



# City of Culver City

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## Staff Report

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**File #:** 18-01494, **Version:** 1

**Item #:** A-2

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### **Request from Culver City Employees' Association (CCEA) to Appeal a Disciplinary Action and Schedule an Open Hearing**

**Meeting Date:** July 2, 2018

**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 (06/28/18); (Email) All City Staff (06/28/18)

**Department Approval:** Serena Wright-Black, Director of Administrative Services (06/26/18)

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### **RECOMMENDATION**

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

The Chair and Commissioners are advised to have their calendars available to potentially schedule dates for a pre-hearing conference and hearing, in the event the Commission elects to conduct the hearing.

### **BACKGROUND/DISCUSSION**

On March 16, 2018, the Transportation Department provided a disciplinary notice for a one-day suspension to an employee for violation of the Civil Service Rules and Transportation Department Regulations.

#### ***Grounds***

The disciplinary action is for causes specified below:

- A. Civil Service Rules 11.3.f: Absenteeism or tardiness which interferes with the effective and efficient performance of job duties or has a negative impact on department operations or budget
- B. Civil Service Rules 11.3.s. (6): Failure to meet job performance standards
- C. Culver CityBus Operators' Manual Section 4.0 Miss-out, as amended on September 21, 2015.

The employee was afforded due process rights in a Skelly meeting conducted on March 26, 2018 and issued final notice of discipline on May 2, 2018.

### **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 decide if the parties will be required to attend a pre-hearing conference, as set forth in Civil Service Rule 11.14.

### **MOTION**

That the Civil Service Commission:

1. Schedule dates for a Disciplinary Appeal Hearing for one Transportation Department Employee, including a Pre-Hearing Conference, if desired.

OR

2. Refer the request to appeal the disciplinary action to a hearing officer or board pursuant to Civil Service Rule 11.13