



City of Culver City

Staff Report

File #: 23-106, **Version:** 1

Item #: A-1

Consideration of a Request for a Closed Hearing to Appeal a Disciplinary Action

Meeting Date: October 5, 2022

Contact Person/Dept: Dana Anderson / 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 (09/30/22); (Email) All City Staff (09/30/22)

Department Approval: Dana Anderson, Director of Human Resources (09/28/22)

RECOMMENDATION

Staff recommends that the Civil Service Commission discuss the request to schedule a closed hearing to appeal a disciplinary action, 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 June 1, 2022, the Police Department provided a notice of intent to discipline for an eighty-hour suspension to an employee for violations of Culver City Police Department policies and Civil Service Rules.

Grounds

This disciplinary action is for causes specified below:

- A. Culver City Police Department Policy Section 322.5.1(b): Disobediences of any legal directive or order by any department member of a higher rank.
- B. Culver City Civil Service Rule 11.3 Causes for Disciplinary Action c. (1) Willful disobedience and insubordination, such as: Willful failure to conform to duly issued orders or directions of

person in a supervisory position.

The employee was afforded due process rights in a Skelly meeting conducted on June 22, 2022.

The final notice of discipline was issued on July 19, 2022 reducing the discipline to forty-hour suspension.

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 Closed Hearing to Appeal a Disciplinary Action.

OR

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