



# City of Culver City

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## Staff Report Details (With Text)

**File #:** 23-106      **Version:** 1      **Name:** Request from POA to Schedule a Disciplinary Appeal Hearing  
**Type:** Minute Order      **Status:** Action Item  
**File created:** 8/8/2022      **In control:** CIVIL SERVICE COMMISSION  
**On agenda:** 10/5/2022      **Final action:**  
**Title:** Consideration of a Request for a Closed Hearing to Appeal a Disciplinary Action  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
10/5/2022	1	CIVIL SERVICE COMMISSION	adjourned	Pass

### 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.