

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, September 16, 2015 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 9:31 A.M. AND WENT INTO CLOSED SESSION AT 9:32 A.M.

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:36 A.M.

COMMISSIONERS PRESENT: AFRIAT, DONNER, HERNANDEZ, KAHWAJIAN, NIGHTINGALE

Minutes of the meeting of Wednesday, September 9, 2015, for approval
APPROVED.

Consideration of Consent Calendar
APPROVED.

Unfinished Business

1. *Petition of **JULIA GARIBAY** for a hearing on her fifteen (15) day **suspension**, effective October 21, 2014, from the position of Staff Assistant I, Department of Parks and Recreation, **Case No. 14-297.***

ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, STEPHEN BIERSMITH, TO SUSTAIN THE DEPARTMENT. THE COMMISSION CORRECTED THE PETITIONER'S HIRING DATE IN THE HEARING OFFICER'S REPORT TO REFLECT DECEMBER 21, 1983, AND CORRECTED THE TYPO IN THE RECOMMENDATION TO READ "IT IS RECOMMENDED THAT THE APPELLANT'S FIFTEEN (15) CALENDAR DAY SUSPENSION BE SUSTAINED".

Unfinished Business (continued)

2. *Petition of **LINDA HOA** for a hearing on her denial of request for **medical reevaluation** in the position of GAIN Services Worker, Department of Public Social Services, based on her claim of a Civil Service Rule 25 violation, **Case No. 14-210.***
OVER-RULED THE DEPARTMENT'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION, THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, AUBREY C. ELLIS, TO SUSTAIN THE APPEAL.

3. *Petition of **FERNANDO PEREZ GARCIA, JR.** for a hearing on his **discharge**, effective September 13, 2012, from the position of Animal Control Officer I, Department of Animal Care and Control, **Case No. 12-298.***
THE COMMISSION CONTINUED THIS ITEM FOR TWO (2) WEEKS IN ORDER TO SEEK LEGAL ADVICE. THE PARTIES ELECTED TO WAIVED NOTICE.

4. *Petition of **DENISE BARGER** for a hearing on her thirty (30) day **suspension**, effective November 3, 2014, from the position of Eligibility Supervisor, Department of Public Social Services, **Case No. 14-353.***
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.

5. *Petition of **BRENDA VARELA** for a hearing on her twenty (20) day **suspension**, effective December 22, 2014, from the position of Intermediate Clerk, Department of Public Health, **Case No. 14-410.***
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

6. *Petition of **BRENDA WRIGHT** for a hearing on her fifteen (15) day **suspension**, effective January 5, 2015, from the position of Hazardous Materials Specialist II, Fire Department, **Case No. 15-14.***
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

7. *Petition of **NIDIA HERNANDEZ** for a hearing on her fifteen (15) day **suspension**, effective June 29, 2015, from the position of Intermediate Typist Clerk, Internal Services Department, **Case No. 15-215.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

Unfinished Business (continued)

8. *Petition of **PHYLLIS ARMSTRONG** for a hearing on her **discharge**, effective June 16, 2015, from the position of Law Enforcement Psychologist, Sheriff's Department, **Case No. 15-212.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

9. *Petition of **CHARLES EDWARDS** for a hearing on his **discharge**, effective July 1, 2015, from the position of Grounds Maintenance Worker I, Department of Parks and Recreation, **Case No. 15-221.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

10. *Petition of **JASMIN VELAZQUEZ** for a hearing on her appeal of the **Appraisal of Promotability score** received in the examination for Human Services Administrator I, **Case No. 15-111.***
HEARING DENIED AS MOOT.

New Business

11. *Petition of **MARAEUS DUMAS** for a hearing on his ten (10) day **suspension**, effective July 13, 2015, from the position of Transportation Truck Helper, Department of Public Works, **Case No. 15-224.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

12. *Petition of **JOSEPH SPANN** for a hearing on his ten (10) day **suspension**, effective July 20, 2015, from the position of Parking Lot Attendant, Department of Health Services, LAC+USC Medical Center, **Case No. 15-227.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

13. *Petition of **RONALD TOLEDO** for a hearing of his appeal of the **written score** received in the examination for Management Assistant/Administrative Intern I, **Case No. 15-183.***
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER.)

14. *Petition of **LEO NEVADA** for a hearing on his **interview scores** received in the examinations for Operations Assistant I, Sheriff, and Employment Services Assistant I, **Case No. 15-9.***
HEARING DENIED.

New Business (continued)

15. *Petition of **CHI NGUYEN** for a hearing on her **performance evaluation** received in the position of Social Worker, Department of Community and Senior Services, based on her claim of a Civil Service Rule 25 violation, **Case No. 15-182.***
CONTINUED AT THE REQUEST OF LYLE FULKS, LOCAL 721, REPRESENTATIVE FOR THE PETITIONER, IN ORDER TO ATTEMPT RESOLUTION.
16. *Petition of **KATHRYN THIPATIMA** for a hearing on her **medical re-evaluation** from the position of Information Technology Aide, Department of Mental Health, based on her claim of a Civil Service Rule 25 violation, **Case No. 15-191.***
THE COMMISSION CONTINUED THIS ITEM FOR THIRTY (30) DAYS IN ORDER FOR THE PARTIES TO MEET. COMMISSIONER HERNANDEZ DISSENTED.

Miscellaneous

17. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
NAJEEB KHOURY, LOCAL 721, ADDRESSED THE COMMISSION IN REGARDS TO THE MEDICAL RE-EVALUATIONS AND ITS APPEAL PROCESS.
VINCENT MCGOWAN, LAW OFFICES OF HAUSMAN & SOSA, INTRODUCED SALLY FRONTMAN AS A NEW ATTORNEY FOR THEIR LAW FIRM.

ADJOURNED TO CLOSED SESSION AT 11:42 A.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

18. *Petitioner's request for a hearing on his twenty (20) day **suspension**, effective April 21, 2014, from the position of Deputy Probation Officer I, Probation Department, **Case No. 14-119.***
THE COMMISSION REMANDED THE REPORT BACK TO THE HEARING OFFICER.

19. *Petition of for a hearing on her thirty (30) day **suspension**, effective February 1, 2013, from the position of Detention Services Officer, Probation Department, **Case No. 13-057.***
THE COMMISSION CONTINUED THIS ITEM FOR TWO (2) WEEKS IN ORDER TO SEEK LEGAL ADVICE. THE PARTIES ELECTED TO WAIVE NOTICE.

20. *Petition of for a hearing on her **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective March 23, 2015, from the position of Detention Services Officer, Probation Department, **Case No. 15-99.***
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON A SETTLEMENT. HEARING CANCELLED.

New Business

21. *Petitioner's request for a hearing on his ten (10) day **suspension**, effective August 10, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-225.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

22. *Petitioner's request for a hearing on his ten (10) day **suspension**, effective July 13, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-228.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

23. *Petitioner's request for a hearing on his fifteen (15) day **suspension**, effective July 27, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-229.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

CLOSED SESSION (continued)

New Business (continued)

24. *Petitioner's request for a hearing on his **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective June 18, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-230.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
25. *Petitioner's request for a hearing on his **discharge**, effective July 2, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-222.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
26. *Petitioner's request for a hearing on the Director of Personnel's denial of her appeal of the **application rejection** in the examination for Deputy Probation Officer II, based on her claim of a Civil Service Rule 25 violation, Probation Department, **Case No. 15-179.***
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER.)
27. *Petitioner's request for a hearing on the Director of Personnel's denial of his appeal of the **application rejection** received in the examination for Deputy Probation Officer II, based on his claim of a Civil Service Rule 25 violation, **Case No. 15-181.***
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER.)
28. *Petitioner's request for a hearing on his **discharge**, effective January 14, 2011, from the position of Detention Services Officer, Probation Department, **Case No. 11-029.***
THE COMMISSION VACATED ITS ORDER DATED DECEMBER 4, 2013.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 12:00 P.M.

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

ADJOURNED CLOSED SESSION AT 12:01 P.M.

Legal Advisor:
Nancy Takade

Head, Civil Service Commission:
Steve Cheng

Head Commission Specialist:
Luz Delgado

APPROVED BY THE CIVIL SERVICE
COMMISSION ON SEPTEMBER 23, 2015

A handwritten signature in cursive script that reads "Lawrence D. Crocker".

Lawrence D. Crocker
Executive Director