



CITY OF LOS ANGELES BOARD OF CIVIL SERVICE COMMISSIONERS

AGENDA

COMMISSIONERS
RAUL PEREZ

President
KARLA M. GOULD
Vice President

JEANNE A. FUGATE
GUY LIPA
NANCY P. MCCLELLAND
Commissioners

REGULAR MEETING – 10:00 A.M.

THURSDAY, APRIL 14, 2022

VIRTUAL MEETING

ROOM 350, PERSONNEL BUILDING

700 EAST TEMPLE STREET

LOS ANGELES, CALIFORNIA 90012

In conformity with AB 361 and the Governor's executive order n-15-21 (September 20, 2021) and due to concerns over COVID-19, this meeting of the Board of Civil Service Commissioners will be conducted using audio technology. **Any person wishing to observe the Commission meeting or address the Commission in public comment should dial (669) 900-6833, and when asked for a Meeting ID, enter 858 9910 3845 followed by the pound sign (#). When asked, enter the passcode 562494 and the pound sign (#) again to continue.** Participants will then be joined into the meeting. If you wish to enter a public comment on a matter of interest that is within the subject jurisdiction of the Board, please dial *9 when the Commission reaches item three of this agenda. You will be called upon and your phone or device un-muted.

Digital 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>

1. **CALL TO ORDER**

2. **APPROVAL OF MINUTES**

Minutes of the regular meeting of Thursday, March 24, 2022, submitted for approval.

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

Time set aside for the Board to hear comments on matters of interest to the public that are within the subject jurisdiction of the Board. No single speaker shall exceed **one** minute.

Any person who is compensated to monitor, attend or speak at this meeting of the Board of Civil Service Commissioners is required by City law (Los Angeles Municipal Code § 48.01 *et seq.*) to register as a lobbyist and report your activity to the City Ethics Commission.

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

Approval of routine and non-appearance matters under Unfinished Business, page four, item 8 and New Business, pages five through eleven, items 9 and 10, subject to any requests for reconsideration by the end of the meeting.

5. **TELECONFERENCE MEETINGS PURSUANT TO AB361**

APPROVE FINDINGS in accordance with AB361 Section 3(e)(3) that, while the state of emergency due to the COVID-19 pandemic, as originally proclaimed by the governor on March 4, 2020, remains active, and/or state or local authorities have imposed or recommended measures to promote social distancing, this Commission, in the interest of safety for the public, City employees and the members of the Commission, will meet in a virtual setting accessible to the public until such time as proper authorities shall deem it safe to resume in-person meetings.

6. **GENERAL MANAGERS REPORT**

7. **APPEAL UNDER CHARTER SECTION 1016**

Gary E. HILL, Personnel Analyst, Los Angeles Fire Department. Separation from the City effective May 23, 2020.

Report and recommendations of the Board’s Hearing Examiner Mary Williams, following the holding of a hearing on August 10, 2020 into the appeal of Mr. Hill.

The Hearing Examiner recommends that the Board:

A. FIND that the City’s *Skelly* due process provisions do not apply to this action.

B. Causes of Action:

1. SUSTAIN the separation from the City of Gary E. Hill by the Los Angeles Fire Department based on the following cause of action:

Gary E. Hill had been employed as a Personnel Analyst with the Los Angeles Fire Department since April 2007. In September 2019, Hill was assigned to home on paid administrative leave due to workplace issues. In October 2019, Hill provided the Department with a letter from his doctor permanently restricting him from working in the Fire Department as a Personnel Analyst or from coming into contact with anyone involved with his workplace issues. Because his restrictions did not allow Hill to work within the Fire Department, the matter was referred to the Personnel Department’s Citywide Placement Office for an assignment outside the Fire Department.

On February 7, 2020, the referral to the Citywide Placement Office was approved. Citywide Place worked with Hill in search for a placement opportunity outside the Fire Department as a Personnel Analyst, Management Analyst or Management assistant. On May 8, 2020, the Personnel Department informed the Los Angeles Fire Department that after approximately two months of effort, the Citywide Placement Office had been unable to place Hill in a position outside the Fire Department, therefore the Citywide Placement Office had concluded its placement efforts.

Since Hill’s work restrictions permanently prevent him from working in the Los Angeles Fire Department, and the City cannot find an assignment for him outside the Fire Department, his work restrictions cannot be accommodated. As a result, Gary E. Hill was released from City Service effective May 23, 2020.

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

File No. 55483

7. **APPEAL UNDER CHARTER SECTION 1016, (Continued)**
Gary E. HILL, Personnel Analyst, Los Angeles Fire Department. Separation from the City effective May 23, 2020, (Continued)

COMMISSION ACTION:

Continued from February 10, 2022

After a discussion, the matter was continued to April 14, 2022 with the following schedule of events:

- A transcript of the discussion from the meeting of February 10, 2022 will be created and distributed to the parties and the Board by February 24, 2022.
- Submission of briefs addressing the questions raised during the discussion are due in the Commission Office by April 4, 2022 and will be included in the materials sent to the Board.
- Exchange of briefs from the parties will be made by the Commission Office by April 6, 2022.
- The matter will be returned to the Board on April 14, 2022.

With the transcript created and the briefs exchange, the matter now returns to the Board for final adjudication.

COMMISSION ACTION:

8. NOTE AND FILE, A DECISION OF THE SUPERIOR COURT

In the Matter of former City employee, **DAVID WHITEHURST**, Principal Inspector, Los Angeles Housing & Community Investment Department, Commission File 54760.

On July 11, 2019, the Board of Civil Service Commissioners sustained five of the six causes of actions against the Appellant and upheld his discharge. Mr. Whitehurst sought judicial review of the Board action through the filing of a Demand for Reinstatement with the Commission and a Writ of Mandamus in the California State Superior Court, County of Los Angeles. After extensive review and hearing, the Court decision was in the City’s favor upholding the Commission action.

COMMISSION ACTION:

9. **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:

March 18, 2022

Interdepartmental Promotional

DIRECTOR OF MAINTENANCE AIRPORTS
IRRIGATION SPECIALIST

March 25, 2022

Interdepartmental Promotional

PERSONNEL RECORDS SUPERVISOR
SENIOR FORENSIC PRINT SPECIALIST
SENIOR UTILITY ACCOUNTANT
TAX COMPLIANCE AIDE

Interdepartmental Promotional and Open Competitive

CHIEF BENEFITS ANALYST
ZOO REGISTRAR

Open Competitive

DETENTION OFFICER

April 1, 2022

Interdepartmental Promotional

SUPERINTENDENT OF RECREATION AND PARKS OPERATIONS

April 1, 2022

Open Competitive

ACCOUNTING CLERK ASSISTANT
ANIMAL CARE ASSISTANT
ANIMAL LICENSE CANVASSER ASSISTANT
ASSISTANT TREE SURGEON
COMMUNICATIONS INFORMATION REPRESENTATIVE ASSISTANT
FIELD ENGINEERING AIDE ASSISTANT
FIELD ENGINEERING AIDE TRAINEE
STREET SERVICES ASSISTANT

9. **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) **BUILDING CONSTRUCTION AND MAINTENANCE SUPERINTENDENT**
Kelly COOPER, Building Construction and Maintenance General Superintendent II (Retired), Department of General Services
- 2) **BUILDING MECHANICAL INSPECTOR**
Elmer Robert BLAND, Senior Building Mechanical Inspector, Department of Building and Safety
- 3) **DETENTION OFFICER**
Jose BASALDUA and Sergio CASTRELLON, Principal Detention Officers, Los Angeles Police Department
- 4) **ELECTRICAL ENGINEERING DRAFTING TECHNICIAN**
Jacob KIRKHUFF and Karlo ZAMANYAN, Senior Electrical Engineering Drafting Technicians, Department of Water & Power
- 5) **PRINCIPAL CLERK POLICE**
Efrem SAMARIN, Chief Clerk Police, Los Angeles Police Department
- 6) **SENIOR TAX AUDITOR**
Robert LEE, Chief Tax Compliance Officer II and Jeffrey YEUNG, Chief Tax Compliance Officer I, Office of Finance
- 7) **SENIOR UTILITY ACCOUNTANT**
Hsin-Tien “Lucy” CHOU and John EQUINA, Principal Utility Accountants, Department of Water & Power
- 8) **TITLE EXAMINER**
Uriel JIMENEZ, Chief Real Estate Officer II, Department of Public Works, Bureau of Engineering and Kenneth STANBERRY, Property Manager II, Department of General Services
- 9) **WORKERS’ COMPENSATION ADMINISTRATOR**
David NOLTEMEYER, Chief Management Analyst (Retired), Personnel Department
File No.

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

CHIEF ADMINISTRATIVE ANALYST

Angela BERUMEN, Assistant Director of Finance, Office of Finance and Todd BOUEY, Assistant General Manager, Los Angeles City Employees’ Retirement System (LACERS)

UTILITY SERVICES MANAGER

Theron C. RUCKER and Andwele WILLIAMS, Utility Services Managers III and Gerren Davon EDWARDS, Matthew William Lee GIL, Angela RUIZ, Utility Services Managers V, Department of Water & Power

File No.

9. ADMINISTRATIVE ACTIONS, (Continued)

d. Revise the **Industrial Chemist** examination from 100% interview with an advisory essay to 100% application review and notify candidates.

File No.

e. Revise the **Senior Communications Engineer** examination from 100% interview with an advisory essay to 100% application review and notify candidates.

File No.

f. Make the following APPEALS a matter of record:

Suspension

Carlos ROCHA Jr., Electric Distribution Mechanic, Department of Water & Power. The Department filed the General Form 77 with Personnel Records on March 3, 2022.

Cause of Action: 1) Failure to carry out assigned work responsibilities.
2) Failure to maintain a safe and productive workplace for subordinates.
3) Failure to foster an alcohol-free environment by one’s own actions and conduct.

Discipline: Suspension effective January 31, 2022 to February 28, 2022, inclusive (20 working days).

In accordance with Charter Section 1016, the Appellant filed an appeal via email to the Commission Office on January 29, 2022.

File No.

Discharge

AIRPORT POLICE OFFICER II, Department of Airports. The Department filed the General Form 77 with Personnel Records on March 16, 2022.

Cause of Action: 1) Failure to meet a condition of employment to be fully vaccinated against COVID 19 as required by Los Angeles City Ordinance 187134.

Discipline: Discharge effective March 14, 2022.

In accordance with Charter Section 1016, the Appellant filed an appeal via email from his attorney to the Commission Office on March 16, 2022.

File No.

Ryan BERNARDO, Park Ranger, Department of Recreation and Parks. The Department filed the General Form 77 with Personnel Records on March 14, 2022.

Cause of Action: 1) Failure to meet a condition of employment to be fully vaccinated against COVID 19 as required by Los Angeles City Ordinance 187134.

Discipline: Discharge effective March 10, 2022.

In accordance with Charter Section 1016, the Appellant filed an appeal via email from his attorney to the Commission Office on March 10, 2022.

File No.

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

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

Suspension, (Continued)

ELECTRIC DISTRIBUTION MECHANIC (A), Department of Water & Power. The Department filed the General Form 77 with Personnel Records on March 17, 2022.

Cause of Action: 1) §50.04 (E-1) Using alcohol or drugs on the jobsite during work period.
2) §50.04 (E-4) Operating a City vehicle or other equipment while under the influence of alcohol or drug which could impair operation capacity.

Discipline: Suspension effective February 31, 2022 to March 14, 2022, inclusive (30 working days).

ELECTRIC DISTRIBUTION MECHANIC (B), Department of Water & Power. The Department filed the General Form 77 with Personnel Records on March 17, 2022.

Cause of Action: 1) §50.04 (E-2) Refusal to take a drug or alcohol resulting in a presumed positive of being under the influence and unfit for duty.
2) §50.04 (E-4) Operating a City vehicle or other equipment while under the influence of alcohol or drug which could impair operation capacity.
3) §50.04 (D-2) Failure to cooperate with, or use of abusive language with other employees or supervisors.

Discipline: Suspension effective February 31, 2022 to March 14, 2022, inclusive (30 working days).

PARK MAINTENANCE SUPERVISOR, Department of Recreation and Parks. The Department filed the General Form 77 with Personnel Records on March 17, 2022.

Cause of Action: 1) Reporting for duty under the influence of drug or alcohol which resulted in unfitness to work.

Discipline: Suspension effective March 22, 2022 to April 30, 2022, inclusive (30 working days).

EQUIPMENT MECHANIC, Los Angeles Police Department. The Department filed the General Form 77 with Personnel Records on March 17, 2022.

Cause of Action: 1) On or about February 21, 2021, the employee, while off-duty, operated a private vehicle while under the influence of an alcoholic beverage that resulted in his arrest.

Discipline: Suspension effective April 3, 2022 to May 14, 2022, inclusive (15 working days) to be served as agreed.

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

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

Discharges

CUSTODIAN, Department of Airports. The Department filed the General Form 77 with Personnel Records on March 17, 2022.

- Cause of Action:
- 1) Violation of Department Administrative Manual §5.020 (B-1) Violation of Department Rules.
 - 2) Violation of Department Administrative Manual §5.020 (E-5) positive drug or alcohol test from a for cause test conducted under the provision of the United States Department of Transportation Drug and Alcohol Testing Policy.
 - 3) Violation of Department Administrative Manual §5.020 (E-7) Failure to cooperate in the drug or alcohol test as instructed by a manager, supervisor or any HR professional.
 - 4) Violation of Department Administrative Manual §5.020 (C-1) Unexcused, excessive or patterned absenteeism.
 - 5) Violation of Department Administrative Manual §5.020 (C-2) Failure to maintain satisfactory attendance or failure to correct attendance deficiencies.
 - 6) Violation of Department Administrative Manual §5.020 (C-2) Failure to follow established procedures for notification of inability to report for work.

Discipline: Discharge effective March 18, 2022.

10. 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>
6106	4	93-38103	Senior Electrician, 3864
6107	2	82-17001	Management Analyst, 9184
6108	1	95-91052	Utility Administrator, 9105
6109	1	95-91052	Utility Administrator, 9105
6110	1	95-91051	Utility Administrator, 9105
6111	6	45-37140	Air Conditioning Mechanic, 3774

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>
6101	2	82-34005	Painter Supervisor, 3426
6102	4	93-37106	Electrical Craft Helper, 3799
6103	45	93-33105	Carpenter, 3344
6105	15	95-38531	Electrical Repairer, 3853
6112	1	93-37008	Welder, 3796

3. Allocate the following new positions in the **Zoo Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3573	2	Maintenance Laborer, 3112
3574	1	Custodian, 3156
3575	1	Accounting Clerk, 1223

4. Allocate the following new positions in the **Department of City Planning**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3578	1	Senior Administrative Clerk, 1368
3579	1	Geographic Information Systems Supervisor, 7214
3581	2	Administrative Clerk, 1358
3582	2	Administrative Clerk, 1358
3583	1	Administrative Clerk, 1358

5. Allocate the following new position in the **Library Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3580	1	Senior Administrative Clerk, 1368

6. Reallocate the following position in the **Library 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>
3577	1	Administrative Clerk, 1358	Senior Administrative Clerk, 1368 File No.

10. **CLASSIFICATION ACTIONS**

- b. The General Manager recommends that the Board approve the exemption of the following position in the **Department of Public Works, Board of Public Works (BPW)** in accordance with Charter Section 1001(d)(4), based on the position 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>
3585	1	Project Coordinator, 1537 File No.

- c. The General Manager recommends that the Board approve the exemption of the following position in the **Los Angeles Housing Department (LAHD)** 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>
3584	1	Project Assistant, 1542 File No.

- d. The General Manager recommends that the Board of Civil Service Commissioners:
 1. Extend the probationary period from six months to one year for **Senior Labor Relations Specialist**, Code 9202;
and
 2. Approve the revised class specifications for **Senior Labor Relations Specialist**, Class Code 9202.

File No.

COMMISSION ACTION:

11. **ADJOURNMENT**