



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
VACANT
Commissioners

REGULAR MEETING
THURSDAY, MAY 23, 2019
ROOM 350, PERSONNEL BUILDING – 10:00 A.M.
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

Deputy City Attorney Jennifer Gregg
General Manager Wendy Macy
Commission Executive Director
Bruce Whidden

Absent:

Commissioner Nancy P. McClelland

1. **CALL TO ORDER**

The Commission President called the meeting to order at 10:07 a.m.

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

There was no request for public comment.

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

The Board unanimously approved routine and nonappearance matters under Unfinished business, page two, items 4 and 5 and New Business, pages three through six, items 7 and 8, on a motion by Commissioner Perez, seconded by Commissioner Jacquez.

4. **DEMAND FOR REINSTATEMENT**

Consideration of the Demand for Reinstatement regarding the Discharge of **GERARDO MENDEZ** from his position as a Maintenance Laborer with the Department of Transportation, effective September 18, 2018. In his filing on May 3, 2019, Mr. Mendez asserted as grounds for the Demand that he was “discharged unjustly for not having a valid California Commercial Driver’s License, something the Department stated was required but is not noted as required under the job specifications for Maintenance Laborer. As a long-term employee, the Department should have accommodated my illness and permitted me to remain employed in a non-driving position until my Commercial License was restored.”

Staff recommends that the Board DENY the Demand for Reinstatement and make its timely filing within the 90-day period as prescribed by Charter Section 1017 a matter of record.

File No. 55176

COMMISSION ACTION: DENIED, MADE A MATTER OF RECORD

5. **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 January 9, 2019 to January 25, 2019, inclusive, (10-working days).

Settlement agreement between the City and the Appellant whereby the Department agreed to reduce the ten (10) working day suspension imposed to a five (5) working day suspension. The Department agreed to make the Appellant whole for the five days of suspension already served. The Appellant acknowledged and agreed to accept the causes of action filed against him. 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 signed Settlement Agreement documents with the Appellant’s Withdrawal from Appeal form were received in the office of the Civil Service Commission on May 2, 2019.

File No. 55230

b) **FRANCISCO PALACIOS**, Electrical Mechanic Supervisor, Department of Water & Power. Discharge effective November 26, 2018.

Settlement agreement between the City and Francisco Palacios whereby the Department agreed to rescind the penalty of Discharge imposed on the Appellant on November 26, 2018 and substitute a “time served” suspension of 120-working days from November 26, 2018 to May 10, 2019. The Appellant acknowledged and agreed to accept the causes of action filed against him. 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 signed Settlement Agreement documents and the Appellant’s Withdrawal from Appeal form were received in the office of the Civil Service Commission on May 9, 2019.

File No. 55224

c) **ANDREW CAMPBELL**, Electrical Craft Helper, Department of Water & Power. Discharge effective November 26, 2018.

Withdrawal of Appeal. On May 2, 2019, the Appellant sent an email to the Commission Office informing the Board of his desire to withdraw and end his Appeal from Discharge.

File No. 55273

COMMISSION ACTION: MADE A MATTER OF RECORD

7. 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:

May 3, 2019

Interdepartmental Promotional

PIPEFITTER SUPERVISOR

SENIOR ROOFER

Open Competitive

EMERGENCY MEDICAL SERVICES (EMS) EDUCATOR

May 10, 2019

Open Competitive

PERFORMING ARTS PROGRAM COORDINATOR

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

1) CARPENTER SUPERVISOR

James GRIER, Construction and Maintenance Supervisor I, Department of Water & Power and Kenneth REESER, Construction and Maintenance Supervisor II, Harbor Department.

2) ELECTRICAL ENGINEER

Farshad J. HORMOZI and Vincent Goodwin ZABUKOVEC, Power Engineering Managers, Department of Water & Power.

3) EMERGENCY MEDICAL SERVICES (EMS) EDUCATOR

Douglas ZABILSKI, Fire Battalion Chief and Matthew BONAFEDE, Fire Captain I, Los Angeles Fire Department.

4) ENVIRONMENTAL ENGINEER

Mark SEDLACEK, Utility Services Manager, Department of Water & Power.

5) PILE DRIVER WORKER

David OROZCO, Mechanical Repair General Supervisor and Otto VALENCIA, Pile Driver Supervisor, Harbor Department.

6) REFUSE COLLECTION TRUCK OPERATOR

Daniel McKAY and Ronald LEE, Sanitation Solid Resources Managers I, Department of Public Works, Bureau of Sanitation.

7) SENIOR COMMERCIAL FIELD REPRESENTATIVE

Michelle MOORE, Utility Services Manager V and Luis TERRAZAS, Utility Services Manager III, Department of Water & Power.

8) SENIOR FIRE STATISTICAL ANALYST

Michael GOLD, Senior Personnel Analyst II, Personnel Department and Scott PORTER, Chief Information Officer, Los Angeles Fire Department.

9) SPECIAL INVESTIGATOR

Beth KENNEDY, Chief Internal Auditor, Office of the Controller and Dina RAMIREZ, Senior Personnel Analyst II, Department of Airports.

10) SYSTEMS ANALYST

Debra CABEZA, Programmer Analyst V, Information Technology Agency, Michael TORRES, Senior Systems Analyst II, Department of Airports and Tony YOUNG, Information Systems Manager, Department of Water & Power.

11) WATERWORKS MECHANIC

James ARNY and Steven HOWE, Waterworks Mechanic Supervisors, Department of Water & Power.

File No. 55294

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

- c. Make a 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 examination:

STAFF ASSISTANT TO GENERAL MANAGER WATER AND POWER

Martin ADAMS and Nancy SUTLEY, Assistant General Managers, Department of Water & Power.

File No. 55295

- d. Approve the change of the test of fitness method in the open examination for **Aquatic Facility Manager**. The examination will be comprised of an advisory essay (0%) and a weighted interview (100%).

File No. 55296

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

Suspension

Rene ENGLE, Senior Traffic Supervisor I, Department of Transportation. Suspension effective May 6, 2019 to May 19, 2019, inclusive (10-working days). Form 77 filed with Records, May 6, 2019.

Cause of Action: 1) Improper behavior in relations with supervisors, fellow employees or the public: Refusal to perform properly given work instructions or to cooperate with supervisors or fellow employees (insubordination)

Discipline: Suspension effective May 6, 2019 to May 19, 2019, inclusive (10-working days).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on May 3, 2019.

File No. 55297

Nathan JACKSON, Detention Officer, Los Angeles Police Department. Suspension effective May 12, 2019 to May 26, 2019, inclusive (10-working days). Form 77 filed with Records, May 8, 2019.

Cause of Action: 1) On or about March 18, 2018, the employee reported late for his duty assignment;
2) On or about March 18, 2018, the employee, while on-duty, failed to wear official Department approved uniform;
3) On or about March 18, 2018, the employee, while on-duty, left his assigned worksite without approval;
4) On or about March 18, 2018, the employee, while on-duty, failed to provide a doctor's note as directed.

Discipline: Suspension effective May 12, 2019 to May 26, 2019, inclusive (10-working days).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on May 6, 2019.

File No. 55298

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

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

Suspension, (Continued)

Armando N. MARTINEZ, Gardener Caretaker, Department of Public Works, Bureau of Sanitation. Suspension effective May 6, 2019 to May 17, 2019, inclusive (10-working days) to be served as agreed. Form 77 filed with Records, May 7, 2019.

Cause of Action: 1) Demonstrating insensitivity to others by making derogatory comments, epithets, jokes, teasing, remarks, slurs or questions of a sexual nature.

Discipline: Suspension effective May 6, 2019 to May 17, 2019 (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 May 10, 2019.

File No. 55299

Discharge

Sergio MIJARES, Park Maintenance Supervisor, Department of Recreation and Parks. Discharge effective May 13, 2019. Form 77 filed with Records, May 13, 2019.

Cause of Action: 1) Misuse of City property, including storing photos of a sexual nature on a City computer.
2) Willfully and maliciously conveying false information to the public;
3) Using City time without authorization.

Discipline: Discharge effective May 13, 2019.

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

File No. 55300

Jerry NEWMAN, Senior Administrative Clerk, Department of Transportation. Discharge effective May 9, 2019. Form 77 filed with Records, May 14, 2019.

Cause of Action: 1) Misconduct, on or off the job, unfavorably reflecting on the City and its employees;
2) Unauthorized possession of dangerous weapon, such as firearms or knives on City property
3) Using City time without authorization.

Discipline: Discharge effective May 9, 2019.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Office of the Commission on May 15, 2019.

File No. 55301

COMMISSION ACTION: MADE A MATTER OF RECORD

8. **CLASSIFICATION ACTIONS**

a. The General Manager recommends that the Board of Civil Service Commissioners approve the following Classification actions:

1. Allocate the following new positions in the **Housing and Community Investment Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3260	1	Management Analyst, 9184

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>
5535	1	91-12021	Commercial Service Supervisor, 1213
5536	1	91-15024	Senior Systems Analyst, 1597

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>
5537	2	95-37552	Utility Services Specialist, 3755

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>
5534	4	94-11030	Systems Programmer, 1455

5. Allocate the following new position in the **Department of Aging** as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3261	1	Senior Management Analyst, 9171
3262	1	Management Analyst, 9184

6. Reallocate the following position in the **Personnel Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>From:</u> <u>Class Title and Code</u>	<u>To:</u> <u>Class Title and Code</u>
3258	1	Workers' Compensation Claims Assistant, 1775	Principal Clerk, 1201

File No. 55302

9. **ADJOURNMENT**

The Meeting was adjourned by the Commission President at 10:08 a.m.

JEANNE FUGATE,
 President

BRUCE E. WHIDDEN,
 Commission Executive Director