



CITY OF LOS ANGELES

BOARD OF CIVIL SERVICE COMMISSIONERS

MINUTES

COMMISSIONERS

GUY LIPA

President

KARLA M. GOULD

Vice President

JEANNE A. FUGATE

MONIKA KIRENGA

NANCY P. MCCLELLAND

Commissioners

REGULAR MEETING – 10:00 A.M. THURSDAY, OCTOBER 10, 2024 IN-PERSON MEETING ROOM 350, PERSONNEL BUILDING 700 EAST TEMPLE STREET LOS ANGELES, CALIFORNIA 90012

In conformance with Government Code § 54950 (The Brown Act) this in-person meeting of the Board of Civil Service Commissioners will permit any person wishing to address the Commission in public comment an opportunity by visiting the posted meeting location of the Commission in-person or by dialing (669) 900-6833, to make a public comment virtually. Follow the prompts and enter the Meeting ID code **886 4170 7488** followed by the pound sign (#). When asked, enter the passcode **565121** and the pound sign (#) again to continue. Public Comment should be within the subject jurisdiction of the Board. Please dial *9 when the Commission reaches “Public Comment,” item three on this Minutes. The caller will be called upon and the phone or device unmuted. Speakers should state and spell their name for the record before beginning their one minute of public comment.

Digital audio recordings of Commission Board meetings are kept for 30 days after each meeting. Information on acquiring an audio copy of a meeting may be obtained by contacting the Commission Office at (213) 473-9107. Website: <http://www.lacity.org>

Attending the meeting:

Commission Vice President Karla M. Gould

Commissioner Jeanne Fugate

Commissioner Monika Kirenga

Commissioner Nancy P. McClelland

Deputy City Attorney Jorge Otano

Assistant General Manager Aaron McCraney

Commission Executive Director Bruce

Whidden.

Absent from the meet

Commissioner Guy Lipa

Commissioner Jeanne Fugate

1. **CALL TO ORDER**

Commission Vice President Karla Gould called the meeting to order at 10:07 a.m.

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

There were no requests for Public Comment.

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

The Board unanimously approved routine and non-appearance matters under Unfinished Business, page five, Item 5 and New Business, pages five through 12, items 7 and 8, as amended, on a motion by Commissioner McClelland, seconded by Commissioner Kirenga.

4. **GENERAL MANAGER'S REPORT**

There was no General Manager's Report offered.

5. UNFINISHED CLASSIFICATION ACTIONS

The General Manager recommends that the Board of Civil Service Commissioners, after giving a 10-day notice of its intension on September 26, 2024, now:

Approve amendments to Section 1.3 of the Policies of the Personnel Department, City of Los Angeles, to eliminate language that would remove candidates from eligible lists because of disqualifying criminal history, and permit Appointing Authorities to evaluate an applicant's criminal record in making preliminary hiring decisions

File No. 55979

COMMISSION ACTION: RECOMMENDATION APPROVED

6. APPEAL UNDER CHARTER SECTION 1016

a) Ramiro GONZALEZ, Gardener Caretaker, Department of Recreation and Parks.
Discharge effective August 3, 2020.

Report and recommendations of the Board's Hearing Examiner Craig Renetzky, following the holding of hearings on December 8, 2022, August 14, 2023, December 1, 2023 and March 14, 2024 into the appeal of Mr. Gonzalez.

Discharge effective August 3, 2020.

Pursuant to Government Code 54957, the Civil Service Commission may elect to meet in closed session in order to confer with its legal counsel regarding a matter related to pending litigation or the discipline of an employee under Charter Section 1016. No binding votes will be taken.

The Hearing Examiner recommends that the Board:

A. FIND that the City's *Skelly* due process provisions were met.

B. Causes of Action:

1. SUSTAIN the cause of action of demonstrating insensitivity in that the employee made derogatory comments of a sexual nature about one employee to another employee; made comments of a sexual nature to an employee and asked an employee a question of a sexual nature.

C. FIND that the Discharge effective August 3, 2020, was appropriate and should be SUSTAINED.

D. ADOPT the findings and conclusions in the Hearing Examiner's report as the Board's own.
Commission File No. 55508

COMMISSION ACTION:***Discussion:***

The Department expressed its agreement with the Hearing Examiner's report, his findings and recommendations; asking the Board to sustain the charge and the penalty of Discharge.

Commissioner McClelland asked if the Charge address just the one complaint regarding the Appellant's actions on a single day or prior days. The Department confirmed that there were previous incidents; the charge and discharge, the Department said, were the result of the single incident and complaint.

The Appellant's Representative focused on the issue of credibility of the complainant Wilson, who, he asserted, lied under oath regarding her relationship with Supervisor Glenn.

Adding that the Department discharged a 17-year employee with a good record, on suspect evidence.

Commissioners McClelland questioned the statement that the Appellant had a good record; his record included at least one suspension and four Notices to Correct Deficiencies for similar offences as the one before the Board.

6. APPEAL UNDER CHARTER SECTION 1016, (Continued)

a) Ramiro GONZALEZ, Gardener Caretaker, Department of Recreation and Parks.
Discharge effective August 3, 2020, (Continued)

Discussion, (Continued)

The Representative asserted Notices to Correct Deficiencies are not legally admissible, as the employee could not pursue due process to contest them.

Commissioner McClelland reminded counsel that City rules are quite different to those found in court are admissible and relevant in this administrative proceeding. As for the contention that the complainant in this case was not credible, the Hearing Examiner disagreed. He found that her rendition of the facts relevant to the Appellant's actions that lead to the charges and discharge were very credible and could not to be discounted because her testimony regarding her relationship with retired supervisor Glenn might be suspect.

Commissioner Gould added that the focus of the case was not on the Glenn/Wilson relationship, but rather the Appellant's remarks and behavior. His record is against him, and it was his testimony alone that attempted to impeach Wilson, and that was regarding the relationship issue rather than the charges against him.

Commission Action:

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

FIND that the City's *Skelly* due process provisions were met.

SUSTAIN the cause of action of demonstrating insensitivity in that the employee made derogatory comments of a sexual nature about one employee to another employee; made comments of a sexual nature to an employee and asked an employee a question of a sexual nature.

FIND that the Discharge effective August 3, 2020, was appropriate and should be SUSTAINED.

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

Appearances:

Javlin Wells, Human Resources Division, Department of Recreation and Parks.

Stephen Horvath, Appellant's Representative

Ramiro Gonzalez, Appellant

6. APPEAL UNDER CHARTER SECTION 1016

b) Jason SIMS, Maintenance Laborer, Department of Public Works, Bureau of Sanitation.
Discharge effective March 9, 2023.

Report and recommendations of the Board's Hearing Examiner David Beauvais, following the holding of a hearing on July 26, 2024 into the appeal of Mr. Sims.

Discharge effective March 9, 2023.

Pursuant to Government Code 54957, the Civil Service Commission may elect to meet in closed session in order to confer with its legal counsel regarding a matter related to pending litigation or the discipline of an employee under Charter Section 1016. No binding votes will be taken.

The Hearing Examiner recommends that the Board:

A. FIND that the City's *Skelly* due process provisions were met.

B. Causes of Action:

1. SUSTAIN the cause of action of making threats (verbal or non-verbal) or engaging in a confrontation with the public, supervisors or co-workers.
2. SUSTAIN the cause of action of actions on the job or City property intended to destroy property or inflict bodily injury.

C. FIND that the Discharge effective March 9, 2023, was appropriate and should be SUSTAINED.

D. ADOPT the findings and conclusions in the Hearing Examiner's report as the Board's own.
Commission File No. 55835

COMMISSION ACTION:

The Appellant failed to attend the Commission Board meeting, as is the Commission's practice, the Board heard the matter in the Appellant's absence.

Discussion:

The Department representative reviewed the facts of the case, including the injuries caused to a fellow City employee by the Appellant, and the inconsistencies in the Appellant's version of events during the investigation before asking that the Board sustain the charges and penalty of Discharge.

6. **APPEAL UNDER CHARTER SECTION 1016**

b) **Jason SIMS**, Maintenance Laborer, Department of Public Works, Bureau of Sanitation.
Discharge effective March 9, 2023, (continued)

Commission Actions:

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

FIND that the City's *Skelly* due process provisions were met.

SUSTAIN the cause of action of making threats (verbal or non-verbal) or engaging in a confrontation with the public, supervisors or co-workers.

SUSTAIN the cause of action of actions on the job or City property intended to destroy property or inflict bodily injury.

FIND that the Discharge effective March 9, 2023, was appropriate and should be SUSTAINED.

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

Appearance:

Dina Ramirez, Client Services Division Three, Personnel Department for the Department of Public Works, Bureau of Sanitation.

The Appellant did not attend the Board meeting.

7. **ADMINISTRATIVE ACTIONS**

- a. The General Manager recommends that:

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:

October 4, 2024

Interdepartmental Promotional and Open Competitive

ELECTRICAL REPAIRER

SENIOR CONTROLLER AUDIT ANALYST

Interdepartmental Promotional

SENIOR ELECTRICAL REPAIR SUPERVISOR

SENIOR PHOTOGRAPHER

SENIOR RECREATION DIRECTOR

September 27, 2024

Interdepartmental Promotional

GEOGRAPHIC INFORMATION SYSTEMS CHIEF

PERSONNEL DIRECTOR

UTILITY ADMINISTRATOR

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

1. **ASSISTANT STREET LIGHTING ELECTRICIAN**

Armando OCHOA and Sylvester FUENTES, Street Lighting Electrician Supervisors, Department of Public Works, Bureau of Street Lighting.

2. **BUILDING ELECTRICAL ENGINEER**

Nabil MAALOUF, Building Engineer II (Retired), Department of Building and Safety, Adrienne NEWBOLD, Harbor Engineer II, Harbor Department.

3. **COMMUNICATIONS ENGINEER**

Christina TOLENTINO, Information Systems Manager II, Judith VILLANUEVA, Senior Communications Engineer, Department of Airports.

4. **DIRECTOR OF AIRPORT OPERATIONS**

Michael CHRISTENSEN, Assistant General Manager Airports, Department Airports

5. **SENIOR ENVIRONMENTAL COMPLIANCE INSPECTOR**

Abraham ABRAHAMIAN and Nekpen AIMIUWU, Chief Environmental Compliance Inspector, Department of Public Works, Bureau of Sanitation.

6. **SENIOR HEAVY DUTY EQUIPMENT MECHANIC**

Luis ESPINDOLA, Equipment Repair Supervisor, Department of Water & Power, Arman SEROBYAN, Senior Automotive Supervisor, Los Angeles Fire Department.

File No. 55980

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

- c. Make it 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:

PORT ELECTRICAL MECHANIC

Michael DE LANG and Thomas NOLTENSMEIER, Port Electrical Mechanic Supervisors, Jesse GONZALEZS and Ronald DEGLER, Senior Port Electrical Mechanics, Harbor Department.

File No.55981

- d. Approve the change of the test of fitness method in the promotional examination for **Communications Electrician Supervisor**. The examination will be comprised of an advisory essay and 100% weighted interview.

File No. 55982

- e. Approve the change of the test of fitness method in the promotional examination for **Underground Distribution Construction Mechanic**. The examination will be comprised of a 100% weighted multiple-choice test and pass/fail performance test.

File No. 55983

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

c. Make the following APPEAL a matter of record:

Suspension

Gerardo MARTINEZ-LUNA, Tree Surgeon, Department of Water and Power. The Department filed the General Form 77 with Personnel Records on October 1, 2024.

Cause of Action:

- 1) (B5) Failing to carry out assigned work adequately, directly, or promptly (modified).
- 2) (D2) Failure to cooperate with, or use of abusive language toward, other employees or the public.

Discipline: Suspension effective September 23, 2024 through September 30, 2024 (10 working days).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Civil Service Commission on September 19, 2024.

File No. 55984

Discharge

Stephen REESE, Custodian, Department of Airports. The Department filed the General Form 77 with Personnel Records on September 17, 2024.

Cause of Action: Violation of Department Manual

- 1) § 5.020 §§ A.8 Misconduct on or off the job seriously reflecting on City employees or employment
- 2) § 5.020 §§ B.1 Violation of Departmental rules (8.140 LAWA's Employee Security Identification Badge & Los Angeles International Rules and Regulations, Section 7- Airport Security

Discipline: Discharge effective September 18, 2024.

File No. 55985

Suspension

Manuel ELORREAGA, Wastewater Collection Worker II, Department of Public Works, Bureau of Sanitation. The Department filed the General Form 77 with Personnel Records on October __, 2024.

Cause of Action:

- 1) Failure to perform work assignments adequately or promptly.
- 2) Falsifying time reports, mileage reports, expense accounts or similar work oriented documents
- 3) Creating unsanitary conditions
- 4) Violating safety rules or practices, which endanger the employee or others or damages City property.

Discipline: Suspension effective September 25, 2024 through October 23, 2024.

File No.55986

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 **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>
6946	1	95-75252	Electrical Engineering Associate, 7525
6947	1	93-37145	Equipment Repair Supervisor, 3746
6948	2	93-37300	Equipment Specialist, 3734
6949	1	95-17281	Safety Administrator, 1728
6950	1	93-35124	Equipment Operator, 3525
6951	1	95-91051	Utility Administrator, 9105
6952	2	82-17001	Management Analyst, 9184
6953	1	94-12115	Principal Clerk Utility, 1202
6967	1	93-35132	Truck and Equipment Dispatcher, 3586
6968	1	93-37145	Equipment Repair Supervisor, 3746
6969	2	93-35145	Heavy Duty Truck Operator, 3584
6970	1	95-75252	Electrical Engineering Associate, 7525
6971	1	94-13641	Senior Administrative Clerk, 1368
6972	3	93-17109	Management Analyst, 9184
6973	1	95-91054	Utility Administrator, 9105
6975	5	93-78148	Laboratory Technician, 7854
6976	1	93-11144	Principal Clerk Utility, 1202
6977	4	91-13640	Senior Administrative Clerk, 1368
6978	1	93-12107	Principal Clerk Utility, 1202
6979	1	94-11026	Systems Administrator, 1455
6980	1	95-91053	Utility Administrator, 9105
6981	3	91-17020	Management Analyst, 9184
6982	1	91-13005	Utility Executive Secretary, 1336
6983	1	94-15018	Systems Analyst, 1596

2. 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>
6954	2	95-34401	Asbestos Supervisor, 3440
6955	3	93-38108	Senior Electrical Mechanic, 3834
6956	1	82-75138	Electrical Engineer, 7539
6957	1	72-75126	Electrical Engineer, 7539
6958	1	94-13640	Senior Administrative Clerk, 1368
6959	1	94-75703	Senior Electrical Service Representative, 7521

8. **CLASSIFICATION ACTIONS. (Continued)**

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

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

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
6960	8	Laboratory Technician, 7854
6961	1	Custodian, 3156
6962	1	Environmental Supervisor, 7304
6963	1	Power Shovel Operator, 3558
6964	1	Real Estate Associate, 1941
6965	1	Aqueduct and Reservoir Supervisor, 5816
6966	2	Environmental Supervisor, 7304
6974	4	Civil Engineering Drafting Technician, 7232

4. Allocate the following new position for the **Department of Airports**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3941	1	Principal Communications Operator, 1458
3943	1	Personnel Analyst, 1731
3945	1	Workers' Compensation Analyst, 1774

5. Allocate the following new position for the **Harbor Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3942	1	Marine Environmental Manager, 9437
3944	1	Civil Engineering Associate, 7246

File No. 55987

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

b. The General Manager recommends that the Board of Civil Service Commissioners approve the following Classification actions in connection with the 2024-2025 Budget, effective July 1, 2024.

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 TRANSPORTATION</u>		
24/25-190	1	Geographic Information Systems Supervisor, 7214
24/25-191	1	Supervising Transportation Planner, 2481
24/25-192	1	Transportation Planning Associate, 2480
24/25-193	1	Civil Engineering Drafting Technician, 7232
24/25-194	1	Transportation Engineering Associate, 7280
24/25-195	1	Transportation Engineering Associate, 7280
24/25-196	1	Transportation Engineering Associate, 7280
24/25-198	1	Transportation Planning Associate, 2480
24/25-200	1	Transportation Engineering Associate, 7280
24/25-201	1	Transportation Engineering Associate, 7280
24/25-202	1	Transportation Engineering Associate, 7280
24/25-203	2	Planning Assistant, 7939
24/25-204	1	Supervising Transportation Planner, 2481
24/25-205	1	Transportation Engineering Associate, 7280

File No. 555988

~~c. The General Manager recommends the Board of Civil Service Commissioners:~~

~~(a) Allocate the following new position in the Economic and Workforce Development Department;~~

~~and~~

~~(b) Exempt the following position in accordance with Charter Section 1001(d)(4), based on the positions being 50% 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>
3947	1	Senior Project Coordinator, 1538

File No.

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

d. The General Manager recommends the Board of Civil Service Commissioners:

(a) Allocate the following new position in the Economic and Workforce Development Department;

and

(b) Exempt the following position 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>
3948	1	Project Coordinator, 1537

File No. 55989

e. The General Manager recommends the Board of Civil Service Commissioners:

(a) Allocate the following new position in the Economic and Workforce Development Department;

and

(b) Exempt the following position 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>
3949	1	Senior Project Coordinator, 1538

File No. 55990

f. The General Manager recommends that the Board of Civil Service Commissioners:

1. Approve the change of class title from **Chief of Transit Programs**, Class Code 9200 to **Chief Transportation Planner**, Class Code 9200; and

2. Approve the revised class specification for **Chief Transportation Planner**, Class Code 9200.

File No. 55991

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

- g. The General Manager recommends that the Board of Civil Service Commissioners extend the exemption of the following positions in the **Economic and Workforce Development Department** (EWDD) in accordance with Charter Section 1001(d)(4), based on the positions being grant-funded for a third and final year.

CSC No.	No. of Positions	Class Title and Code
3950	1	Chief Grants Administrator, 1579
3951	1	Assistant Chief Grants Administrator, 1577
3952	1	Project Assistant, 1542
3953	1	Project Coordinator, 1537
3954	1	Project Coordinator, 1537
3955	1	Project Coordinator, 1537
3956	1	Project Coordinator, 1537
3957	1	Senior Project Assistant, 1546
3958	1	Senior Project Assistant, 1546
3959	1	Senior Project Assistant, 1546
3960	1	Senior Project Assistant, 1546
3961	1	Senior Project Assistant, 1546
3962	1	Senior Project Assistant, 1546
3963	1	Senior Project Assistant, 1546
3964	1	Senior Project Assistant, 1546
3965	1	Senior Project Assistant, 1546
3966	1	Senior Project Assistant, 1546
3967	1	Senior Project Assistant, 1546
3968	1	Senior Project Assistant, 1546
3969	1	Senior Project Assistant, 1546
3970	1	Senior Project Assistant, 1546
3971	1	Senior Project Assistant, 1546
3972	1	Senior Project Coordinator, 1538
3973	1	Senior Project Coordinator, 1538
3974	1	Senior Project Coordinator, 1538
3975	1	Senior Project Coordinator, 1538
3976	1	Senior Project Coordinator, 1538
3977	1	Senior Project Coordinator, 1538
3978	1	Senior Project Coordinator, 1538

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

- g. The General Manager recommends that the Board of Civil Service Commissioners extend the exemption of the following positions in the **Economic and Workforce Development Department** (EWDD) in accordance with Charter Section 1001(d)(4), based on the positions being grant-funded for a third and final year. (Continued)

3979	1	Project Assistant, 1542
3980	1	Assistant Chief Grants Administrator, 1577
3981	1	Senior Project Coordinator, 1538
3982	1	Principal Project Coordinator, 9134
3983	1	Senior Project Coordinator, 1538
3984	1	Senior Project Coordinator, 1538

File No. 55992

COMMISSION ACTION: RECOMMENDATIONS APPROVED

9. **ADJOURNMENT**

Commission Vice President Karla Gould adjourned the meeting, without objection, at 10:53 a.m. on a motion by Commissioner McClelland, seconded by Commissioner Kirenga.

KARLA GOULD,
Vice President

BRUCE E. WHIDDEN,
Commission Executive Director