



City of Culver City

Staff Report

File #: 16-738, **Version:** 1

Item #: A-1

Request from Culver City Employees' Association (CEEA) To Schedule a Disciplinary Appeal Hearing

Meeting Date: April 5, 2017

Contact Person/Dept: Serena Wright-Black/Human Resources

Phone Number: 310/253-5640

Fiscal Impact: Yes No

General Fund: Yes No

Public Hearing: **Action Item:** **Attachments:**

Public Notification: (Email) Meetings and Agendas - Civil Service Commission (03/30/17); (Email) All City Staff (03/30/17)

Department Approval: Serena Wright-Black, Director of Administrative Services (03/12/17)

RECOMMENDATION

Staff recommends that the Civil Service Commission discuss the request to schedule a disciplinary appeal hearing, and determine whether to schedule the hearing, including a possible pre-hearing conference, or in the alternative, refer the matter to a hearing officer.

BACKGROUND/DISCUSSION

On January 13, 2017, the Transportation Department provided a disciplinary notice of termination to an employee for violations of the Civil Service Rules and Transportation Department Rules.

Grounds

This disciplinary action is for causes specified below:

- A. Civil Service Rules 11.3.s. (6) Failure to meet job performance standards.
- B. Civil Service Rule 11 Section 11.3.s. (18) Violating or failing to adhere to safety rules, practices or programs.
- C. Civil Service Rule 11 Section 11.3.s. (21) Failure to maintain a job requirement.

- D. City of Culver City Council Policy Statement on Drug-Free Workplace and Drugs/Alcohol in the Workplace
- E. Culver City Bus Operators' Manual Section 1.0 Professionalism
- F. Culver City Bus Operators' Manual Section 1.1 Safety
- G. Culver City Bus Operators' Manual Section 2.0 Drug and Alcohol Policy
- H. Culver City Transportation Department Drug & Alcohol Policy Updated 2015

The employee was afforded due process rights in a Skelly meeting conducted on February 1, 2017.

The final notice of discipline was issued on February 22, 2017.

AUTHORITY

According to Civil Service Rule 11.8, an employee in the classified service who is subject to a disciplinary action has the right to appeal to the Civil Service Commission. Further, Civil Service Rule 11.13 provides authority to the Civil Service Commission, upon majority vote, to appoint a hearing officer to conduct the hearing. If the Commission determines it will hear the matter, the Commission should also decide if the parties will be required to attend a pre-hearing conference, as set forth in Civil Service Rule 11.14.

The Chair and Commissioners should have their calendars available to schedule the pre-hearing conference (if desired by the Commission) and hearing dates, in the event the Commission elects to conduct the hearing.

MOTION

That the Civil Service Commission:

1. Schedule dates for a Disciplinary Appeal Hearing for one Transportation Department employee.

OR

2. Refer the requested Disciplinary Appeal Hearing out to a Hearing Officer or Board pursuant to Civil Service Rule 11.13.