



SACHI A. HAMAI
EXECUTIVE OFFICER

COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 383
LOS ANGELES, CALIFORNIA 90012
(213) 974-1411 • FAX (213) 620-0636

MEMBERS OF THE BOARD

GLORIA MOLINA

MARK RIDLEY-THOMAS

ZEV YAROSLAVSKY

DON KNABE

MICHAEL D. ANTONOVICH

March 9, 2011

TO: Lawrence Crocker, Executive Director
Civil Service Commission

FROM: Sachi A. Hamai
Executive Officer

SUBJECT: REPORT ON CIVIL SERVICE COMMISSION HEARINGS

At the Board of Supervisors' meeting held March 8, 2011, the Board discussed Agenda Item No. 46 relating to a report by the Civil Service Commission regarding steps the Commission has taken or that could be taken by the Commission or the parties before it, to expedite the current appeals process and eliminate the current unacceptable delays in the resolution of petitioner appeals. During the discussion, Supervisor Molina requested you to take the following actions:

- Provide the Board with a public annual report at the conclusion of each fiscal year that provides relevant information including but not limited to the number and types of petitions filed, hearings granted, final decisions made, modified disciplinary decisions and pending open cases in comparison to the previous two fiscal years. The report should also include specific recommendations directed to the County and to employee advocates that will improve efficiency, case management and fairness in the appeals process;
- Communicate any new policies that are adopted by the Commission to the Department Heads; and
- Provide a brief statement of decisions to the Board in each appeal in which the Commission as a final decision chooses to modify or overturn a department's imposition of discipline.

Enclosed is a copy of the transcript to assist you in preparing your response.

SAH:ag

Enclosure

c: Each Supervisor

09030811_adminmemo_46



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 THOSE. THANK YOU FOR SUPPORT. SUPERVISOR KNABE, DO YOU STILL
2 WANT THIS CONTINUED OR DO YOU WANT TO SUPPORT IT? OKAY. WE
3 WILL CONTINUE IT FOR ONE WEEK; WITHOUT OBJECTION, SO ORDERED.
4 OKAY. **ITEM NO. 46.** CIVIL SERVICE COMMISSION WHO IS HERE. THIS
5 IS A REPORT ON THE ECONOMY EFFICIENCY COMMISSION'S REVIEW OF
6 THE H.R. AND CIVIL SERVICE COMMISSION, WHICH WE HAD 15
7 RECOMMENDATIONS IN RESPONSE TO THE MOTIONS BY SUPERVISOR
8 MOLINA AND MYSELF. THE FIRST QUESTION I WOULD LIKE TO ASK: IN
9 EXAMINATION OF THE 10 CASES CLOSED IN 2009/2010 RELATIVE TO
10 THE AREA OF DELAY BETWEEN THE PARTIES SUBMITTING SELECTION OF
11 A HEARING OFFICER AND THE FIRST DAY OF THE HEARING, THAT WAS
12 APPROXIMATELY 253 DAYS TO MAKE THAT DETERMINATION. IN THE NEW
13 ADOPTED RULES THAT WAS APPROVED BY THE BOARD OF SUPERVISORS,
14 WILL THAT SHORTEN THE TIME FRAME?

15

16 **LAWRENCE CROCKER:** YES, MAYOR ANTONOVICH.

17

18 **SUP. ANTONOVICH, MAYOR:** GIVE YOUR NAME.

19

20 **LAWRENCE CROCKER:** LAWRENCE CROCKER, EXECUTIVE DIRECTOR OF THE
21 CIVIL SERVICE COMMISSION. AND THE RULES WILL SHORTEN THE TIME
22 FRAME.

23

24 **SUP. ANTONOVICH, MAYOR:** DO YOU HAVE AN IDEA HOW THEY SHORTEN
25 IT?



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1

2 **LAWRENCE CROCKER:** WELL, CURRENTLY JUST BY ADOPTION OF OUR
3 RECENT PROCEDURAL RULES. WHEN WE GET DOWN TO THE POINT WHERE
4 WE CAN SCHEDULE WITHIN 45 BUSINESS DAYS, THEN THAT WILL
5 SHORTEN AT LEAST THAT MUCH ON THE FRONT END. IF THERE'S AN
6 ADOPTION OF THE RULE TO GO RIGHT TO NO PROPOSED DECISION BUT
7 RIGHT TO A DECISION TO THE COMMISSION TO TAKE OBJECTIONS, YOU
8 ARE PROBABLY GOING TO CUT OUT MAYBE ANYWHERE FROM 30 TO 60
9 DAYS FROM THE CURRENT PRACTICE OR WHAT'S SET FORTH IN THE
10 CIVIL SERVICE RULES.

11

12 **SUP. ANTONOVICH, MAYOR:** ONE OF THE RECOMMENDATIONS WAS TO
13 AMEND THE RULE REGARDING THE ABILITY OF THE CIVIL SERVICE
14 COMMISSION TO MODIFY A HEARING OFFICER'S-- THE CITY OF L.A.
15 SERVICE COMMISSION USES THE RULE. WHAT IS YOUR VIEW OF THE
16 IDEA OF LIMITING THE CIVIL SERVICE COMMISSION'S ACTIONS TO
17 EITHER SUSTAINING OR OVERTURNING PERSONNEL ACTIONS OR
18 ACCEPTING SETTLEMENTS WHICH ARE AGREED UPON BY BOTH PARTIES?

19

20 **LEN ADKINS:** FIRST OF ALL, LEN ADKINS, I'M A MEMBER OF THE
21 CIVIL SERVICE COMMISSION AND CURRENTLY PRESIDENT OF THE
22 COMMISSION. WE, AS YOU KNOW IN OUR FORMAL STATEMENT TO YOU
23 FROM THE COMMISSION, THAT WE DID NOT SPEAK TO THE CIVIL
24 SERVICE RULES PER SE. AND THE REASON WE DIDN'T DO THAT IS THAT
25 BECAUSE WE INTERPRET THE RULES AND THAT WE HAVE TO ISSUE THE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 FINDINGS OF THOSE RULES, THAT WE FELT WE WOULD TRY TO KEEP OUR
2 NEUTRALITY IN THAT CASE. AND THEREFORE FOR SO-CALLED, A
3 FIREWALL, IF YOU WOULD, FOR THE PEOPLE WHO MAKE THE RULES,
4 WHICH IS YOU, AND FOR THOSE OF US WHO INTERPRET THE RULES. SO
5 WE DID NOT, AS A COMMISSION, TALK TO THE CIVIL SERVICE RULES
6 PER SE. WE TALKED TO THE PROCEDURAL RULES AND OTHER THINGS,
7 MR. MAYOR.

8

9 **SUP. ANTONOVICH, MAYOR:** THE REPORT THAT WE RECEIVED STATED
10 THAT THE COMMISSION'S INCREASED CASELOAD COMES PRIMARILY IN
11 NON-DISCIPLINARY MATTERS. YOU ALSO STATED THAT IT DOES NOT
12 ROUTINELY GRANT DISCRETIONARY HEARINGS. WHAT TYPE OF NON-
13 DISCRETIONARY, NON-DISCIPLINARY APPEALS ARE DRIVING THE
14 INCREASED CASELOAD?

15

16 **LEN ADKINS:** MR. MAYOR, THE ONES THAT I'VE SEEN, A.P.'S
17 CERTAINLY ARE PROBABLY A HIGH NUMBER OF THEM.

18

19 **SUP. ANTONOVICH, MAYOR:** A.P., YOU MEAN?

20

21 **LEN ADKINS:** I'M SORRY. APPRAISAL OF PROMOTABILITY. SO THOSE
22 ARE NUMBER ONE.

23

24 **SUP. ANTONOVICH, MAYOR:** SO APPRAISALS OF BEING PROMOTED FROM
25 ONE LEVEL TO ANOTHER.



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1

2 **LEN ADKINS:** AND A MANAGER OR SUPERVISOR WOULD WRITE, WHICH IS
3 SUBJECTIVE, AND WOULD WRITE AN A.P. ON THEM. THEY FEEL THAT IT
4 PROBABLY WASN'T DONE CORRECTLY. AND UNLESS THERE'S A RULE 25,
5 WHICH IS A NON-MERIT REASON FOR IT, WE DON'T NORMALLY GRANT
6 THOSE UNLESS THERE IS SOMETHING THAT-- WE ONLY GRANTED THREE
7 IN 2010 OUT OF 192 DISCRETIONARY. BUT MOST OF THEM ARE THOSE
8 KIND OF THINGS, RATING OF RECORDS AND THINGS FOR
9 PROMOTABILITY.

10

11 **SUP. ANTONOVICH, MAYOR:** NOW THE E&E HAD RECOMMENDED
12 ELIMINATING A.P.'S.

13

14 **LEN ADKINS:** AND WHATEVER YOU WOULD DECIDE, WE WOULD
15 CERTAINLY...

16

17 **SUP. MOLINA:** IT'S OUR DECISION.

18

19 **SUP. ANTONOVICH, MAYOR:** YOU HAVE NO POSITION ON IT?

20

21 **LEN ADKINS:** WE HAVE NO POSITION. BUT WE'D CERTAINLY INTERPRET
22 AND ENFORCE ANYTHING THAT YOU DECIDED ON.

23

24 **SUP. ANTONOVICH, MAYOR:** RIGHT. SUPERVISOR MOLINA?

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** FIRST OF ALL, THANK YOU, COMMISSIONER ADKINS, FOR
2 COMING AND BEING SO PATIENT THROUGH OUR MEETING HERE.

3

4 **LEN ADKINS:** THANK YOU.

5

6 **SUP. MOLINA:** AND I APPRECIATE YOU JOINING US AS WELL AS MR.
7 CROCKER ON THIS ISSUE. I THINK THAT THERE ARE MANY POSITIVE
8 STEPS THAT HAVE TAKEN PLACE. I APPRECIATE THE COMMISSION HAS
9 TAKEN AND CHANGED ITS OWN PROCEDURAL RULES, AND HOPEFULLY
10 THAT'S GOING TO PUT US ON THE PATHWAY TO LIMITING THE NUMBER
11 OF DAYS AND MONTHS AND YEARS OF OUR HEARINGS, BUT THERE'S
12 STILL-- AND I KNOW THAT IT'S KIND OF AN AWKWARD SITUATION
13 BECAUSE THE CIVIL SERVICE PROCESS IS SUPPOSED TO BE AN
14 UNBIASED, MIDDLE GROUND BETWEEN EMPLOYEES AND EMPLOYERS. AND I
15 APPRECIATE IT. AND CERTAINLY I'M THE EMPLOYER. AND WHEN MANY--
16 WHEN THOSE ADOPTION OF MANY OF THOSE RULES THAT WE DECIDED TO
17 UNDERTAKE AT THAT TIME WERE APPROVED, MANY OF THE ADVOCATES
18 WERE VERY CONCERNED ABOUT WHAT WE WERE DOING. BUT I THINK THAT
19 IT DOESN'T SERVE US WELL ONE WAY OR THE OTHER WHEN WE SEE
20 THESE KINDS OF CASES THAT ARE GOING ON FOR MONTHS, FOR YEARS
21 AND WITH THE STATUS OF SORT OF NOBODY REALLY KNOWS WHAT'S
22 GOING ON WITH THESE EMPLOYEES. THEY THEMSELVES DON'T KNOW
23 WHAT'S GOING ON. AND SO ANYTHING WE CAN DO TO EXPEDITE THE
24 PROCESS I THINK IS A REAL PLUS FOR BOTH EMPLOYER AND EMPLOYEE.
25 SO I'M GLAD YOU'VE ADOPTED A GROUP OF PROCEDURAL RULES THAT I



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 THINK WILL FACILITATE THAT PROCESS, AS WELL. BUT THERE'S STILL
2 A COUPLE OF THINGS THAT I'D LIKE TO SEE AND I'D LIKE TO ASK
3 THE COMMISSION TO SEE IF THEY COULD CARRY OUT. EVEN IN THE
4 ADOPTION OF THE RULES, AND WE'RE MONITORING IT, AS WELL,
5 THEY'RE STILL NOT ADHERING TO THE 45-DAY RULE. NOW IS THAT A
6 PROCESS THAT IS ENCUMBERED BY WHAT? NOT HAVING AVAILABILITY OF
7 HEARING OFFICERS? NOT HAVING AVAILABILITY OF ROOMS? CAN YOU
8 ENLIGHTEN ME AS TO WHY THAT'S NOT BEING CARRIED OUT?

9

10 **LEN ADKINS:** CERTAINLY. AND YOU'RE RIGHT ON. THAT'S EXACTLY
11 WHAT'S GOING ON. WE TRIED TO GET THAT INTO 45 DAYS TO GET A
12 FIRST HEARING. WE'VE GOTTEN 45 DAYS TO SCHEDULE THE MEETING
13 BUT NOT TWO OF THE THREE I THINK MADE IT AND ONE DIDN'T. ONE'S
14 BEEN ALREADY PUT OVER TO JULY. THERE'S A NUMBER OF THINGS. AND
15 ONE OF THE THINGS I'VE OBSERVED THE LAST FEW YEARS AND I'M THE
16 NEWEST MEMBER OF THE COMMISSION, BUT I'VE OBSERVED THIS THE
17 LAST FEW YEARS WAS THAT ONCE THE HEARING OFFICER HAS DATES
18 AVAILABLE, THAT TO GET THE PARTY, BOTH SIDES, TO GET THEIR
19 AVAILABILITY TO COME TO AN AGREEMENT ON WHEN THE HEARING DATES
20 SHOULD BE IS SOMETIMES PROBLEMATIC. AND THIS IS NOT TO POINT
21 FINGERS AT EITHER SIDE, BECAUSE THEY ARE RUNNING. I HAVE
22 TALKED TO D.H.R., I'VE TALKED TO THE APPELLANTS, I'VE TALKED
23 TO THE UNIONS, ABOUT, CAN WE GET MORE PEOPLE AND MAKE SURE WE
24 CAN FOLLOW-UP ON THIS. AND IT'S NOT FROM A LACK OF TRYING ON
25 THEIR PART AND NOT FROM A LACK OF PEOPLE. AND I CERTAINLY



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1 WOULDNT'T SAY DURING THESE BUDGET CONSTRAINTS, THAT WE ADD MORE
2 PEOPLE OR THAT WE PAY FOR HEARING ROOMS OR WHATEVER. THERE'S
3 SOMETIMES ARE COSTS FOR HEARING ROOMS, FOR SECURITY. CERTAINLY
4 WE COULD USE MORE HEARING ROOMS. WE COULD MOVE IT UP. BUT
5 AGAIN THERE'S A BUDGETARY CONSTRAINT. BUT I THINK YOU'RE ON
6 THE RIGHT TRACK OF THIS. WE'VE GOT TO FIGURE OUT A WAY TO GET
7 MORE HEARINGS GOING FASTER. AND WE HAVE ASKED OUR EXECUTIVE
8 DIRECTOR TO WORK WITH THE DEPARTMENT. D.H.R. HAS BEEN GOOD
9 GIVING US IDEAS WHERE TO FIND ROOMS. AND EVEN OVER AT THE
10 COURTHOUSE, THEY HAVE EMPTY ROOMS. BUT WHEN WE SEND MR.
11 CROCKER OVER THERE, THEY COME BACK AND SAY "WELL YOU GOT TO
12 PAY FOR SECURITY AND YOU'RE GOING TO HAVE TO PAY FOR THIS,
13 THAT AND THE OTHER." SO IT'S A TRADEOFF ON THAT. BUT WE
14 CERTAINLY HAVE TO MOVE FORWARD.

15

16 **LAWRENCE CROCKER:** IF I MIGHT, I WOULD FIRST CLARIFY THAT IT'S
17 45 BUSINESS DAYS, NOT JUST 45 DAYS. SO YOU'RE TALKING ROUGHLY
18 2-1/2 MONTHS. BUT I WOULD AGREE THAT PROBABLY THE BIGGEST
19 LOGISTICAL CONSTRAINT IS ROOMS. WE HAVE ONE DEDICATED HEARING
20 ROOM. AND WE SCRUNGE FOR THE REST THAT WE USE. SO IF WE HAD
21 MORE ROOMS, WE OBVIOUSLY HAVE A NUMBER OF-- WE HAVE 59 HEARING
22 OFFICERS THAT WE CURRENTLY USE. WE COULD RUN MORE HEARINGS.
23 BUT THAT'S OUR MAJOR CONSTRAINT AT THE MOMENT. AND OF COURSE
24 AS PRESIDENT ADKINS POINTED OUT, YOU HAVE THE ISSUES WITH THE
25 APPLICANT'S AVAILABILITY.



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1
2 **SUP. MOLINA:** ALL RIGHT. WELL THAT LEADS TO MY NEXT-- FIRST OF
3 ALL, I APPRECIATE YOU WANTING-- AND AGAIN WHEN WE LOOK AT
4 THIS, I THINK IT'S THERE IS NO DOUBT THAT WHEN YOU COME BEFORE
5 THIS BOARD AND CERTAINLY AS A COMMISSION IT RARELY HAS. AND WE
6 ALWAYS HAVE TO BE CAREFUL BECAUSE, AGAIN, IT'S SUPPOSED TO BE
7 A MECHANISM WHERE IT'S AN UNBIASED OPPORTUNITY SO THAT THESE
8 ISSUES CAN BE ADJUDICATED. AND THERE'S ALL KINDS OF RULES AS
9 TO WHETHER WE CAN EVEN INTERFACE WITH THE COMMISSION ITSELF
10 AND ASK QUESTIONS ABOUT CASES. I'M NOT INTERESTED SO MUCH IN
11 ASKING QUESTIONS ABOUT CASES. BUT YOU DO KNOW THAT-- AND I'M
12 SURE THE COMMISSION FEELS THAT WAY THAT AT THE END OF THE DAY,
13 YOU'RE THE WHIPPING BOY FOR EVERYBODY, THE EMPLOYEES AND THE
14 EMPLOYER IF WE DON'T GET OUR WAY; RIGHT? BUT THAT'S NOT WHAT
15 WE NEED TO DO. WHAT WE NEED TO FIND IS A MECHANISM OF HOW WE
16 COULD IMPROVE IT SO THAT THERE ARE QUICK, SPEEDY HEARINGS THAT
17 ARE DONE THAT ARE COMPREHENSIVE AND UNDERSTOOD. I ASKED-- AND
18 I WENT TO THE COMMISSION ABOUT EIGHT TO TEN YEARS AGO AND
19 ASKED THEM IF THEY WOULD DO US A FAVOR. AND AT THAT TIME IT
20 WAS IGNORED. AND I'D LIKE TO ASK IT AGAIN. I THINK THAT IT
21 WOULD BE WORTHWHILE FOR THE COMMISSION TO PRODUCE A REPORT,
22 KIND OF AN ANNUAL REPORT, OF WHAT WE AS QUOTE, THE EMPLOYER,
23 COULD DO BETTER. AND THIS WOULD BE AN OPPORTUNITY FOR YOU TO
24 MAYBE-- BECAUSE IF IT IS OUR-- AND WE DON'T KNOW THE DETAILS
25 OF WHEN OUR DEPARTMENTS ARE CONTINUING THESE ITEMS. AND THEY



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 HAVE A TENDENCY NOT TO REMIND US BUT TO POINT THE FINGER AND
2 SAY "WELL, THEY DIDN'T SCHEDULE IT," RIGHT? SO IT WOULD BE
3 MUCH EASIER IF YOU COULD TELL US, IN SOME GENERAL TERMS, NOT
4 BY THE PERSON'S NAME, BUT MAYBE THAT THERE'S SOME SLUGGISHNESS
5 OR OTHER KINDS OF ISSUES THAT ADVOCATES FOR THE DEPARTMENTS OR
6 THE PERSONNEL FROM THE DEPARTMENT ARE NOT PREPARED AND MAYBE
7 NEED A CONTINUANCE BECAUSE THEY HAVEN'T BRUSHED UP ON THE FILE
8 OR WHATEVER IT IS? I'VE KNOWN THOSE ISSUES HAVE HAPPENED. AND
9 ALL OF THE THINGS THAT CAUSE DELAYS. I THINK IT WOULD BE
10 WORTHWHILE AS WELL AS FOR THE ADVOCATES.

11

12 **LAWRENCE CROCKER:** CERTAINLY.

13

14 **SUP. MOLINA:** BECAUSE I THINK THEY NEED TO KNOW, AS WELL, IF
15 THEY COME UNPREPARED OR MAYBE IF THEY'RE THE ONES THAT ARE
16 CREATING THESE DELAYS. I THINK IT'S A FAIR ANALYSIS THAT COULD
17 BE PROVIDED, BOTH EMPLOYER AND EMPLOYEE, OF WHAT WE COULD DO
18 MORE EFFECTIVELY WHEN WE GO BEFORE THE COMMISSION, I MEAN
19 ABOUT BEING PREPARED, READY TO GO AND ALL THAT. NOW, I
20 UNDERSTAND AT THE END OF THE DAY THERE MIGHT BE ISSUES WITH
21 NOT HAVING ENOUGH HEARING ROOMS, HEARING OFFICERS OR OTHER
22 KINDS OF ISSUES, BUT I THINK IT WOULD BE WORTHWHILE. NOW LAST
23 TIME NOBODY RESPONDED TO IT BECAUSE THEY DIDN'T FEEL THEY OWED
24 US ANYTHING. I'M NOT SAYING THAT I CAN'T PASS A MOTION AND
25 FORCE YOU TO GIVE ME AN ANNUAL REPORT. I GUESS I COULD. BUT



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 THAT'S NOT WHERE I WANT TO GO. I'D RATHER THAT YOU WOULD SEE
2 IT AS A TOOL THAT WOULD BETTER EQUIP US AS EMPLOYERS. THE
3 OTHER THING IS THAT I KNOW THAT THERE ARE CERTAIN POLICIES
4 THAT YOU KIND OF ADOPTED AND THEY'RE BUT SOMEHOW ARE NEVER
5 COMMUNICATED DIRECTLY TO OUR DEPARTMENT HEADS. I MEAN,
6 PROGRESSIVE DISCIPLINE IS SOMETHING THAT IS KIND OF-- IS A
7 LESSON THAT'S NOT LEARNED ACROSS THE BOARD. AND I THINK NOW
8 EVERYBODY'S GETTING IT. BUT IT SEEMS AS THOUGH IT'S A POLICY
9 THAT YOU'VE ADOPTED, AND A FAIR POLICY IN REGARD TO THOSE
10 ISSUES. BUT IT'S AGAIN THE KINDS OF THINGS THAT I THINK IT
11 WOULD BE WORTHWHILE. AND THEN, FINALLY, THE LAST ISSUE-- AND
12 THIS IS PROBABLY THE TOUGHEST THING TO DO, BECAUSE I KNOW
13 JUDGES AND CLERKS ALL LOOK AT YOU FOR BEING FOR THE MOST PART
14 JUDGES, DON'T LIKE TO TELL US WHY THEY DID WHAT THEY DID. BUT
15 IT WOULD BE VERY WORTHWHILE IN SOME OF THESE ISSUES TO AT
16 LEAST GET SOME KIND OF, I DON'T KNOW, A SET OF FINDINGS BUT IN
17 GENERAL TERMS AS TO WHY YOU OVERRULED A HEARING OFFICER, WHY
18 YOU OVERRULED THE DEPARTMENT, WHY YOU TOOK A DISCHARGE AND
19 MADE IT A 15 OR A 30-DAY. YOU KNOW, I MEAN, OBVIOUSLY THE
20 DEPARTMENT HAS FOUND IT WITHIN ITS FRAMEWORK TO SAY WE NEED TO
21 DISCHARGE THIS EMPLOYEE FOR WHATEVER IT WAS. AND YOU DECIDE OH
22 NO, WE'RE ONLY GOING TO MAKE IT A 15-DAY WHATEVER. OR CHANGE
23 THE DISCIPLINE. I DON'T WANT TO KNOW BY NAME OR BY ACTION. I'M
24 MORE INTERESTED IN KIND OR THE RATIONALE, IF IT WASN'T
25 PROGRESSIVE DISCIPLINE OR THE RECORDS ARE NOT COMPLETE OR



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 POLICY DOESN'T MATCH WITH WHATEVER. BECAUSE I'VE SEEN THOSE
2 THINGS WHERE WE'VE HAD A DISCHARGE AND THERE'S NOT A POLICY IN
3 PLACE THAT REALLY ALLOWS THAT TO HAPPEN. SO I'M ONLY
4 RECOMMENDING THAT IF THERE COULD BE SOME KIND OF A REPORT, I
5 THINK IT'LL GO A LONG WAY TO HELP NOT ONLY US AS THE EMPLOYER.
6 WE'RE TRYING TO BE EQUITABLE AND FAIR WITH OUR EMPLOYEES. THEY
7 DON'T LOOK AT IT THAT WAY. BUT I KNOW I WANT TO KNOW WHY WE
8 ARE NOT SUCCEEDING IN ACHIEVING THESE GOALS AND HAVE TO GO TO
9 THIS LEVEL OF ADJUDICATION. IT DOESN'T BODE WELL FOR THEM OR
10 US, PARTICULARLY WHEN THOSE HEARINGS ARE SO LONG. SO I'D
11 APPRECIATE IT IF WE COULD DO THOSE KINDS OF THINGS AND ALSO
12 GET A BETTER UNDERSTANDING OF HOW AND WHY THE 45-DAY RULE IS
13 NOT REALLY BEING MET. I THINK IT JUST WOULD LET US BETTER
14 UNDERSTAND HOW YOU'RE CARRYING OUT THAT WORK. AND THEN I THINK
15 THAT IF YOU DID IT IN AN ANNUAL REPORT, IT WOULD GO A LONG
16 WAY. ONE OF THE THINGS THAT I'VE FOUND IN TWO OTHER GROUPS
17 THAT ARE INDEPENDENT BUT AT THE SAME TIME THEY ARE VERY
18 HELPFUL, ONE IS THE MERIT BOB REPORT THAT IS PROVIDED TO US BY
19 WHO DOES A REVIEW OF MANY OF THE OPERATIONS WITHIN THE
20 SHERIFF'S DEPARTMENT? IT IS VERY, VERY HELPFUL TO US WHEN HE
21 DOES A REPORT. AND WE DON'T TELL HIM WHAT HE'S SUPPOSED TO
22 LOOK AT OR WHATEVER. BUT HE COMES BACK WITH A LIST OF
23 RECOMMENDATIONS AND IT GIVES US A REAL OPPORTUNITY TO DIALOGUE
24 WITH THE SHERIFF AND HIS OPERATIONS AS TO WHETHER HE'S GOING
25 TO ACCEPT THE RECOMMENDATIONS OR WHETHER HE THINKS THE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 RECOMMENDATION ISN'T VERY GOOD FOR WHATEVER, IT GIVES US AN
2 OPPORTUNITY, WHILE WE CAN'T TELL THE SHERIFF WHAT TO DO, IT
3 GIVES US A BETTER UNDERSTANDING OF MAYBE SOME OF THE PROBLEMS
4 THAT ARE GOING ON WITHIN THE DEPARTMENT, WITHIN THE SHERIFF'S
5 DEPARTMENT. AND SO THOSE ARE VERY HELPFUL. I MEAN, THE O.I.R.
6 DEPARTMENTS, NR. NAKO DOES THE SAME THING IN GIVING US IDEAS
7 OF MAYBE WHAT COULD BE IMPROVED WITHIN A DEPARTMENT AS FAR AS
8 INVESTIGATIONS OR THINGS OF THAT SORT. SO AN ANNUAL REPORT
9 WOULD WORK VERY, VERY WELL. SO WHILE I DON'T NECESSARILY WANT
10 TO PUT IT IN A MOTION, I DO HAVE A MOTION AVAILABLE. IS IT
11 SOMETHING THAT YOU COULD DO? OR IS IT SOMETHING THAT YOU THINK
12 WOULD BE BETTER--

13

14 **LEN ADKINS:** I GUARANTEE YOU WE WILL NOT IGNORE YOU. IF
15 SOMEBODY IGNORED YOU 10 YEARS AGO, HOPEFULLY THEY'RE NOT STILL
16 THERE. BUT WE WON'T IGNORE YOU. YES, WE COULD DO THOSE.

17

18 **SUP. MOLINA:** IN OTHER WORDS, I DON'T NEED TO DO A MOTION THAT
19 WOULD DO SOMETHING LIKE THAT. AND MAYBE IF WE WANT TO TALK
20 ABOUT HOW-- I THINK IT JUST GIVES US A BETTER UNDERSTANDING. I
21 DON'T THINK IT VIOLATES ANYTHING IF WE NEVER USE A NAME OR--

22

23 **LEN ADKINS:** WE'LL REVIEW THAT WITH COUNTY COUNSEL TO MAKE SURE
24 WE'RE NOT--

25



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **SUP. MOLINA:** THAT WOULD BE GOOD. SO WE'RE NOT VIOLATING ANY
2 RULES AS FAR AS OUR RESPONSIBILITY AND YOUR RESPONSIBILITY TO
3 EMPLOYEES. I'M TRYING TO THINK IF THERE'S ANYTHING ELSE. I
4 THINK THAT FOR THE MOST PART COVERS IT. BUT I WOULD LIKE TO--
5 AND HOPEFULLY IF THERE IS A PROBLEM WITH ANY OF IT,
6 PARTICULARLY IF COUNTY COUNSEL FINDS THAT THERE'S A PROBLEM,
7 IF YOU WOULD LET US KNOW, I'D LIKE TO KNOW A BETTER
8 UNDERSTANDING, AS WELL, AS TO HOW WE COULD UNDERTAKE THESE
9 RESPONSIBILITIES.

10

11 **LEN ADKINS:** WE CAN DO THAT, SUPERVISOR.

12

13 **SUP. KNABE:** MR. MAYOR? YEAH, A COUPLE THINGS. IN REVIEWING THE
14 LAST SEVERAL YEARS THAT RELATES TO THE DISCRETIONARY HEARINGS?
15 I MEAN, WOULDN'T IT BE BETTER IF YOU-- I MEAN LIKE THIS PAST
16 YEAR YOU DID 192 DISCRETIONARY HEARINGS, YOU ONLY AUTHORIZED
17 THREE, WOULDN'T IT BE BETTER TO CONCENTRATE ON THE MANDATORY
18 HEARING PROCESS SO THAT-- WOULDN'T THAT HELP IN YOUR TIME-
19 RELATED ISSUES AND PREPARATION? I MEAN, BECAUSE TO GO THROUGH
20 ALL THAT AND THEN ONLY GRANT THREE HEARINGS--

21

22 **LEN ADKINS:** WELL, SUPERVISOR KNABE, THAT SHOULD BE DONE
23 THROUGH THE RULES MECHANISM THAT YOU HAVE THE POWER TO CHANGE.
24 THOSE ARE CIVIL SERVICE RULES. THAT WOULD BE FINE WITH THE



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 COMMISSION. I DON'T THINK YOU'D GET ANY ARGUMENT. BUT THAT
2 WOULD BE SOMETHING THAT YOU WOULD NEED TO DO UP HERE.

3

4 **SUP. KNABE:** WE WOULD NEED TO DO THAT? I AM BEING TOLD THAT WE
5 DON'T-- THAT THAT'S WITHIN YOUR PURVIEW ALREADY TO DECIDE
6 WHAT'S MANDATORY AND DISCRETIONARY. I THINK WE NEED TO LOOK AT
7 THAT. WE'LL BE GLAD TO DO IT IF THAT'S WHAT IT TAKES. BUT I
8 WAS TOLD-- (OFF MIC. COMMENT).

9

10 **LEN ADKINS:** YOU BET, WE'LL BE HAPPY TO DO IT.

11

12 **SUP. KNABE:** AND THEN THE OTHER THING, I ALWAYS GET FRUSTRATED
13 SOMETIMES WHEN I HEAR, WE'RE CONCERNED ABOUT AN OUTCOME, AND
14 OBVIOUSLY THE C.E.O. AND OTHERS HAVE TO DEAL WITH THIS, AS
15 WELL, BUT YOU INDICATED FROM TIME TO TIME AND PERIODICALLY OUR
16 DEPARTMENTS ARE NOT ATTENDING THE HEARINGS AS REQUIRED AND
17 REALLY CAUSE UNNECESSARY CONTINUANCES. AND SO I DON'T KNOW
18 WHAT WE CAN DO TO FACILITATE THAT, BUT THAT CERTAINLY SHOULD
19 NOT BE HAPPENING. I MEAN THE ONLY REASON I COULD THINK OF IS
20 THEY'RE NOT PREPARED FOR THE HEARING, AND THAT'S NOT GOOD,
21 EITHER. SO BILL, I DON'T KNOW HOW YOU WANT TO ADDRESS THAT,
22 BUT THAT'S SOMETHING THAT WE REALLY NEED TO DEAL WITH. THAT
23 CAN'T BE TOLERABLE.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

1 **C.E.O. FUJIOKA:** THERE'S A COUPLE OF ISSUES. ONE, WE WERE TOLD
2 THAT COUNTY EMPLOYEES WERE SUBPOENAED AND ASKED TO TESTIFY AT
3 THE HEARINGS OFTENTIMES DO NOT SHOW UP. WE'LL BE SENDING OUT A
4 MEMO WITHIN THE NEXT COUPLE OF DAYS MAKING IT VERY CLEAR THAT
5 WHEN AN EMPLOYEE IS SUBPOENAED TO TESTIFY, THAT BECOMES A
6 PRIMARY DUTY ASSIGNMENT FOR THAT DAY. FOR EVERY DAY, AS WE ALL
7 KNOW, WHERE THE HEARING IS DELAYED, WE'RE PAYING SALARY FOR
8 SOMEBODY. MOST LIKELY THE PERSON WHO'S BEEN EITHER SUSPENDED
9 OR DISCHARGED. SO WE WILL BE DOING THAT. WE'LL ALSO-- WE'LL
10 WORK WITH THE CIVIL SERVICE COMMISSION, AND WE'LL DO WHAT WE
11 CAN TO INVENTORY, WHETHER IT'S THE HEARING ROOMS OR CONFERENCE
12 ROOMS IN THIS BUILDING TO SEE IF WE CAN DEVELOP A BETTER
13 SCHEDULING METHOD TO SEE IF THEY COULD USE SOME OF THOSE
14 ROOMS. IT'S REAL, REAL HARD, THOUGH, BECAUSE SPACE IS SUCH A
15 PREMIUM IN THIS BUILDING. I THINK THE LAST THING IS WE'LL ALSO
16 TALK TO STAFF MAKING SURE THEY MEET THE SCHEDULE FOR ALL THE
17 HEARINGS FOR THEIR ADVOCATES.

18

19 **SUP. KNABE:** YEAH, BECAUSE YOU CAN HAVE ALL THE ROOM IN THE
20 WORLD BUT IF PEOPLE AREN'T SHOWING UP YOU SPEND A LOT OF TIME
21 DOING DISCRETIONARY HEARINGS VERSUS MANDATORY HEARINGS,
22 THERE'S GOT TO BE A BETTER MANAGEMENT OF THE SYSTEM. SO WE
23 JUST NEED TO FIND OUT WHAT WE CAN OR CAN'T DO AS RELATES TO
24 THE DISCRETIONARY PIECE WHAT THEY CAN OR CAN'T DO AND THEN
25 ALSO DEAL WITH OUR DEPARTMENTS.



The Meeting Transcript of
The Los Angeles County Board of Supervisors

1

2 **ANDREA ORDIN:** ALSO I'D LIKE TO REVISIT THAT ISSUE WITH THE
3 COUNTY SUPERIOR COURT TO SEE IF THERE IS SOME WAY THAT WE DO
4 NOT HAVE TO HAVE AS MUCH SECURITY AS APPARENTLY THEY SAID WE
5 DID. SO I WILL TRY AND REVISIT THAT. IF THEY DO HAVE AVAILABLE
6 ROOMS, WE CERTAINLY WOULD LIKE TO BE ABLE TO USE THEM.

7

8 **SUP. KNABE:** OKAY.

9

10 **LEN ADKINS:** THAT WOULD BE GREAT.

11

12 **SUP. KNABE:** THANK YOU.

13

14 **SUP. MOLINA:** NO, I THINK IF THERE'S AN AGREEMENT THAT THEY CAN
15 COME BACK WITH THAT KIND OF REPORT, I THINK THAT'S A GREAT
16 THING. AND THEN PARTICULARLY ON SOME OF THESE ISSUES AS FAR AS
17 TRYING TO MEET THE 45 DAYS I THINK IS A REAL POSITIVE STEP.
18 AND EVERY ONE OF THEM WE SHOULD AT LEAST TRY TO MEET THAT
19 FIRST 45-DAY RESPONSIBILITY.

20

21 **LEN ADKINS:** AGREED.

22

23 **SUP. MOLINA:** THANK YOU FOR JOINING US HERE.

24



**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

- 1 **SUP. KNABE:** THANK YOU. THANK YOU FOR ALL YOU DO. THANK YOU FOR
- 2 YOUR PATIENCE TODAY.