



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

**SPECIAL MEETING – 10:00 A.M.
THURSDAY, DECEMBER 15, 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 monitor the Commission meeting or address the Commission in public comment should dial (669) 900-6833, and when asked for a Meeting ID, enter 812 7894 1074 followed by the pound sign (#). When asked, enter the passcode 937609 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 unmuted.

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, December 15, 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 two, items 7 & 8 and New Business, pages four through 11, 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.

COMMISSION ACTION:

6. **GENERAL MANAGER'S REPORT**

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

a) **Joseph RODRIGUEZ**, Refuse Collection Truck Operator II, Department of Public Works, Bureau of Sanitation. Suspension effective April 18, 2022 to May 20, 2022, inclusive (15-working days). Settlement agreement whereby the Department agreed to reduce the imposed penalty of 15-working days and solitude a nine (9) working day penalty. The employee is to be made whole for the six-day difference. The Appellant agreed to withdraw his Appeal from Suspension currently pending before the Civil Service Commission. The parties agreed to other terms and condition. The Commission Office received the signed settlement documents October 7, 2022.

File No. 55616

b) **Elisa WHITE**, Recreation Coordinator, Department of Recreation and Parks, Suspension effective January 8, 2021 to January 15, 2021, inclusive (six-working days). Settlement agreement whereby the parties agreed to reduce where possible the impact of the discipline on the employee by sealing the Department’s records. The employee agreed that she would not receive any compensation from this action including back pay for the period of the suspension. The employee agreed to withdraw her Appeal from Suspension now pending before the Civil Service Commission. The parties agreed to other terms and condition. The Commission Office received the signed settlement documents November 17, 2022.

File No. 55552

COMMISSION ACTION:

8. APPEAL UNDER CHARTER SECTION 1016, FINAL ADMINISTRATION ACTION PORT POLICE SERGEANT, Harbor Department, Ten Working Day suspension.

File No. 55263

Originally heard, July 28, 2022 pursuant to Government Code 54957, the Civil Service Commission will adjourn into closed session to consider this employee’s discipline discussion.

On that date, the Board voted to find that the Department’s investigation of alleged misconduct by the Appellant was not completed within the one-year limitations period under Section 3304 (d), such that Counts 1 and 2 are time-barred and cannot be a basis for discipline. The Board also voted to refer the matter to Commissioner Fugate, in consultation with the Board’s attorney, to prepare written findings in support of the Board’s findings that the Department’s investigation was not timely completed under Section 3304 (d).

The parties were provided with the DRAFT Findings Report. All parties concur and expressed no objection to its adoption as a routine action by the Board concluding the case.

Commission Action required on December 15, 2022:

ADOPT the findings and conclusions report submitted by Commissioner Fugate as the Board’s own.

COMMISSION ACTION:

9. **APPEAL UNDER CHARTER SECTION 1016**

a) **Devon LAMBY**, Detention Officer, Los Angeles Police Department. Discharge effective February 15, 2019.

Report and recommendations of the Board’s Hearing Examiner Craig Renetzky, following the holding of hearings on February 25, 2022, September 4, 2021, September 11, 2021, September 18, 2021, September 25, 2021, March 14, 2022 and March 21, 2022, into the appeal of Mr. Lamby.

The Hearing Examiner recommends that the Board:

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

B. Cause of Action:

NOT SUSTAIN the cause of action that on or about December 11, 2017, while on duty, the employee used unnecessary force on a detainee, resulting in an out-of-policy use of force investigation.

C. FIND that the Discharge effective February 15, 2019, was NOT appropriate and is NOT SUSTAINED.

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

File No. 55255

COMMISSION ACTION: Continued from October 13, 2022

On October 13, 2022, a full discussion into the issues raised in the Hearing Examiner’s report and the Appellant’s submission, the Commission President asked the parties that prior to the Board taking any action that the parties attempt to reach a settlement to end the case.

The matter was continued to November 17, 2022 for final adjudication unless the Commission Office is notified of a settlement prior to November 7, 2022. The parties were unable to reach a settlement and the matter was scheduled for November 17, 2022. Shortly before the meeting, the Department asked for more time to continue settlement discussions. With the agreement of the Appellant, the matter was continued to December 15, 2022 for settlement or final adjudication.

9. **APPEAL UNDER CHARTER SECTION 1016, (Continued)**

b) **Jonathan BOBBIO**, Electric Station Operator, Department of Water & Power. Discharge effective July 6, 2021.

Report and recommendations of the Board’s Hearing Examiner Stephen Biersmith, following the holding of hearings on November 10, 2021, June 2, 2021 and July 21, 2022, into the appeal of Mr. Bobbio.

The Hearing Examiner recommends that the Board:

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

F. Cause of Action:

- 1) SUSTAIN the cause of action of violating Department Administrative Manual Section 50-04 (B-5): Failure to carry out assigned work or supervisory responsibilities adequately, directly or promptly.
- 2) SUSTAIN the cause of action of violating Department Administrative Manual Section 50-04 (F-6): Violation of safety rules, procedures or accepted practices which results in injury and damage to equipment or property.

G. The Hearing Examiner recommends that discipline be remanded back to the Department to consider a penalty less than discharge in this case. Although the discipline was within the Department’s guidelines, it is disproportionate given the Department’s history of imposing lesser discipline in all other instances in the past; given the tenure and amount of time and training invested in the Appellant, the decision to train and then keep him in an unsupervised and responsible position for almost a year after the incident without any other issues, and the fact that the Department guidelines allow for something less than discharge.

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

File No. 55629

COMMISSION ACTION:

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:

November 10, 2022

Departmental Promotional
POLICE COMMANDER

November 11, 2022

Departmental Promotional and Open Competitive
MARINE AQUARIUM CURATOR

November 18, 2022

Interdepartmental Promotional Basis and Open Competitive
FLEET SERVICES MANAGER
STEAM PLANT MAINTENANCE SUPERVISOR

Open Competitive
LOCKSMITH

December 1, 2022

Interdepartmental Promotional Basis and Open Competitive
REFUSE COLLECTION TRUCK OPERATOR

December 2, 2022

Interdepartmental Promotional
EQUIPMENT REPAIR SUPERVISOR

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

1. **CHIEF PERSONNEL ANALYST**

Raul LEMUS, Assistant General Manager (Retired), Personnel Department.

2. **EQUIPMENT REPAIR SUPERVISOR**

Robert SAUNDERS JR., Fleet Services Manager, Department of Water & Power, Efren HUITRON, General Automotive Supervisor, Department of General Services.

3. **FIRE INSPECTOR**

Travis LEW, Sidney CHAMBERS and Alfred KUZICHEV, Fire Captains I, Los Angeles Fire Department.

4. **LOCKSMITH**

Brian CARLTON, Building Repair Supervisor, Department of Water & Power, Joseph VANDERMEER, Building Repair Supervisor, Department of General Services.

5. **PARK SERVICES ATTENDANT**

Dario TELLO, Senior Park Services Attendant, Department of Recreation and Parks, Brenda AGUIRRE, Senior Park Services Attendant, Zoo Department.

6. **PERSONNEL RECORDS SUPERVISOR**

Racheal WALKER, Senior Personnel Analyst II (Retired), Department of Airports, Tina Lee RODRIGUEZ, Chief Personnel Analyst (Retired), Personnel Department.

7. **SENIOR ADMINISTRATIVE CLERK**

Michelle MESINA, Principal Clerk Police, Los Angeles Police Department, Heidi VEGA, Principal Clerk Utility, 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):

8. **STRUCTURAL ENGINEER**

Shirish MISTRY, Senior Structural Engineer, Department of Public Works, Bureau of Engineering, Hou-Yin FONG, Power Engineering Manager, Department of Water & Power.

9. **SURVEY SUPERVISOR**

Magdi SOLIMAN, Senior Survey Supervisor, Department of Public Works, Bureau of Engineering, John ALVO, Senior Survey Supervisor, Department of Water & Power.
File No.

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:

BACKGROUND INVESTIGATOR

Tracy VERALDI, Background Investigation Manager, and Robert MCCRARY, Background Investigator III, Personnel Department

CHIEF PERSONNEL ANALYST

Grayce LIU and Paula DAYES, Assistant General Managers, Personnel Department

d. Approve the change of the test of fitness method in the interdepartmental promotional examination for **Equipment Repair Supervisor**. The examination will consist of a qualifying multiple-choice test and a weighted interview (100%).

File No.

e. Approve the change of the test of fitness method in the open competitive examination for **Personnel Research Analyst**. The examination will be comprised solely of a weighted training and experience questionnaire (100%).

File No.

f. Make the following APPEAL a matter of record:

Suspensions

Isaac CHAVEZ, Electric Distribution Mechanic Supervisor, Department of Water & Power. The Department filed the General Form 77 with Personnel Records on _____, 2022.

Cause of Action: Violation of Department Administrative §50.04:
F-8 Knowingly violating safety rules, procedures or accepted practices which results in disability, death or interruption or degradation of electric or water service or damage to equipment or property.
B-5 Failure to carry out assigned work or supervisory responsibilities adequately or promptly.

Discipline: Suspension effective December 5, 2022 to January 13, 2023, inclusive (30 working days.).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Civil Service Commission on November 17, 2022.

File No.

10 **ADMINISTRATIVE ACTIONS, (Continued)**

f. Make the following APPEAL a matter of record, (Continued):

SUNG-AN CHEN, Senior Civil Engineering Drafting Technician, Department of Water & Power. The Department filed the General Form 77 with Personnel Records on November 30, 2022.

Cause of Action: 1) Violation of Department Administrative §50.04: B-1 Violation of Department Rules.
2) B-5 Failure to carry out assigned work or supervisory responsibilities adequately or promptly (Second Offense).

Discipline: Suspension effective December 5, 2022 to December 16, 2022, inclusive (10 working days.).

In accordance with Charter Section 1016, the Appellant filed an appeal with the Civil Service Commission on December 2, 2022.

Esteban PLANCARTE, Refuse Collection Truck Operator II, Department of Public Works, Bureau of Sanitation. The Department filed the General Form 77 with Personnel Records on 21, 2022.

Cause of Action: Failure to perform reasonable work assignments adequately or promptly.

Discipline: Suspension effective November 28, 2022 to January 27, 2023, inclusive (15-working days.) to be served as agreed.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Civil Service Commission on November 28, 2022.

File No.

William TRANZOW, Senior Animal Control Officer, Department of Animal Services. The Department filed the General Form 77 with Personnel Records on November 30, 2022.

Cause of Action: 1) Misusing or failure to use delegated authority in the performance of duties.
2) Violating Department Rules.
3) Failure to maintain harassment free workplace for subordinates; failure to foster a discrimination-free workplace by one’s own individual actions or failure to act.
4) Refusal to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties (insubordination).
5) Making inappropriate statements to the public, supervisors or co-workers.

Discipline: Suspension effective December 1, 2022 to January 20, 2023, inclusive (20-working days.) to be served as agreed.

In accordance with Charter Section 1016, the Appellant filed an appeal with the Civil Service Commission on November 30, 2022.

File No.

10 **ADMINISTRATIVE ACTIONS, (Continued)**

g. Make the following NOTICE a matter of record:

Suspensions

ADMINISTRATIVE CLERK, Department of Public Works, Bureau of Sanitation. The Department filed the General Form 77 with Personnel Records on November 22, 2022.

Cause of Action: 1) Absent without Valid leave for a period of more than two weeks between May 9, 2019 – July 30, 2020, due to incarceration.

Discipline: Suspension effective November 21, 2022 to January 6, 2023, inclusive (20-working days.) to be served as agreed.

SENIOR CARPENTER, Department of Recreation and Parks. The Department filed the General Form 77 with Personnel Records on December 1, 2022.

Cause of Action: Refusal to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties (insubordination).

Discipline: Suspension effective December 5, 2022 to December 12, 2022, inclusive (six working days.).

COMMISSION ACTION:

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 **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>
6278	1	95-91051	Utility Administrator, 9105
6279	3	93-37100	Mechanical Helper, 3771
6280	45	93-39109	Maintenance and Construction Helper, 3115

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>
6260	5	93-31020	Senior Custodian, 3157
6261	1	94-72109	Civil Engineering Drafting Technician, 7232
6262	5	93-31000	Custodian Supervisor, 3176
6263	2	93-31005	Head Custodian Supervisor, 3178
6265	3	91-12068	Customer Service Representative, 1230
6266	2	95-37531	Senior Utility Services Specialist, 3753
6267	32	93-31022	Custodian, 3156
6268	3	95-19640	Property Manager, 1964
6270	1	94-75301	Mechanical Engineer, 7558
6271	1	95-37552	Utility Services Specialist, 3755
6272	2	95-37553	Utility Services Specialist, 3755
6273	8	93-31106	Maintenance and Construction Helper, 3115
6274	1	95-91063	Utility Services Manager, 9106
6275	1	91-17020	Management Analyst, 9184
6277	1	91-79005	Data Analyst, 1779

3. 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>
6264	1	95-39803	Water Utility Superintendent, 3980
6269	9	93-58138	Water Treatment Operator, 5885
6276	1	95-72462	Civil Engineering Associate, 7246

4. Allocate the following new position in the **Los Angeles City Employees' Retirement System**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3664	1	Accounting Clerk, 1223

5. Allocate the following new positions in the **General Services Department**, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3655	1	Delivery Driver, 1121
3656	1	Messenger Clerk, 1111
3657	1	Sheet Metal Worker, 3775
3658	2	Building Operating Engineer, 5923
3659	1	Tire Repair Supervisor, 3732
3660	6	Welder, 3796

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

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

6. Allocate the following new positions in the Department of Transportation, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3665	3	Civil Engineering Drafting Technician, 7232

7. Allocate the following new position in the Office of the City Administrative Officer, as indicated:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3661	1	Chief Clerk, 1253

File No.

b. The General Manager recommends that the Board of Civil Service Commissioners approve the following Classification actions in connection with the 2022-2023 Budget, effective July 1, 2022.

1. Allocate the following positions:

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
		Department of Neighborhood Empowerment
22/23-549	4	Administrative Clerk, 1358
22/23-550	1	Commission Executive Assistant, 9734
22/23-551	1	Senior Management Analyst, 9171

File No.

c. The General Manager recommends that the Board of Civil Service Commissioners approve the revised class specification for:

Class Title and Code
Assistant Signal Systems Electrician, 3818

File No.

d. The General Manager recommends that the Board of Civil Service Commissioners approve the revised class specification for

Class Title and Code
Signal Systems Electrician, 3819

File No.

e. The General Manager recommends that the Board of Civil Service Commissioners approve the revised class specification for

Class Title and Code
Zoo Curator of Education, 4300

File No.

f. The General Manager recommends that the Board of Civil Service Commissioners extend the exemption of the following position in the **Department of Public Works, Bureau of Street Services** in accordance with Charter Section 1001(d)(4), based on the position being grant-funded for a third and final year.

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3651	1	Project Coordinator, 1537

File No.

10. CLASSIFICATION ACTIONS, (Continued)

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

<u>CSC No.</u>	<u>No. of Positions</u>	<u>Class Title and Code</u>
3652	2	Senior Project Coordinator, 1538
3653	1	Project Coordinator, 1537
3654	1	Project Coordinator, 1537
		File No.

- h. The General Manager recommends that the Board of Civil Service Commissioners give a 10-day notice of its intention to:
 - 1. Create the new class of **Labor Relations Specialist**, Code 9112;
 - and
 - 2. Adopt the Class Specification for **Labor Relations Specialist**, Code 9112

File No.

COMMISSION ACTION:

11. ADJOURNMENT