

COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION



2022 ANNUAL REPORT

COMMISSIONERS:

PERCY DURAN III
EMILIA C. HUNTLEY
HEIDI SEGAL
JOHN DONNER
DICKRAN TEVRIZIAN

CRAIG M. HOETGER, EXECUTIVE DIRECTOR



COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

OPENING REMARKS



*Craig M. Hoetger
Executive Director of the
Civil Service Commission*

There were several new developments at the Commission this year. First, the Commission welcomed a new Commissioner, Emilia (Mily) Cantarero Huntley. Mily was appointed by 2nd District Supervisor Holly Mitchell to replace Naomi Nightingale, who resigned in March. Mily is a practicing lawyer with over 15 years of experience. She earned her law degree from Pepperdine University School of Law and received her Bachelor's degree from Cornell University. Prior to attending law school, Mily was a bilingual elementary school teacher for the Los Angeles Unified School District as a member of Teach for America. She is fluent in Spanish. Mily's experience, intelligence, and thoughtfulness have greatly benefited the Commission and we look forward to what we hope is a long tenure with us.

Second, as part of our continuing efforts to increase efficiency, this year the Commission implemented a Mediation Pilot Program to facilitate the voluntary settlement of cases prior to hearing. There are many advantages to resolving appeals through the mediation process, including reduced costs, faster outcomes, more privacy, and greater control by the parties over how their cases are resolved. We hope this program, the first of its kind at the Commission, will be a great success.

Third, I am pleased to announce that in December I was appointed to the position of Executive Director of the Commission after serving in an interim capacity since May 2021. I had previously worked in the Office of County Counsel as a Senior Deputy County Counsel, where one of my primary responsibilities was serving as Legal Advisor to the Commission. It is an honor and privilege to oversee the management of the Commission and to work with such dedicated Commissioners and staff.

Lastly, I want to express my gratitude to the Commission staff, who this year continued the challenging task of administering our virtual meeting and hearing process due to the ongoing COVID-19 pandemic. I also want to thank all of the Commission stakeholders, including petitioners, County departments, party representatives, and our hearing officers for your professionalism, diligence, and consideration as we continue to do our best to serve you.

Craig M. Hoetger
Executive Director



COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

I. INTRODUCTION

The Civil Service Commission (“Commission”) is the only County Charter mandated independent Commission and serves as the quasi-judicial appellate body for classified employees who have been disciplined, i.e., discharged, reduced, and/or suspended in excess of five days. The Commission has jurisdiction regarding allegations of discrimination in the imposition of discipline or the treatment of persons seeking employment in the classified service of the County. The Commission also hears appeals of employees, persons seeking employment, and of the scored portions of examinations. Additionally, the Commission serves as the administrative appeals body for a number of cities that directly contract with the County.

The Commission is comprised of five (5) Commissioners appointed by the Board of Supervisors. The Commissioners in 2022 were:

Percy Duran III	First District
Emilia C. Huntley	Second District
Heidi Segal	Third District
John Donner	Fourth District
Dickran Tevrizian	Fifth District



The Commission’s day-to-day operations were overseen by Craig M. Hoetger, Executive Director, who managed a staff of eight (8) full-time employees and two (2) Student Workers. Staff for the Commission are part of the Executive Office of the Board of Supervisors:

Steve Cheng	Deputy Executive Director
Lupe Castellanos	Custodian of Records
Karen Magsino-Natividad	Deputy Compliance Officer
Luz Delgado	Head Commission Specialist
Harry Chang	Head Commission Specialist
Svetlana Vardanyan	Intermediate Commission Specialist
Meagan Alday	Commission Specialist
Yancely Welch	Commission Specialist
Erebooni Khodabakhshian	Student Worker
Alexus Mendez	Student Worker
Vacant	Student Worker



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II. APPEALS PROCESS

The appeals process commences with the filing of a petition for hearing. In 2022, the Commission received 193 petitions for hearing (129 disciplinary and 64 discretionary). The disciplinary matters include 76 discharges, 47 suspensions, and 6 reductions. The Commission granted hearings in 142 cases filed in Calendar Year 2022.

When a matter is granted a hearing, the case is assigned to one of the Commission's hearing officers. The hearing officers serve as the trier of fact and preside over evidentiary hearings. Parties to hearings have the opportunity to present, subpoena, and cross-examine witnesses. In disciplinary matters, the Los Angeles County Civil Service Rules provide that the burden of proof is on the Department. In all other cases, the burden of proof is on the petitioner. Subsequent to the close of hearings, the hearing officers submit reports and recommendations for the Commission's consideration. Hearing officers' reports must include findings of fact, conclusions of law and recommendations for discipline. If the Commission adopts a hearing officer's recommendation, the parties may file objections. The Commission considers objections and if the Commission adopts a new proposed decision based upon objections, any party who has not previously filed objections may do so. After all parties have been provided an opportunity to submit objections and present them orally at the Commission's regular meeting, the Commission renders its final decision.



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During 2022, 221 matters were closed. These matters were closed as follows:

- Denied
 - 64 matters requesting hearings were denied by the Commission
- Dismissed
 - 13 cases were dismissed without a full hearing
 - 6 cases were dismissed as untimely filed
- Withdrawals/Settlements
 - 1 matter was deemed withdrawn because the Petitioner did not appear at the hearing.
 - 56 matters were withdrawn or settled.
- Completion of Evidentiary Hearing
 - 72 disciplinary matters were closed after completion of the evidentiary hearing process.
 - The Departments' actions were upheld in 41 cases (57%).
 - The Departments' discipline was modified in 23 cases (32%).
 - The Departments' discipline was not sustained in 7 cases (11%).
- The Commission denied 1 discretionary matter after completion of the evidentiary hearing process.
- The Commission consolidated 1 case.

The following pages contain statistical and graphical breakdowns of the petitions that were filed, and the decisions rendered post-hearing by the Commission.



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2022 PETITIONS FOR HEARING

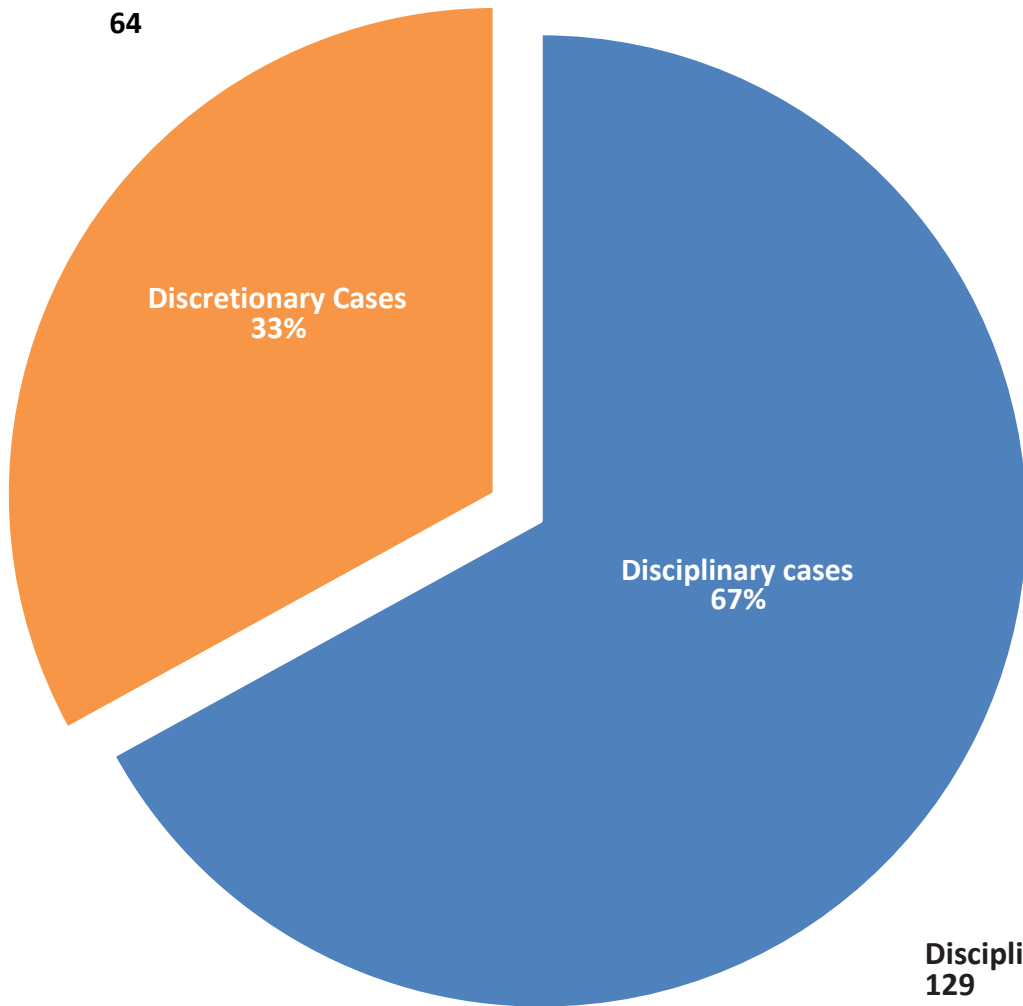
DEPARTMENT	DISCIPLINARY	DISCRETIONARY	TOTAL
Alternate Public Defender	2	0	2
Animal Care and Control	5	0	5
Assessor	0	1	1
Auditor-Controller	1	0	1
Beaches & Harbors	1	0	1
Child Support Services	5	1	6
Children & Family Services	4	1	5
Consumer Affairs	0	1	1
County Counsel	1	0	1
Fire	7	5	12
Health Services	10	3	13
Human Resources	1	5	6
Internal Services	2	0	2
Mental Health	9	0	9
Museum of Art	1	0	1
Parks and Recreation	3	0	3
Probation	8	5	13
Public Defender	0	1	1
Public Health	6	2	8
Public Social Services	9	4	13
Public Works	1	1	2
Sheriff	50	34	84
Workforce Development, Aging and Community Services	1	0	1
Contract Cities	2	0	2
GRAND TOTALS	129	64	193



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CIVIL SERVICE COMMISSION 2022 CASE DATA

Discretionary Cases
64

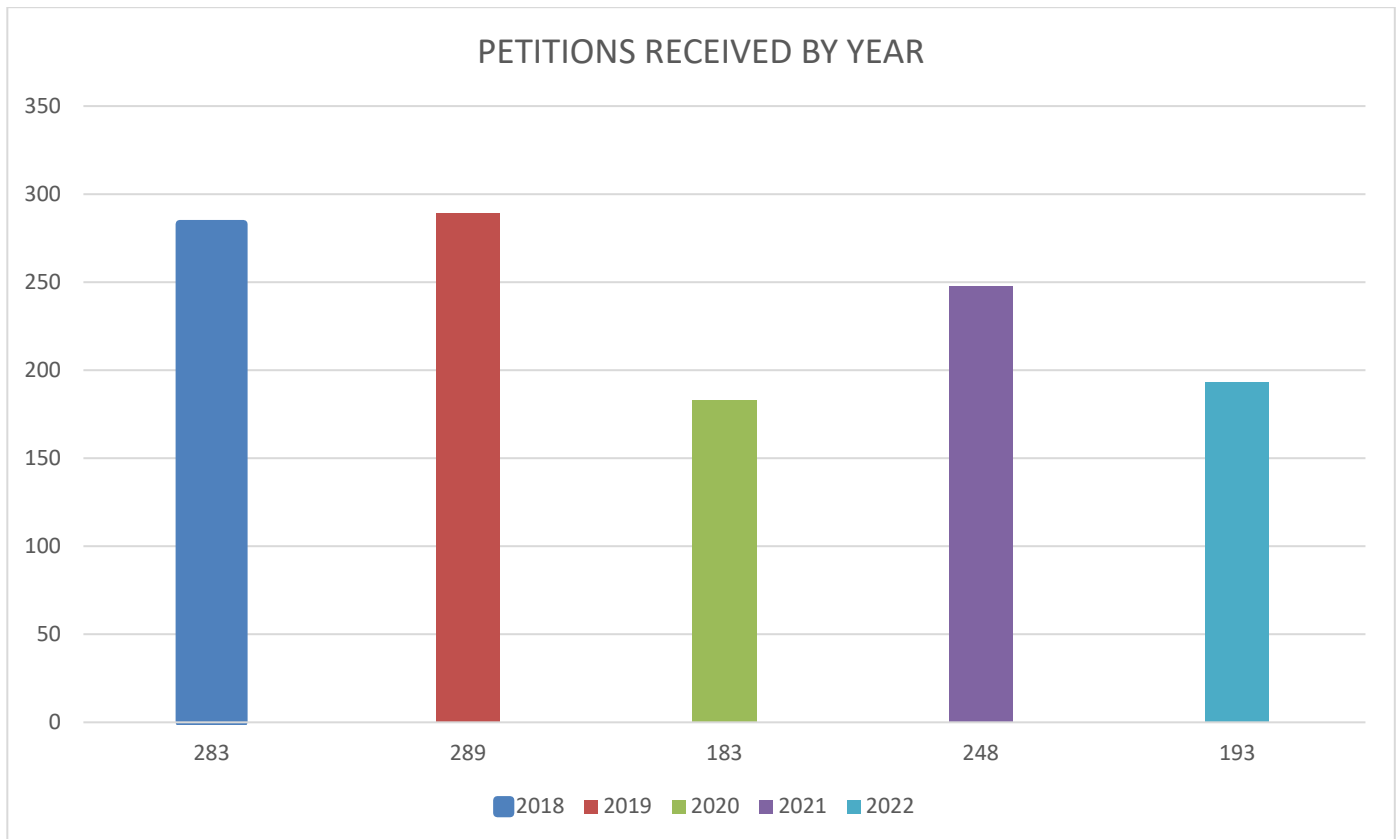


Disciplinary Cases
129

- Disciplinary Cases
- Discretionary Cases



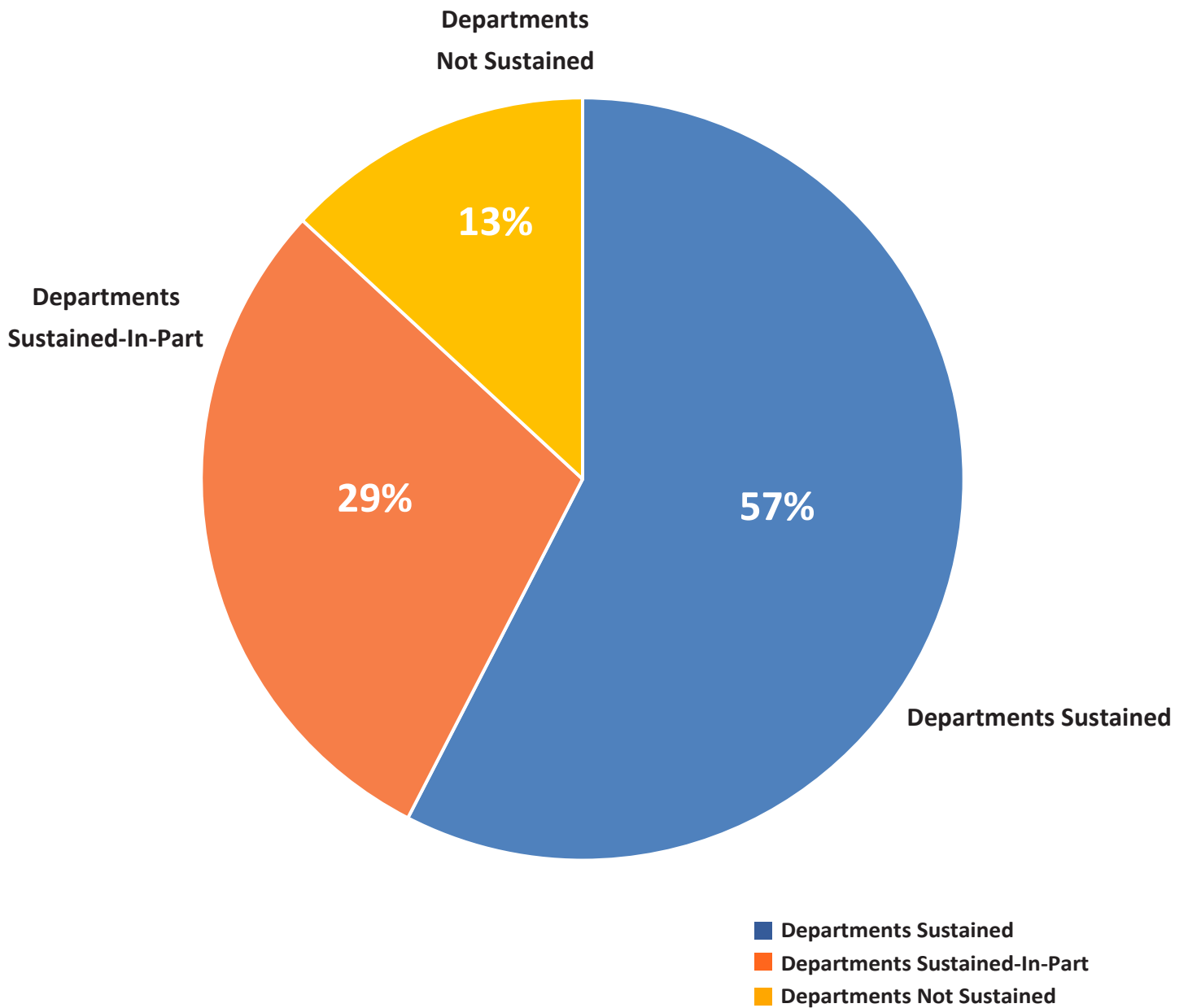
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CIVIL SERVICE COMMISSION 2022 POST-HEARING DISCIPLINARY OUTCOMES





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POST-HEARING DECISIONS 2021

DEPARTMENT	SUSTAINED	NOT SUSTAINED	SUSTAINED IN PART
Children and Family Services	0	1	0
Fire	1	0	0
Health Services	1	0	0
Parks and Recreation	1	0	0
Probation	18	1	16
Public Health	1	0	0
Public Social Services	1	0	1
Regional Planning	1	0	0
Sheriff	17	5	7
TOTAL	41	7	23



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III. DISCIPLINE OVERTURNED OR MODIFIED BY THE COMMISSION

1. Case No. 19-105, Peace Officer (Dept. sustained in part) – The department suspended the employee for 30 days from the position of Senior Detention Services Officer for failing to follow established rules; carelessness or inattention to duties; abuse of supervisory authority; failure to provide adequate staff presence for a Level 3 minor and not following the County Enhanced and Specialized Supervision Requirements for Minors in Juvenile Facilities. The Commission adopted findings and recommendation of the hearing officer who found almost all of the allegations were proven with the exception of one allegation and a 27-day suspension was more appropriate.
2. Case No. 17-266, Peace Officer (Dept. not sustained) – The department suspended the employee for 30 days from the position of Deputy Sheriff for unreasonable use of force while on duty and failing to perform the standards and rank as a Deputy Sheriff. The Commission adopted the findings and recommendation of the hearing officer who found that the use of force was objectively reasonable and necessary given the totality of the circumstances. Commissioners Segal was absent.
3. Case No. 19-107, Peace Officer (Dept. sustained in part) – The department suspended the employee for 20 days from the position of Detention Services Officer for failing to follow established rules and regulations; unauthorized use, operations, or possession of equipment, machines, or tools; unauthorized performance of duties and other than those assigned; causing willful or negligent destruction or loss of County property, equipment or supplies, documents or of personal property of public, patients, or other employees, or superiors; and failure to exercise sound judgment. The Commission adopted the findings and recommendation of the hearing officer who found that the department proved two of the four stated charges and therefore, the 20-day suspension is reduced to a 3-day suspension.
4. Case No. 20-131, Elya Kazaryan (Dept. not sustained) - The department discharged the employee from the position of Children’s Social Worker III for failing to conduct the required home visits and for falsification of County records and time records, in violation of policies. The Commission adopted the findings and recommendation of the hearing officer who overturned the discipline and found that the allegations were not true. The department also violated the employee’s pre-deprivation due process rights. Commissioner Tevrizian was absent.
5. Case No. 19-297, Peace Officer (Dept. not sustained) – The department discharged the employee from the position of Deputy Sheriff for fraternization, prohibited association, and general behavior. The Commission adopted the findings and recommendation of the hearing officer who found that the allegations were not proven true. Commissioner Tevrizian was absent.



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6. Case No. 19-207, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Deputy Sheriff for obedience to laws, regulations, and orders; reckless driving, driving under the influence of alcohol or drugs; and off duty incidents. The Commission adopted the findings and recommendation of the hearing officer who found not all of the allegations were proven. The discipline imposed by the Department is not proportionate to the offense and a 30-day suspension is appropriate. Commissioner Donner and Tevrizian dissented.
7. Case No. 19-203, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Senior Detention Services Officer for carelessness or inattention to duties resulting in improper service being rendered to clients; discourtesy to clients; failure to follow Safe Crisis Management policies; falsifying an official business record; providing false information in the course of an administrative investigation; dishonest conduct, conduct unbecoming of a Probation Department employee; failure to exercise sound judgement; and failure to follow established rules or regulations. The Commission adopted the findings but rejected recommendation of the hearing officer who found that the department violated the employee’s rights and not all of the allegations were proven. The discipline is reduced to 15 days. Commissioners Huntley and Segal were absent.
8. Case No. 18-160, Peace Officer (Dept. sustained in part) - The department discharged the employee from the position of Detention Services Officer for conduct unbecoming a peace officer; failure to follow established rules or regulations; falsifying, concealing, removing, or destroying reports or documents; withholding information from superiors, fellow employees, subordinates, public clients of the County which could or does result in loss, injury, or damage; work performance fails to meet job expectations; failure to cooperate and providing false information in an administrative investigation; violation of the departmental or externally recognized code of ethics; failure to exercise sound judgment which results in loss of, or injury, or damage. The Commission adopted the findings of the hearing officer who found that the majority of the allegations were true but rejected the recommendation. The discharge is not an appropriate and reasonable disciplinary response to Appellant's misconduct. The appropriate discipline in this case is a 30-day suspension.
9. Case No. 18-207, Peace Officer (Dept. sustained in part) – The department discharged the employee from his position of Detention Services Officer for failure to perform job duties, which resulted in escapes or attempted escapes; failure to follow established rules or regulations; failure to cooperate in an administrative investigation; providing false information in the course of an administrative investigation; falsifying reports or documents; carelessness or inattention to duties; shirking work or failing to perform a full day's work; failure to exercise sound judgment. The Commission adopted the findings of the hearing officer who found that the department did not meet its burden in proving most of the allegations but rejected the recommendation. The discharge is reduced to a 15-day suspension for the allegations proven.



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- 10.** Case No. 18-277, Peace Officer (Dept. not sustained) – The department suspended the employee for 15 days from their position of Sergeant for violating performance to standards; unreasonable force; obedience to laws, regulations, and orders. The Commission adopted the findings and recommendation of the hearing officer who found the department did not meet its burden of proving any of the allegations and the suspension is not appropriate.
- 11.** Case No.17-152, Peace Officer (Dept. sustained in part) – The department suspended the employee for 20 days from their position of Detention Services Officer delay in, or lack of following instructions from a supervisor; failure to follow established rules or regulations; insubordination or refusal to follow instructions of a supervisor; discourtesy with fellow employees; failure to exercise sound judgment. The Commission adopted the findings of the hearing officer who found the allegations were partially found true and that the department violated the employee’s rights. The recommendation was rejected and the 20-day suspension is reduced to a 15 days. Commissioner Tevrizian abstained. Commissioner Nightingale was absent.
- 12.** Case No. 18-241, Peace Officer (Dept. sustained in part) - The department suspended the employee for 7 calendar days from the position of Deputy Sheriff violating policy and procedures, obedience to laws, regulations and orders pertaining to revolvers/semi-automatic pistols. The Commission adopted the findings and recommendation of the hearing officer who found based on the proven allegations and mitigating factors, the 7-day suspension is reduced to a 5-day suspension. Commissioner Nightingale was absent.
- 13.** Case No. 18-192, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Detention Services Officer for failing to complete required incident reports; falsifying an official business record; failure to cooperate in an administrative investigation; providing false information during an administrative investigation; dishonest conduct, conduct unbecoming a peace officer; failure to exercise sound judgment; and failure to follow established rules and regulations. The Commission adopted the findings of the hearing officer but reduced the discharge to a 20-day suspension. The department clarified and amended facts #2 and #4 as not applicable to appellant. The department did not meet its burden in proving discharge is appropriate. Commissioner Tevrizian dissented.
- 14.** Case No. 19-82, Emely Castaneda (Dept. sustained in part) – The department suspended the employee from the position of Crime Analyst for 20 days family violence, general behavior, conduct toward others, performance of duty, and personal or improper use of communications equipment. The Commission adopted the findings but not the recommendation of the hearing officer who found that not all of the allegations were proven. The department also failed to take into account all mitigating factors. Therefore, the appropriate discipline in this case is a 10-day suspension.



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- 15.** Case No. 19-96, Humberto Cerda (Dept. not sustained) – The department discharged the employee from the position of General Maintenance Worker for false information in records, professional conduct, and general behavior. The Commission adopted the findings and recommendation of the hearing officer who found that the department did not meet its burden in proving any of the allegations and the discipline is not appropriate. Commissioner Segal was absent.
- 16.** Case No. 19-141, Peace Officer (Dept. sustained in part) – The department suspended the employee from the position of Deputy Probation Officer II for 20 days for failure to follow established rules or regulations; failure to exercise sound judgment; insubordination or refusal to follow instructions of a supervisor, including behavior demonstrating disregard of supervisor; discourtesy to fellow employees; and delay or lack of following instructions. The Commission adopted the findings and recommendation of the hearing officer who found the department did not meet its burden of proving all the allegations and reduced the 20-day suspension to a 4-day suspension. Commissioner Huntley dissented. Commissioner Duran was absent.
- 17.** Case No. 18-151, Peace Officer (Dept. sustained in part) – The department suspended the employee from the position of Sergeant for 15 days for violating obedience to laws, regulations, and orders; performance of duty; and performance standards. The Commission adopted the findings of the hearing officer who found that the department failed to meet its burden of proving all of the allegations. The 15-day suspension imposed was excessive. Instead, the appropriate discipline is 10 days. Commissioners Duran and Tevrizian dissented.
- 18.** Case No. 18-191, Peace Officer (Dept. not sustained) – The department suspended the employee from the position of Deputy Probation Officer II for discourtesy to the public, clients, or patients; failure to follow restraint procedures and safe Crisis Management Policies; misuse of force; failure to perform job duties resulting in injuries; failure to exercise sound judgment; implied threat or threatening behavior; fighting with striking or use of physical force; failure to follow established rules, regulations, policies, and procedures; providing false information in the course of an administrative investigation; failing to use necessary and prescribed authority in discharge of duties; falsifying or concealing reports or documents; carelessness or inattention to duties. The Commission adopted the findings and recommendation of the hearing officer who found that the department failed to meet its burden of proving any of the allegations and the discipline is not appropriate. Commissioners Nightingale and Segal dissented.



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- 19.** 19-156, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Probation Chief for failure to exercise sound judgment; violation of departmental or externally recognized code of ethics of the professional group of the employee; abuse of supervisory or management authority or conduct unbecoming a position of authority; unauthorized or improper use or disclosure of confidential information; failure to follow established rules or regulations; insubordination or refusal to follow instructions of a supervisor or higher-ranking agency personnel; unauthorized or unscheduled absences, shirking work or failing to perform a full day's work; inaccurate or material submission of inaccurate time cards for self or others; providing false information in the course of an administrative investigation; falsification or material submission of false time cards for self or other employees; falsification of application or material omission of information for employment or promotion; falsifying court report and/or providing false or misleading information to the court; deliberate omission of pertinent data from court reports; failure to cooperate in an administrative investigation; and discourtesy to fellow employees. The Commission adopted the findings and recommendation of the hearing officer to reduce the discharge to a written reprimand. The discharge was based on false and unreliable allegations. A written reprimand is an appropriate level of discipline for the one allegation proven. Commissioner Nightingale dissented and Commissioner Tevrizian was absent.
- 20.** Case No. 17-206, Peace Officer (Dept. sustained in part) – The department suspended the employee from the position of Deputy Sheriff for 20 days for violating obedience to laws, regulations, and orders; general behavior; care of County property and equipment; reporting information; professional conduct. The Commission adopted the findings and recommendation of the hearing officer who found that the department failed to meet its burden of proving all of the allegations and the discipline reduced to a 10 day suspension. Commissioners Nightingale was absent.
- 21.** Case No. 19-116, Peace Officer (Dept. not sustained) - The department suspended the employee from the position of Sergeant for 15 days for violation of performance to standards; obedience to laws, regulations and orders; use of force review procedures; and use of force reporting procedures. The Commission adopted the findings and recommendation of the hearing officer who found that the department did not prove any of the allegations and no discipline is appropriate. Commissioner Segal dissented and Commissioner Nightingale was absent.
- 22.** Case No. 18-239, Peace Officer (Dept. sustained in part) – The department discharged the employee from their position of Deputy Probation Officer II for failing to follow established rules or regulations; withholding information which could result in loss, injury, or damage; failure to cooperate in an administrative investigation; providing false information in the course of an administrative investigation; violation of the departmental or externally recognized code of ethics of the professional group of the employee; failure to exercise sound judgment. The Commission adopted the findings of the hearing officer not the recommendation. The discipline imposed by the department is not appropriate. Based on mitigating factors the appropriate discipline is a 30-day suspension. Commissioner Donner dissented and



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Commissioner Segal was absent.

- 23.** Case No. 19-10, Peace Officer (Dept. sustained in part) - The department suspended the employee for 30 days from the position of Detention Services Officer for inappropriate on/off duty conduct; falsification of employment application; failure to follow established rules and regulations; and failure to exercise sound judgment. The Commission adopted the findings of the hearing officer but rejected the recommendation of reducing the discharge to a 10-day suspension finding that not all of the allegations are true. Instead, a 30-day suspension is the appropriate discipline. Commissioner Tevrizian was absent.
- 24.** Case No. 16-292, Nina Reid (Dept. sustained in part) - The department discharged the employee from the position of Eligibility Worker II for discourteous and disrespectful behavior towards the public and failure to follow established rules and regulations. The Commission adopted the findings and recommendation of the hearing officer who found all the allegations true and the discipline appropriate. After receiving the Superior Court's order, the Commission reduced the discharge to a 30-day suspension with counseling.
- 25.** Case No. 16-120, Peace Officer (Dept. not sustained) – The department discharged the employee from the position of Deputy Sheriff for violating policies and procedures as it pertains to petty theft and making false statements to investigators during an administrative interview. The Commission adopted the findings but rejected recommendation of the hearing officer not sustaining the department. The Department did not meet its burden of proving that Appellant's discharge was appropriate. The appropriate level of discipline is a 30-day suspension. By order of the Superior Court the Commission vacated it's previous decision.
- 26.** Case No. 17-219, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Detention Services Officer for conduct unbecoming a peace officer; unbecoming conduct while performing duties; falsifying reports or documents; failure to follow established rules or regulations; failure to exercise sound judgment which results in loss of, or injury, or damage to persons or property; work performance, fails to meet job expectations, standards or requirements; and violation of the departmental or externally recognized code of ethics. The Commission adopted the findings but rejected recommendation of the hearing officer of reducing the discharge to a written reprimand. The Department did not meet its burden of proving all the allegations and did not establish that discharge is the appropriate discipline. A suspension of thirty day is the appropriate penalty.
- 27.** Case No. 19-101, Peace Officer (Dept. sustained in part) – The department suspended the employee from the position of Deputy Probation Officer II for failure to follow o.c. (pepper) spray procedures; inappropriate or unnecessary use of o.c. (pepper) spray; failure to follow Safe Crisis Management policies; discourtesy to clients; failure to exercise sound judgment; and failure to follow established rules or regulations. The Commission adopted the findings and recommendation of the hearing officer reducing the 15 day suspension to 10 days. The Department did not meet its burden of proving all the allegations. Commissioner Segal was absent.



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- 28.** Case No. 19-148, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Deputy Sheriff for violating general behavior, obedience to laws, regulations, and orders; and driving under the influence with a blood alcohol concentration of .08% or greater. The Commission adopted the findings but rejected recommendation of the hearing officer of a 15-day suspension. Instead, the Commission found that the Department has not met its burden in proving that extenuating circumstances beyond Appellant's arrest and plea brought such discredit and embarrassment to the Department that a suspension in excess of 30 days is warranted. Appellant's discipline should be reduced from discharge to a 30-day suspension. Commissioners Donner and Segal dissented.
- 29.** Case No. 19-219, Peace Officer (Dept. sustained in part) – The department suspended the employee from the position of Group Supervisor Nights for 15 days for failing to follow established rules or regulations; asleep or inattentive while on duty; and failing to exercise sound judgement. The Commission adopted the findings and recommendation of the hearing officer reducing the suspension to 10 days. The Department did not meet its burden of proving all of the allegations.
- 30.** Case No. 19-229, Angelica Munoz (Dept. sustained in part) – The department discharged the employee from the position of Intermediate Typist-Clerk for inappropriate on/off-duty conduct; failure to report relationship or association with prohibited individuals; failure to report required information; failure to follow established rules or regulations; and failure to exercise sound judgment. The Commission adopted the findings and recommendation of the hearing officer reducing the discharge to a 30 day suspension. The Department prove all of the allegations and along with mitigating factors, the appropriate level of discipline is a 30-day suspension.
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