

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, November 4, 2009, at 9:30 a.m.

522 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

9:30 A.M. CLOSED SESSION

Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of public employees pursuant to Government Code Section 54957, for the positions listed below.

CONVENED THE MEETING AT 9:32 A.M. AND WENT INTO CLOSED SESSION AT 9:33 A.M.

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:27 A.M.

COMMISSIONERS PRESENT: ADKINS, FELTON, FOX, KAHWAJIAN, MARTINEZ

ANNOUNCED THAT THERE WILL NOT BE A MEETING ON VETERAN'S DAY, NOVEMBER 11, 2009, OR NOVEMBER 25, 2009.

ANNOUNCED THAT THE DISCUSSION REGARDING SCHEDULING OF HEARINGS IS SCHEDULED FOR THE MEETING OF DECEMBER 2, 2009.

Minutes of the meeting of Wednesday, October 28, 2009, for approval
APPROVED; COMMISSIONER MARTINEZ ABSTAINED.

Unfinished Business

1. *Petition of **VICTOR ROBLES** for a hearing on his **discharge**, effective April 30, 2008, from the position of Respiratory Care Practitioner I, Department of Health Services, LAC+USC Healthcare Network, **Case No. 08-187.***
REMANDED TO THE HEARING OFFICER FOR FURTHER FINDINGS OF FACT, CONCLUSIONS OF LAW AND A RECOMMENDATION.

Unfinished Business (continued)

2. *Petition of **CESAR ROMO** for a hearing on his **suspension** pending investigation, effective May 5, 2006, and **discharge**, effective February 11, 2008, from the position of Animal Control Officer II, Department of Animal Care and Control, **Case No. 06-211**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, ANGELA SHAW, TO SUSTAIN THE DEPARTMENT. ON PAGE 27, CONCLUSION OF LAW 4, DELETED THE WORD "INTENT."

3. *Petition of **MARY T. SAMI** for a hearing on her **denial of promotion** to the position of Senior Board Specialist, Board of Supervisors, based on her claim of a Civil Service Rule 25 violation, **Case No. 06-304**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, SARA ADLER, TO DENY THE APPEAL.

4. *Petition of **SARAH SPECK** for a hearing on her **discharge**, effective October 24, 2006, from the position of Supervising Typist Clerk, Department of Health Services, High Desert Health System, **Case No. 06-457**.*
SUSTAINED THE DEPARTMENT'S OBJECTIONS. ADOPTED, AS CONSTITUTING THE FINAL DECISION OF THE COMMISSION, THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, STEPHEN M. BIERSMITH, TO SUSTAIN THE DEPARTMENT. COMMISSIONER FELTON DISSENTED.

5. *Petition of **DIANE B. WEISSBURG** for a hearing on her thirty (30) day **suspension**, effective April 7, 2008, from the position of Assistant Regional Administrator, Department of Children and Family Services, based on her claim of a Civil Service Rule 25 violation, **Case No. 08-106**.*
MATTER DISMISSED FOR LACK OF JURISDICTION. (GORDON TRASK SUBSTITUTED AS LEGAL ADVISOR.)

6. *Petition of **PHILLIP ROCHA** for a hearing on his **Appraisal of Promotability score** received in the examination for Manager, Board Relations, Health Services, based on his claim of a Civil Service Rule 25 violation, **Case No. 09-1188**.*
CONTINUED AT THE REQUEST OF VICTOR MANRIQUE, ATTORNEY FOR THE PETITIONER, IN ORDER FOR THE PARTIES TO MEET.

New Business

7. *Petition of **JAMES FREEMAN** for a hearing on his ten (10) day **suspension**, effective September 14, 2009, from the position of Medical Electronics Technician Working Supervisor, Department of Health Services, Harbor-UCLA Medical Center, **Case No. 09-1370.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

8. *Petition of **VERONICA HARO** for a hearing on her fifteen (15) day **suspension**, effective September 1, 2009, from the position of Child Support Officer II, Child Support Services Department, **Case No. 09-1332.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

9. *Petition of **RICARDO ROCHA** for a hearing on his ten (10) day **suspension**, effective August 31, 2009, from the position of Eligibility Worker II, Department of Public Social Services, **Case No. 09-1356.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

10. *Petition of **JACQULYN STEWARD** for a hearing on her thirty (30) day **suspension**, effective September 7, 2009, from the position of Supervising Children’s Social Worker, Department of Children and Family Services, **Case No. 09-1371.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

11. *Petition of **SHERI R. TACKETT** for a hearing on her ten (10) day **suspension**, effective August 26, 2009, from the position of GAIN Services Worker, Department of Public Social Services, **Case No. 09-1335.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

12. *Petition of **EMERALD TAYLOR** for a hearing on her **discharge**, effective August 7, 2009, from the position of Information Systems Supervisor I, Sheriff’s Department, **Case No. 09-1350.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

13. *Petition of **RONALD TIGERINO** for a hearing on his **discharge**, effective August 17, 2009, from the position of Children’s Social Worker III, Department of Children and Family Services, **Case No. 09-1364.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

New Business (continued)

14. *Petition of **ONES A. VENTURA** for a hearing on his **discharge**, effective August 25, 2009, from the position of Physician Specialist, Department of Health Services, LAC+USC Healthcare Network, **Case No. 09-1352.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

15. *Amended petition of **SONYA KNIGHT** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Senior Physician Assistant, **Case No. 09-1100.***
DENIED.

16. *Petition of **GAYANE GEVORKYAN** for a hearing on the Director of Personnel's denial of her appeal of the **rating from records score** received in the examination for Intermediate Clerk (Student Worker/Student Professional Worker Program), **Case No. 09-1268.***
HEARING DENIED.

17. *Petition of **VERONICA RODRIGUEZ** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Eligibility Supervisor, **Case No. 09-1259.***
WAIVED THE TIMELINESS ISSUE. HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

18. *Petition of **MILAGRO E. TREJO** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Eligibility Supervisor, based on her claim of a Civil Service Rule 25 violation, **Case No. 09-1275.***
WAIVED THE TIMELINESS ISSUE. HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER.)

19. *Petition of **MACUILXOCHITL D. REYES** for a hearing on her **disqualification** in the examination for Deputy Sheriff Trainee, **Case No. 09-1281.***
CONTINUED AT THE REQUEST OF HELEN L. SCHWAB, ATTORNEY FOR THE PETITIONER, IN ORDER TO ATTEMPT RESOLUTION.

Miscellaneous

20. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
NO PUBLIC COMMENTS.

ADJOURNED TO CLOSED SESSION AT 11:27 A.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

21. *Petitioner's request for a hearing on her **discharge**, effective December 5, 2007, from the position of Detention Services Officer, Probation Department, **Case No. 07-529.***
OVER-RULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED, AS ITS FINAL DECISION, THE FINDINGS OF THE HEARING OFFICER, MICHAEL H. MILLER, BUT REJECTED CONCLUSIONS OF LAW 3, 4, 5, AND 7. AMENDED CONCLUSION OF LAW 8 AND REJECTED THE RECOMMENDATION. THE DEPARTMENT IS SUSTAINED IN THE DISCHARGE. COMMISSIONERS FELTON AND FOX DISSENTED.

New Business

22. *Petitioner's request for a hearing on his **discharge**, effective August 25, 2009, from the position of Senior Detention Services Officer, Probation Department, **Case No. 09-1336.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
23. *Petitioner's request for a hearing on his **discharge**, effective July 29, 2009, from the position of Group Supervisor, Nights, Probation Department, **Case No. 09-1351.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 11:59 A.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 12:00 P.M.

Legal Advisor:
Lester J. Toinai

Legal Advisor:
Gordon Trask (Item 5 only)

Deputy Executive Director:
Sandy Stivers

Chief, Commission Services:
Rochelle L. Williams

Head Commission Specialist:
Janice Davis

APPROVED BY THE CIVIL SERVICE
COMMISSION ON NOVEMBER 18, 2009



Lawrence D. Crocker
Executive Director