department of Airports. Suspension effective February 27, 2018 to March 26, 2018, inclusive (20-working days). Settlement agreement whereby the Department agreed to rescind the penalty of a 20-working day suspension and impose a 20-working day suspension to be served as a 10-working day unpaid suspension and 10-working days Disciplinary Pay Status; the Appellant agreed to accept a last chance agreement requiring him to take certain steps; the Appellant agreed to withdraw his appeal from Suspension now pending before the Civil Service Commission; the parties agreed to other terms and conditions. The Commission Office received the signed settlement documents on August 30, 2018.

File No. 54979

COMMISSION ACTION: MADE A MATTER OR RECORD

9. **REVISIONS OF CIVIL SERVICE RULES**

- a. After providing a 21-day notice on August 23, 2018, the General Manager recommends that the Board of Civil Service Commissioners now approve the following revisions in the designated Civil Service Rule. (additions are marked in **bold**):

Civil Service Rule 3.9. - Promotional Applicants who have been rejected for not filing applications within prescribed times or failing to meet minimum examination requirements may request the General Manager **or designee** to conduct a final review of their rejection.

File No. 55130

- b. After providing a 21-day notice on August 23, 2018, the General Manager recommends that the Board of Civil Service Commissioners now approve the following revisions in the designated Civil Service Rule. (additions are marked in **bold**):

Civil Service Rule 3.10. The Commission shall not entertain requests to review the General Manager **or designee's** actions on late or lacking minimum qualifications applications unless there are supported claims of failure to comply with the provisions of the Civil Service Commission Rules or Personnel Department Policies.

File No. 55131

- c. After providing a 21-day notice on August 23, 2018, the General Manager recommends that the Board of Civil Service Commissioners now approve the following revisions in the designated Civil Service Rule. (additions are marked in **bold**):

Civil Service Rule 4.24. Unsupported claims of misconduct and all claims against the judgment of the raters in assigning scores for essay, interview, physical abilities, performance, or pre-employment polygraph tests shall not be grounds for a protest under Sec. 4.20, 4.22, or 4.23. The General Manager **or designee** shall have the authority to make final determination on all claims. The Commission shall not entertain any subsequent appeals on the General Manager **or designee's** decision.

File No. 55132

COMMISSION ACTION: RECOMMENDATIONS APPROVED

10. **REVISION OF PERSONNEL POLICIES**

After providing a 21-day notice on August 23, 2018, the General Manager recommends that the Board of Civil Service Commissioners now approve the following revisions in the designated Personnel Policy. (additions are marked in **bold**):

Personnel Policy 21.5. The Board authorizes the General Manager **or designee** to take action on the following matters. Further, the Board shall not entertain appeals of the General Manager **or designee's** action unless there are supported claims of fraud, prejudice, or failure to comply with the provisions of these Rules or Policies. All such actions taken by the General Manager **or designee** shall be periodically submitted to the Commission for approval.

- a. Protests related to the content or correctness of the key or grading criteria of the written test or drafting or plan presentations.
- b. Claims related to the raters; judgment in assigning scores in essay tests, performance tests, physical abilities tests, interviews, drafting or plan presentations, or problems.
- c. Unsupported claims of impropriety in the conduct of any portion of the examination.
- d. Acceptance of claims or additional information submitted after the review period has ended.
- e. Protests concerning an error in scoring which can be factually adjudicated. (Effective 2-16-79)
- f. Requests for late test administration: performance, physical abilities, qualifying, written, interview. (Effective 9-7-79)

File No. 55133

COMMISSION ACTION: RECOMMENDATION APPROVED

11. **UNFINISHED CLASSIFICATION ACTIONS**

The General Manager recommends that, after giving 10-days' notice on August 23, 2018, the Board of Civil Service Commissioners now:

1. Create the new classification of **Assistant Executive Director - Department on Disability**, Class Code 9722;
and
2. Adopt the new duties statement for **Assistant Executive Director - Department on Disability**, Class Code 9722.

File No. 55137

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 17, 2018

Departmental Promotional

POLICE CAPTAIN

Interdepartmental Promotional

SENIOR CIVIL ENGINEERING DRAFTING TECHNICIAN

SENIOR SURVEY SUPERVISOR

August 24, 2018

Interdepartmental Promotional and Open Competitive

AUTO ELECTRICIAN

Interdepartmental Promotional

IRRIGATION SPECIALIST

SECRETARY WATER & POWER COMMISSION

Open Competitive

ELECTRICAL TEST TECHNICIAN

FINGERPRINT IDENTIFICATION EXPERT

August 31, 2018

Interdepartmental Promotional and Open Competitive

DATABASE ARCHITECT

SECRETARY LEGAL

Interdepartmental Promotional

CHIEF CLERK POLICE

EXECUTIVE ADMINISTRATIVE ASSISTANT

Open Competitive

ANIMAL KEEPER

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

1. **ADMINISTRATIVE ANALYST**

Janelle IRVING and Claudia AGUILAR, Senior Administrative Analysts IIs, Office of the City Administrative Officer.

2. **ARTS MANAGER**

Sarah CIFARELLI, Arts Manager III, Department of Airports and Felicia FILER, Arts Manager III, Cultural Affairs Department.

3. **CHIEF CLERK POLICE**

John GALITZEN, Senior Management Analyst I and Theresa CARTER, Police Administrator I, Los Angeles Police Department.

4. **COMMISSION EXECUTIVE ASSISTANT**

Julie HUERTA, Senior Management Analyst II, Harbor Department and Rocky WILES, City Planner, City Planning Department.

Continued...

12. ADMINISTRATIVE ACTIONS, (Continued):

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

5. COMMUNICATIONS ELECTRICIAN

Peter BENJAMINS, Senior Communications Electrician Supervisor, Information Technology Agency, Gus LIERA, Communications Electrician Supervisor, Los Angeles Police Department, Marine MANDOYAN, Information Systems Manager I, Department of Airports and Francisco GOMEZ, Communications Electrician Supervisor, Department of Water & Power.

6. ELECTRICAL CRAFT HELPER

Hector CANO, Electrician Supervisor, Department of General Services and Deshane MILLER Sr., Signal Systems Supervisor I, Department of Transportation.

7. FINGERPRINT IDENTIFICATION EXPERT

Rosemarie CALDA, Principal Fingerprint Identification Expert I and Darlene HENDERSON, Fingerprint Identification Expert III, Los Angeles Police Department.

8. GARDENER CARETAKER

Julio HERNANDEZ, Park Maintenance Supervisor, Department of Recreation and Parks and Edwin CANALES, Park Maintenance Supervisor, Department of Airports.

9. GEOTECHNICAL ENGINEER

Alfred MATA, Deputy City Engineer I, Department of Public Works, Bureau of Engineering and Pascal CHALLITA, Deputy Superintendent of Building, Department of Building and Safety.

10. INVESTMENT OFFICER

Carlo MANJIKIAN, Investment Officer II, Department of Water & Power.

11. MANAGEMENT ANALYST

Robert BERNAL, Senior Management Analyst I, Housing and Community Investment Department, Tia NWOSU, Utility Administrator III, Department of Water & Power, Arnold TAYLOR, Senior Management Analyst I, Department of Public Works, Bureau of Sanitation and Sandra WARD, Senior Management Analyst I, Los Angeles Police Department.

12. MECHANICAL REPAIRER

James GRIFFIN, Water Utility Supervisor, Larry Thomas MADRID, Building Repair Supervisor, Department of Water & Power, James MUFF, Mechanical Repairer II, Department of Recreation and Parks, Anthony CORRALEJO, Cement Finisher Supervisor and Marco Antonio DIAZ, Building Maintenance District Supervisor, Department of General Services.

13. PARK RANGER

Sharie ABAJIAN, Senior Park Ranger I and Patrick JOYCE, Senior Park Ranger II, Department of Recreation and Parks.

14. PLUMBER SUPERVISOR

William MAXEY, Building Maintenance District Supervisor, Department of General Services, Kenneth REESER, Construction and Maintenance Supervisor II, Harbor Department and Troy SCHWEERS, Construction and Maintenance Supervisor, Department of Water & Power.

Continued...

12. ADMINISTRATIVE ACTIONS, (Continued):

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

15. SENIOR ARCHITECTURAL DRAFTING TECHNICIAN

Erik VILLANUEVA, Architect, Department of Public Works, Bureau of Engineering and Michael LUNNEN, Principal Civil Engineering Drafting Technician, Department of Water & Power.

16. SIGNAL SYSTEMS SUPERVISOR

Raul DE ANDA and George NOCIFORE, Signal Systems Supervisors II, Department of Transportation.

17. STRUCTURAL ENGINEER

Bill STUTSMAN, Senior Structural Engineer, Department of Building and Safety and Shailesh PATEL, Principal Civil Engineer, Department of Public Works, Bureau of Engineering.

18. SUPPLY SERVICES MANAGER

Erin HENNING, Assistant General Manager, Department of Water & Power and Jamaal AVILEZ, Supply Services Manager II, Department of Airports.

19. UTILITY BUYER

Thuy MAUGE, Supply Services Manager and Huette LUU, Senior Utility Buyer, Department of Water & Power.

20. WAREHOUSE AND TOOLROOM WORKER

Nathaniel ALLEN, Principal Storekeeper, Department of General Services and William WONG, Senior Storekeeper, Department of Water & Power.

21. ZOO CURATOR OF EDUCATION

Dan KEEFFE, Zoo Curator of Education III and Heather SHIELDS, Zoo Curator of Education II and Denise VERRET, Assistant General Manager, Zoo Department.

File No. 55138

- c. Make matter of record the General Manager's action in approving the use of the following raters for the evaluation of Training and Experience Questionnaires for the following 2018 examination:

POLICE CAPTAIN

Robert ARCOS, Assistant Police Chief and Gloria GRUBE, Police Administrator III, Los Angeles Police Department.

File No. 55139

- d. Approve the use of interview boards consisting of representatives from inside the City service in the open competitive examination for **Communications Engineering Associate**.

File No. 55140

- e. Approve the use of interview boards consisting of representatives from inside the City service in the open and interdepartmental promotional examination for **Housing Investigator**.

File No. 55141

12. ADMINISTRATIVE ACTIONS, (Continued):

- f. Approve the use of interview boards consisting of representatives from inside and outside the City service in the open and promotional examination for **Principal Animal Keeper**.

File No. 55142

- g. Make the following APPEALS a matter of record:

Discharge

Perry B. DILLINGHAM, Senior Custodian, Department of Airports. Discharge effective August 29, 2018. Form 77 filed with Records, August 29, 2018.

- Cause of Action:
- 1) Using official position or office for personal gain or advantage;
 - 2) Engaging in illegal behavior or conduct in conflict with job duties, on or off the job;
 - 3) Failure to carry out supervisory responsibilities adequately;
 - 4) Unexcused, excessive or patterned absenteeism;
 - 5) Leaving assigned work location without approval;
 - 6) Frequent or unexcused tardiness;
 - 7) Theft of or aiding or encouraging the theft of cash, City property or equipment, as established by proper investigation;
 - 8) Falsifying City records such as time reports, mileage reports, expense accounts or other work related documents;
 - 9) Falsifying claimed sick or allowed pay, falsifying reasons for absence;
 - 10) Using City time, property or equipment without authorization.

Discipline: Discharge effective August 29, 2018.

In accordance with Charter Section 1016, the Appellant filed an appeal through his attorney with the Office of the Commission on August 28, 2018.

File No. 55143

Kenneth A. CHRIST, Airport Maintenance Supervisor III, Department of Airports. Discharge effective August 29, 2018. Form 77 filed with Records, September 5, 2018.

- Cause of Action:
- 1) Failure to carry out supervisory responsibilities adequately;
 - 2) Failure to protect City assets by permitting subordinate employees to falsify City timesheets and reports;
 - 3) Failure to maintain a harassment and discrimination free workplace;
 - 4) Failure to take appropriate action to correct and eliminate sexual harassment in the workplace.

Discipline: Discharge effective August 29, 2018

In accordance with Charter Section 1016, the Appellant filed an appeal through his attorney with the Office of the Commission on August 29, 2018.

File No. 55144

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

h. Make the following NOTICES a matter of record:

Suspension

MAINTENANCE LABORER, Department of Airports. Form 77 filed with Records, August 18, 2018.

Cause of Action: 1) Violation of Departmental Rules and Policies by improper behavior, discrimination and sexual harassment;
2) Using abusive language, initiating confrontation with supervisors, fellow employees and making derogatory comments and gestures;
3) Filing false sexual harassment complaint.

Discipline: Suspension effective September 19, 2018 to September 21, 2018, inclusive (10-working days) to be served as agreed.

METER READER, Department of Water & Power. Form 77 filed with Records, August 21, 2018.

Cause of Action: 1) Falsifying work-oriented documents;
2) Failing to carry out assigned work adequately, directly or promptly.

Discipline: Suspension effective August 22, 2018 to September 4, 2018, inclusive (10-working days).

ROOFER, Department of Water & Power. Form 77 filed with Records, August 23, 2018.

Cause of Action: 1) Violation of safety rules, procedures or accepted practices which could have resulted in injury, damage to equipment or degradation of electric or water service [second offense];
2) Violation of Supervisor's Letter of Agreement;
3) Operating City equipment unsafely or carelessly;
4) Unnecessarily disrupting the work of other employees;
5) Failure to make a reasonable effort to notify supervisor of inability to report to work.

Discipline: Suspension effective August 16, 2018 to September 14, 2018, inclusive (30-working days).

SECURITY OFFICER, Department of Airports. Form 77 filed with Records, August 14, 2018.

Cause of Action: Unexcused, excessive or patterned absenteeism.

Discipline: Suspension effective August 13, 2018 to October 15, 2018, inclusive (10-working days) to be served as agreed.

SENIOR COMMUNICATIONS ELECTRICIAN, Information Technology Agency. Form 77 filed with Records, August 20, 2018.

Cause of Action: 1) Fraud, dishonesty, theft or falsification of records – Falsely claiming overtime or allowed pay;
2) Violation of Department Rules – working unauthorized overtime.

Discipline: Suspension effective August 20, 2018 to August 31, 2018, inclusive (10-working days).

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 position for the **Los Angeles City Employees' Retirement System**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3034	1	Benefits Specialist, 1203

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>
5292	3	95-75252	Electrical Engineering Associate, 7525
5293	1	95-72463	Civil Engineering Associate, 7246
5294	1	95-75252	Electrical Engineering Associate, 7525
5295	1	94-11032	Programmer Analyst, 1431
5300	1	95-75253	Electrical Engineering Associate, 7525
5301	2	95-14092	Information Systems Manager, 1409
5303	1	94-14041	Information Systems Operations Manager, 1411
5304	1	95-15390	Management Assistant, 1539

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

<u>DWP No.</u>	<u>No. of Positions</u>	<u>DDR No.</u>	<u>Class Title and Code</u>
5297	2	94-52061	Load Dispatcher, 7539
5299	12	94-72167	Civil Engineer, 7237
5314	11	94-75301	Mechanical Engineer, 7558
5315	28	94-75108	Electrical Engineer, 7539

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

<u>DWP No.</u>	<u>No. of Positions</u>	<u>DDR No.</u>	<u>Class Title and Code</u>
5296	2	93-58111	Aqueduct and Reservoir Keeper, 5813
5302	1	93-91251	Management Analyst, 9184

5. Allocate the following new position in the **Los Angeles Fire Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3036	1	Fire Captain, 2142

6. Allocate the following new position in the **Department of Recreation and Parks**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3038	1	Construction and Maintenance Superintendent, 3129

7. 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>
<u>3039</u>	<u>1</u>	Senior Administrative Clerk, 1368
<u>3040</u>	<u>1</u>	Airport Information Specialist, 1783

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

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3041	1	Senior Civil Engineer, 9485

13. CLASSIFICATION ACTIONS, (Continued)

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

9. Reallocate the following position in the **Department of Public Works, Bureau of Street Lighting**, as indicated:

CSC No.	No. of Positions	From: Class Title and Code	To: Class Title and Code
3035	1	Management Assistant, 1539	Management Analyst, 9184 File No. 55145

b. The General Manager recommends that the Board approve the following Classification actions in connection with the 2018-2019 Budget, effective July 1, 2018:

1. Allocate the following positions:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Department</u> <u>Class Title and Code</u>
		<u>DEPARTMENT OF ANIMAL SERVICES</u>
18/19-371	1	Systems Analyst, 1596
		<u>DEPARTMENT OF PUBLIC WORKS</u>
		<u>BUREAU OF STREET SERVICES</u>
18/19-196	1	Light Equipment Operator, 3523
18/19-197	1	Heavy Duty Truck Operator, 3584
18/19-198	3	Tree Surgeon, 3114
18/19-199	2	Tree Surgeon Assistant, 3151
18/19-200	1	Tree Surgeon Supervisor, 3117
18/19-201	1	Light Equipment Operator, 3523
18/19-202	1	Truck Operator, 3583
18/19-203	2	Tree Surgeon, 3114
18/19-204	2	Tree Surgeon Assistant, 3151
18/19-205	2	Gardener Caretaker, 3141
18/19-206	1	Tree Surgeon Supervisor, 3117
18/19-207	1	Truck Operator, 3583
18/19-208	2	Tree Surgeon, 3114
18/19-209	2	Tree Surgeon Assistant, 3151
18/19-210	4	Equipment Operator, 3525
18/19-211	4	Heavy Duty Truck Operator, 3584
18/19-212	12	Tree Surgeon, 3114
18/19-213	8	Tree Surgeon Assistant, 3151
18/19-214	1	Street Tree Superintendent, 3160
18/19-215	1	Management Analyst, 9184
18/19-216	1	Administrative Clerk, 1358
18/19-372	1	Tree Surgeon, 3114
18/19-373	1	Tree Surgeon Assistant, 3151
		<u>DEPARTMENT OF PUBLIC WORKS</u>
		<u>BUREAU OF SANITATION</u>
18/19-374	1	Sanitation Wastewater Manager, 4128 File No. 55146

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

- c. The General Manager recommends that the Board of Civil Service Commissioners give 10 days' Notice of its Intention to:
 2. Create the new classification of **Benefits Analyst**, Class Code 9108 and **Senior Benefits Analyst**, Class Code 9109;
and
 2. Adopt the new Class Specifications for **Benefits Analyst**, Class Code 9108 and **Senior Benefits Analyst**, Class Code 9109.

File No. 55147

COMMISSION ACTION: RECOMMENDATIONS APPROVED

14. **ADJOURNMENT**

The Meeting was adjourned by the Commission President at 12:19 p.m.

JEANNE FUGATE,
President

JOLENE REYES,
Commission Executive Assistant I