

# COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION



## 2020 ANNUAL REPORT

### COMMISSIONERS:

PERCY DURAN III  
NAOMI NIGHTINGALE  
STEVEN AFRIAT  
JOHN DONNER  
DICKRAN TEVRIZIAN

**MAHDI A. MOHAMED, EXECUTIVE DIRECTOR**



# COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

## OPENING REMARKS

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*Mahdi A. Mohamed  
Executive Director of the  
Civil Service Commission*

After a difficult and trying 2020, full of change and the need for adaptability, my appreciation for staff and the hard work they do has grown immensely. Like many others, we were forced to abruptly shut down operations in mid-March due to the COVID-19 pandemic, with all Commission meetings and hearings taken off calendar. We quickly began working on an alternative solution in the form of virtual Commission meetings and resumed operations in May.

Shortly thereafter, we began creating a virtual hearing process with the input of stakeholders to ensure cases could proceed under the new normal. After a bumpy initial rollout, I am happy to say the program has been a success and is allowing cases to move forward seamlessly, thereby giving the parties the ability to adjudicate their cases to conclusion.

Lastly, we were surprised and saddened by the sudden passing of Commission President Steve Afriat in late December 2020. Steve led the Commission with fairness, intelligence, and compassion as President for the last 3 years. His leadership and friendship will be missed by everyone at the Commission.

A handwritten signature in cursive script that reads "Mahdi M" followed by a long horizontal flourish.

Mahdi A. Mohamed  
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 2020 were:

Percy Duran III	First District
Naomi Nightingale	Second District
Steven Afriat	Third District
John Donner	Fourth District
Dickran Tevrizian	Fifth District



In 2020, the Commission’s day-to-day operations were overseen by the Mahdi A. Mohamed, 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
Bang Luong	Student Worker
Erebooni Khodabakshian	Student Worker
Vacant	Student Worker



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## II. APPEALS PROCESS

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The appeals process commences with the filing of a petition for hearing. In 2020, the Commission received 183 petitions for hearing (141 disciplinary and 42 discretionary). The disciplinary matters include 54 discharges, 81 suspensions, and 6 reductions. The Commission granted hearings in 109 cases filed in Calendar Year 2020.

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 2020, 143 matters were closed. These matters were closed as follows:

- Denied
  - 26 matters requesting hearings were denied by the Commission
  - 1 matter was denied as untimely submitted.
- Dismissed
  - 6 cases were dismissed without hearing
- Withdrawals/Settlements
  - 4 matters were deemed withdrawn because the Petitioner did not appear at the hearing.
  - 68 matters were withdrawn or settled.
- Completion of Evidentiary Hearing
  - 38 disciplinary matters were closed after completion of the evidentiary hearing process.
    - The Departments' actions were upheld in 22 cases (58%).
    - The Departments' discipline was modified in 14 cases (37%).
    - The Departments' discipline was not sustained in 2 cases (5%).

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



# COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

## 2020 PETITIONS FOR HEARING

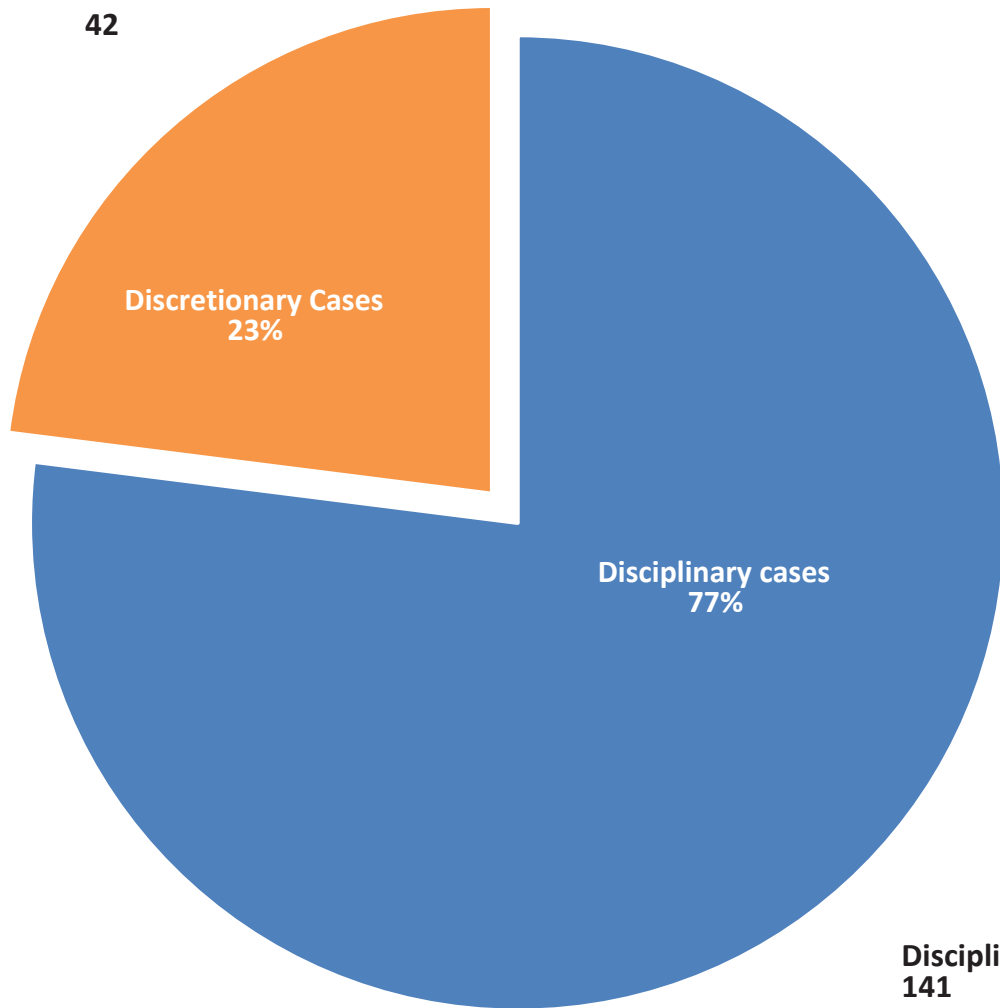
DEPARTMENT	DISCIPLINARY	DISCRETIONARY	TOTAL
Assessor	0	1	1
Child Support Services	1	0	1
Children and Family Services	12	2	14
Fire	7	8	15
Health Services	18	2	20
Human Resources	0	8	8
Internal Services	4	3	7
LACERA	1	0	1
Mental Health	4	1	5
Parks and Recreation	3	0	3
Probation	26	2	28
Public Health	1	3	4
Public Library	1	0	1
Public Social Services	14	6	20
Public Works	5	2	7
Sheriff	42	4	46
Workforce Development, Aging and Community Services	2	0	2
<b>GRAND TOTALS</b>	<b>141</b>	<b>42</b>	<b>183</b>



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## CIVIL SERVICE COMMISSION 2020 CASE DATA

**Discretionary Cases**  
42

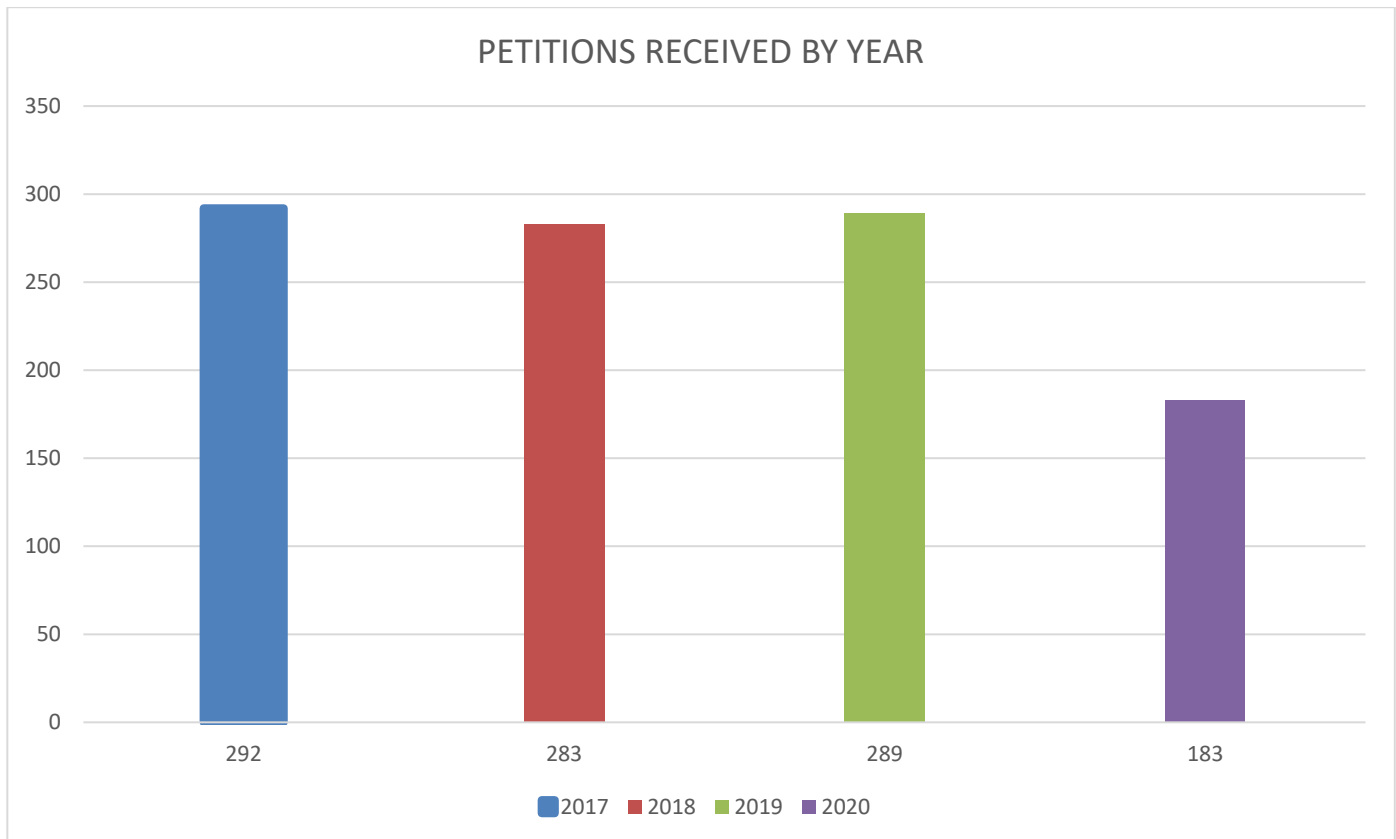


**Disciplinary Cases**  
141

- Disciplinary Cases
- Discretionary Cases



# COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

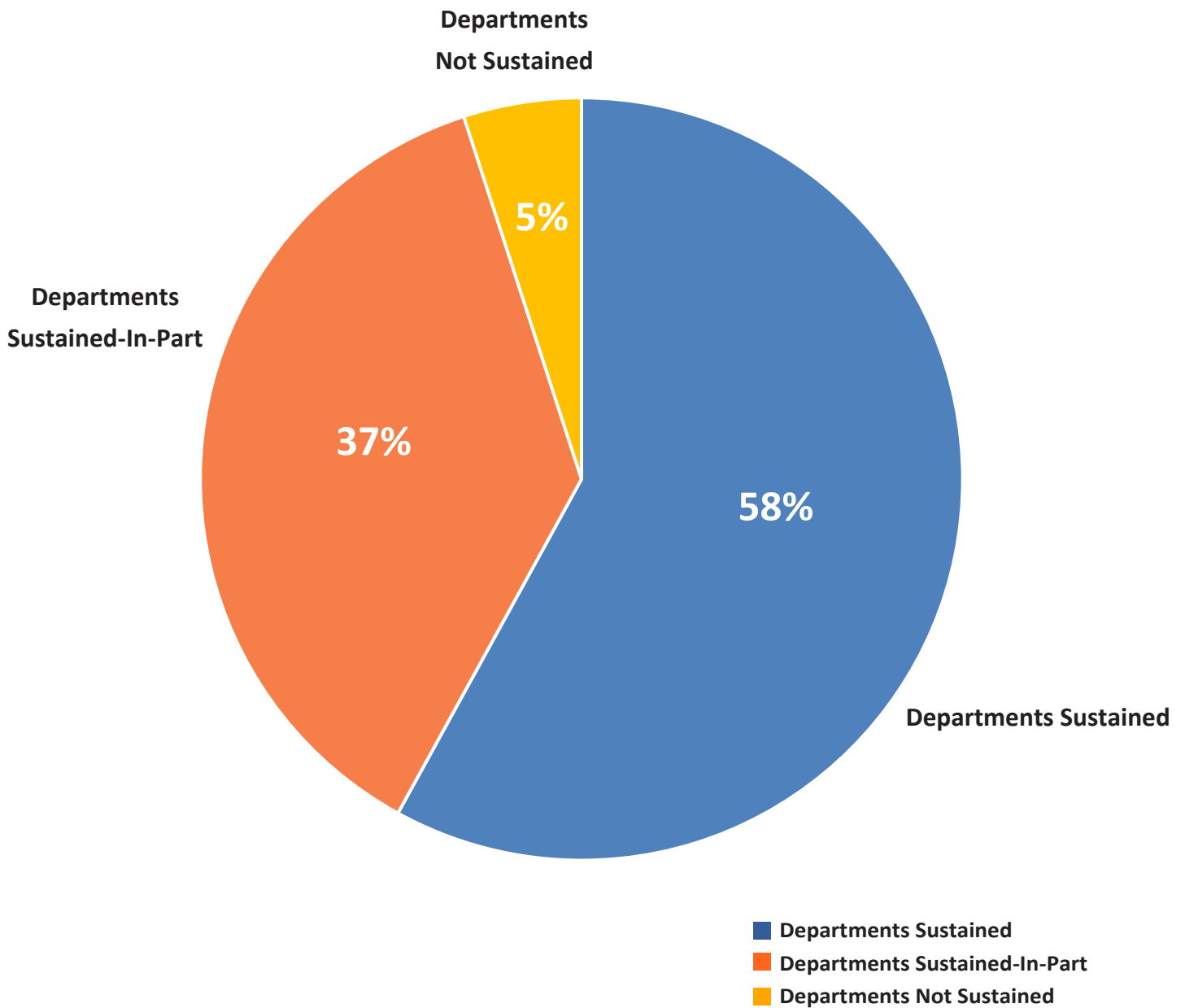






# COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

## CIVIL SERVICE COMMISSION 2020 POST-HEARING OUTCOMES





# COUNTY OF LOS ANGELES CIVIL SERVICE COMMISSION

## POST-HEARING DECISIONS 2020

DEPARTMENT	SUSTAINED	NOT SUSTAINED	SUSTAINED IN PART
Fire	1	0	0
Health Services	2	0	0
Mental Health	1	0	0
Probation	5	1	8
Public Social Services	3	1	0
Sheriff	10	0	6
<b>TOTAL</b>	<b>22</b>	<b>2</b>	<b>14</b>



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## III. DISCIPLINE OVERTURNED OR MODIFIED BY THE COMMISSION

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1. Case No. 14-291, Peace Officer (Dept. sustained in part) – The department discharged the employee from the position of Transportation Deputy for having a relationship inconsistent with the Probation Department employment, conduct unbecoming a peace officer, misuse of employment identification and failure to exercise sound judgment. As ordered by the Superior Court, the Commission adopted findings and conclusions consistent with Topanga. The Department did not prove all the allegations and the Commission found a 30-day suspension was appropriate. Commissioner Tevrizian dissented.
2. Case No. 17-186, Justin Henry (Dept. sustained in part) – The Department discharged the employee from his position of Security Officer for false/omitted information to Long Beach Police, and on an application/background/hiring process, and making false and/or misleading statements during an administrative investigation. The Commission adopted the findings and recommendation of the hearing officer who found that the department did not prove all the allegations were true and reduced the discharge to a 15-day suspension.
3. Case No. 18-34, Peace Officer (Dept. sustained in part) – The Department suspended the employee for 30 days from her position of Deputy Probation Officer I for unprofessional conduct, negligent supervision, asleep or inattentive while on duty, falsifying, concealing, removing, mutilating or destroying reports or documents, failure to exercise sound judgment, and failure to follow rules and regulations. The Commission adopted the findings and recommendation of the hearing officer to reduce the suspension to 20 days.
4. Case No. 17-147, Peace Officer (Dept. not sustained) – The Department suspended the employee for 15 days from his position of Senior Detention Services Officer for abusive institutional practices, discourtesy to clients, failure to follow Safe Crisis Management policies, failure to complete required incident reports, and falsifying an office business record. The Commission adopted the findings and recommendation of the hearing officer not to impose any discipline. The Department failed to prove any of the allegations. Commissioner Tevrizian dissented.
5. Case No. 17-64, Dora Herrera-Rodriguez (Dept. not sustained) – The Department suspended the employee for 15 days from her position of Social Worker for submitting false field itineraries, mileage claims, telework activity plans, and failure to follow established rules and regulations. The Commission adopted the findings and recommendation of the hearing officer not to impose any discipline. The Department did not prove any of the allegations.



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6. Case No. 17-106, Peace Officer (Dept. sustained in part) – The Department discharged the employee from his position of Deputy Sheriff for failing to perform to standards, professional conduct, dishonesty, and general behavior relating to handling calls. The Commission adopted the findings of the hearing officer but decided a 25-day suspension is the appropriate corrective action. Commissioners Afriat and Donner dissented.
7. Case No. 16-231, consolidated case, Peace Officer B (Dept. sustained in part) – The Department discharged the employee his position of Deputy Sheriff for failing to perform to standards, safeguarding persons in custody, documentation and supervisory response to inmate medical emergencies inmate injury illness reporting, failing to accurately update housing record, and making false statements during a departmental internal investigation. The Commission adopted the findings and recommendation of the hearing officer to impose a 30-day suspension. The Department did not prove all the allegations. Commissioner Tevrizian was recused.
8. Case No. 18-131, Peace Officer (Dept. sustained in part) – The Department suspended the employee from his position of Detention Services Officer for 10 days for his failure to properly supervise, failure to perform job duties resulting in injuries to clients, failure to follow established rules or regulations, carelessness or inattention to duties resulting in improper service being rendered to clients, and failure to exercise sound judgment. The Commission adopted the findings and recommendation of the hearing officer to reduce the suspension to 5 days. The Department did not prove all the allegations and a 5-day suspension was appropriate. Commissioners Duran and Tevrizian dissented.
9. Case No. 18-17, Peace Officer (Dept. sustained in part) – The Department suspended the employee from his position of sergeant for 8 days for violating performance to standards, and obedience to laws, regulations and orders by failing to check on the welfare of a person in custody. The Commission adopted the findings and recommendation of the hearing officer to reduce the suspension to a written reprimand. The only allegation found was the appellant's failure to properly document the events in the daily activity log. Commissioners Duran and Nightingale dissented.
10. Case No. 19-194, Peace Officer (Dept. sustained in part) – The Department discharged her from her position of Senior Deputy Probation Officer for threats to fellow employees, discourtesy to fellow employees, failure to exercise sound judgment, and failure to follow established rules and regulations. The Commission adopted the findings and recommendation of the hearing officer who found that although some of the actions were unprofessional and rude, they did not represent a threat or rise to the level of violations of Department policy on workplace violence. The discharge is reduced to a 30-day suspension. Commissioners Donner and Nightingale dissented.



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- 11.** Case No. 17-275, Peace Officer (Dept. sustained in part) – The Department suspended the employee for 10 days from his position of Deputy Probation Officer I for abusive institutional practices, discourtesy to clients, failure to exercise sound judgement, failure to follow established rules and regulations, failure to follow Safe Crisis Management policies, failure to complete required incident reports, and violation of departmental or externally recognized code of ethics. The Commission adopted the findings and recommendation of the hearing officer who found that not all the charges were true and considering all of the evidence and mitigating factors, the discipline was excessive. The suspension is reduced to 5 days.
- 12.** Case No. 19-7, Peace Officer (Dept. sustained in part) – The Department discharged the employee from his position of Detention Services Officer for failing to follow “OC” spray procedures, discourtesy to clients, failure to follow Safe Crisis Management policies, failure to complete required incident report, falsifying an official business record, providing false information in the course of an administrative investigation, dishonest conduct, conduct unbecoming, failure to exercise sound judgement, and failure to follow established rules of regulations. The Commission adopted the findings and recommendation of the hearing officer and found that most of the allegations were not proven and a 30-day suspension is appropriate. Commissioner Nightingale dissented and Commissioner Afriat was absent.
- 13.** Case No. 17-224, Peace Officer (Dept. sustained in part) – The Department discharged the employee from her position of Detention Services Officer for having a relationship inconsistent with Department employment, failure to report association or relationship with former or current clients or prohibited individuals, inappropriate association with a client or prohibited individuals, unbecoming conduct, failure to follow instructions, failure to follow established rules or regulations, and failure to exercise sound judgment. The Commission adopted the findings and recommendation of the hearing officer found that because not all the allegations were proven coupled with other mitigating factors a 30-day suspension is appropriate. Commissioner Duran was absent.
- 14.** Case No. 16-232, Peace Officer (Dept. sustained in part) – The Department discharged the employee from his position of Deputy Sheriff for violating fraternization and prohibited association, performance of duty, failure to make statements and/or making false statements during departmental internal investigations, and obedience to laws, regulations and orders. The Commission adopted the findings and recommendation of the hearing officer. The department proved one violation and the Commission determined a 30-day suspension was appropriate. Commissioner Donner dissented.



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- 15.** Case No. 16-260, Peace Officer (Dept. sustained in part) – The Department discharged the employee from his position of Deputy Probation Officer II for inaccurately/untimely documentation, untruthful, incomplete, and vague statements during an administrative investigation, failing to follow established rules or regulations, and failure to exercise sound judgment. The Commission adopted the findings of the hearing officer but rejected the recommendation. The Commission found that based on mitigating circumstances the appropriate discipline for the employee's misconduct is a 30-day suspension and a demotion to the position of Deputy Probation Officer I. Commissioner Donner dissented.
- 16.** Case No. 16-167, Peace Officer (Dept. sustained in part) – The Department discharged the employee from her position of Deputy Sheriff for violating fraternization and prohibited associations, performance to standards and duty, failing to make statements, and/or making false statements during department internal investigations, and obedience to laws, regulations, and orders. The Commission adopted the findings and recommendation of the hearing officer to discharge the employee. The employee filed with the Superior court who remanded the case back to the Commission to reconsider the penalty of discipline because discharge was an abuse of discretion.
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