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—
Wendy G. Macy
GENERAL MANAGER

April 21, 2021

Honorable Members of the Budget & Finance Committee
c/o Erika Pulst, Legislative Assistant
Office of the City Clerk
City Hall, Room 395
Los Angeles, CA 90012

FISCAL YEAR 2021-22 PROPOSED BUDGET - PERSONNEL DEPARTMENT

The confluence in 2020 of a racial justice movement, a global pandemic, and an ensuing budget crisis fundamentally altered the ways in which the City of Los Angeles operates and in which its workforce delivers services. In this redefined landscape, the Personnel Department will be charged with a bevy of new responsibilities: reconstituting the City workforce, expanding remote testing, reimagining workspaces, implementing hybrid work schedules that balance onsite presence with telecommuting, and promoting employee health, safety, and wellness -- all through an equity lens.

As departments resume hiring, they will justifiably look to Personnel to furnish them with viable lists of eligible candidates, both for civilian and public safety classifications, while the Consolidated departments will turn to our Client Services to activate hiring processes, interviews, onboarding, and training. New hires will require medical clearances and background checks, ergonomic assessments, and benefits.

For employees returning to worksites from long bouts of telecommuting, Personnel will be key to their transition, as our HR, medical, and safety professionals assist and guide departments through the uncharted waters of COVID- and vaccine-related issues (including medical and personal leaves), Cal/OSHA regulations and Labor Code provisions, and the mental health issues that the pandemic has amplified (from stress-related outbursts and threats to domestic violence in telecommuting situations).

Equity considerations will guide all these tasks, whether in safeguarding against discrimination and harassment, providing reasonable accommodations, mitigating against wage gaps, addressing implicit bias, and promoting inclusion.

Our department, as the wellspring of the very workforce that makes the City run, is ready to step up to these challenges, but it cannot meet increased Citywide needs with decreased staff and resources. We are facing the loss of more than 10% of our positions, which would impede our ability to deliver the services that departments need in order to succeed in their own operations. That premise is what prompts us to seek the restorations we identify below.

CIVILIAN RECRUITMENT, CLASSIFICATION, AND EXAMINING SUPPORT: *1 Sr. Personnel Analyst I and 2 Personnel Analysts (for recruitment); \$100,000 in contractual funds (for recruitment); 1 Sr. Personnel Analyst I and 2 Senior Administrative Clerks (for classification); 1 Sr. Personnel Analyst II, 1 Sr. Management Analyst I, 2 Personnel Analysts, 1 Personnel Records Supervisor, 3 Sr. Administrative Clerks, and 2 Administrative Clerks (for Examining)*

- **Restoring a team of recruiters for civilian exams will be critical to broadening access to exams and enhancing the diversity of candidate pools.**

Recruitment (\$393,743): A nascent and small Civilian Recruitment Team, comprised solely of one Sr. Personnel Analyst I and two Personnel Analysts, was eliminated in FY 2020-21 in light of the anticipated hiring freeze occasioned by the pandemic. In this team's absence, our department is left with no resources to recruit for hard-to-fill civilian classifications, especially those that have traditionally lacked racial, ethnic, and/or gender diversity.

As the City contends with issues of equity in hiring, the revival of the Civilian Recruitment Team can be an immediate and tangible step toward outreach to diverse demographics. The request is only for a trio of positions, yet it is our belief that this small team can have outsized impact if supported with some contractual funding that can be utilized for online career fair registration fees, marketing materials, and digital advertising.

- **Filling vacancies in Classification will be integral to timely development of job bulletins.**

Classification (\$248,623): The hiring process begins in Classification and the creation of job specifications and bulletins. This division, which also certifies eligibility lists, is of modest size, and the three positions it lost (one Sr. Personnel Analyst I and two Sr. Administrative Clerks) to SIP had a lopsided impact upon its operations. Unless they are restored, the losses will inevitably translate into delays in the hiring process, particularly in the realm of newly-created positions.

Classification also works with the Civilian Recruitment Team to ensure that new job descriptions and bulletins are gender-neutral whenever possible to eliminate equity barriers in hiring. Continuing that work will necessitate reviving the Civilian Recruitment Team and ensuring that Classification has sufficient human resources to meet its staffing needs.

- **To catch up and keep up with anticipated demand for civilian hiring, our first step must be to fill the gaps in our Examining team.**

Examining (\$823,553): Civilian exams were either delayed during the pandemic or only allowed to move forward if they were particular to a proprietary department or special-funded. We expect a significant boost in testing demand throughout FY 2021-22, either matching or exceeding the 200 exams we typically have in progress at any given time. As such, our Selection Division will be in need of full staffing in order to catch up and keep up with the anticipated exam workload.

While our remote testing paradigm colloquially known as Anytime/Anywhere has bolstered our ability to administer online exams for large pools of applicants, it actually adds a number of administrative burdens on Examining staff, such as the mechanics of setting up the remote tests (e.g., sending unique access links to candidates, coordinating remote proctoring with vendors), ensuring adherence to testing protocols, and reviewing videotapes of flagged violations. Exams with in-person performance tests that cannot be conducted online now demand more time from staff as well, whether because physical distancing rules require extra sessions to be scheduled or because test areas and equipment must be disinfected between each use by candidates.

Restoring the three positions that Examining lost in FY 2020-21 (two Personnel Analysts and one Sr. Administrative Analyst) and the seven it is slated to lose this year (one Sr. Personnel Analyst II, one Sr. Management Analyst I, two Sr. Administrative Clerks, two Administrative Clerks, and one Personnel Records Supervisor) will be essential for us to viably pursue our goal of completing 90% of exams in 150 or fewer days. Without the restoration of these positions, we would only be on track to complete 66% of exams within that 150-day window given our current staffing levels.

BACKGROUND INVESTIGATIONS FOR PUBLIC SAFETY CLASSIFICATIONS (\$628,233):

5 Background Investigator I-s, 1 Background Investigator II, 1 Sr. Personnel Analyst II

- **A full complement of Background Investigators will be critical to meeting the hiring needs for public safety classifications and ensuring proper vetting of candidates against bias.**

After a months-long pause in Police Officer hiring necessitated by budgetary restraints, we expect to hire over 500 new recruits -- signifying at least ten Academy classes at full capacity -- *just to meet LAPD's attrition projections*. (The budget actually predicts 744 hires, a staggering figure that stretches well beyond our current resources, not to mention these proposed cuts.) Moreover, we are slated to fill *at least* two classes of Firefighter recruits, as LAFD contemplates the possible addition of a third.

Such full-scale hiring demands for public safety classifications would require us to engage a full complement of Background Investigators; however, the proposed budget seeks to reduce our cadre of BIs by over 16% -- five out of 31 -- while also eliminating a team leader (Background Investigator II), a Background Manager, and a Sr. Personnel Analyst II, who oversees a team of case managers tasked with reviewing completed investigations, assessing disqualifications, and processing appeals.

We are requesting restoration of the five BI-I positions and the BI-II position because in their absence we would be unable to process the backgrounds of 200 or more candidates. As such,

- we would simply be unable to generate the requisite number of background files to meet our client departments' hiring needs; and
- our diversity gains (which include hiring the most diverse and first-ever majority-female class in Police Academy history during FY 2020-21) would be set back.

Having an adequate number of BIs is critical to thoroughly vetting candidates for any disqualifying attributes, including bias and extremist views. As we continually bolster our vetting procedures -- for instance, enhancing our social media checks -- background investigations require more time and, hence, sufficient resources. For that same reason, the division needs the Sr. Personnel Analyst II to head its team of case managers.

WORKPLACE EQUITY (\$318,837): *1 Sr. Personnel Analyst II; 1 Sr. Personnel Analyst I; 2 Personnel Analysts*

- **A 240% increase in complaint filings necessitates additional staff for investigations, while new policy initiatives warrant a second Sr. PA II authority for oversight.**

Traditionally, the primary responsibility of the Office of Workplace Equity (formerly the Equal Employment Opportunity Division) had been complaint investigation. An enhanced Citywide focus on equity, however, has added a number of large-scale policy- and initiative-oriented projects to OWE's docket, even as the complaints filed with the division have spiked in numbers, thanks to the effectiveness of the MyVoiceLA (MVLA) reporting system.

OWE's portfolio now includes the

- recently-launched Implicit Bias Training for all City employees;
- upcoming rollout of a Citywide Workplace Equity Policy and Procedures (and associated training);
- pilot Equity Review Panel, whereby complaints of equity violations are assessed by a panel of legal counsel, who also provide guidance regarding their investigation;
- baseline Citywide cultural assessment and subsequent implementation of an Inclusion Plan;
- Council-directed work regarding gaps in gender equity and pay; and
- transgender sensitivity training.

The proposed budget generously allocates new positions to support the Equity Review Panel pilot and the Inclusion Plan; however, it does not provide additional staffing resources for investigations or oversight.

Complaint Investigations: OWE's investigative workload has gone from 142 complaints in 2017 to 342 in 2020 -- a 240% increase! Much of the increase is attributable to the launch of MVLA, which affords City employees a system of reporting equal opportunity violations remotely. While a handful of investigators were added to the OWE team in a prior budget year, the enhanced staffing was not commensurate with the increase in filings.

Filings are expected to increase further once the newly-crafted Citywide Workplace Equity Policy and Procedures are released at the start of the fiscal year. Even a modest 25% increase (far below actual rates) would mean 85+ new cases per year, which is more than 50% of all complaints filed in 2017.

In the absence of additional investigative support, the division will struggle to conduct meaningful investigations in a timely manner and inevitably accrue a backlog of aging cases. A trio of positions (one Sr. Personnel Analyst I and two Personnel Analysts) would allow OWE

to substantially absorb the spike in filings and adhere to a more timely processing of complaints.

Policy and Initiatives Oversight: To ensure particular oversight of its distinct functions, OWE needs two Sr. PA IIs: one dedicated to background investigations and one dedicated to policy development and implementation of initiatives. With only a single Sr. PA II authority, however, the division is unable to realize this structure. A second position would provide OWE the necessary infrastructure to operate with maximized focus and efficiency.

TARGETED LOCAL HIRE (\$86,299): *1 Personnel Analyst*

- **An equitable program that offers alternative civil service pathways to vulnerable and underserved populations, TLH cannot afford to lose a key position, given how small its team already is.**

Our pioneering Targeted Local Hire (TLH) program, which provides alternative civil service pathways to vulnerable and underserved populations, has been an unparalleled success, accounting for over 1,000 hires Citywide across 34 departments.

Given its focus on targeted groups, including foster youth, older workers, veterans, transgender individuals, residents of socioeconomically disadvantaged zip codes, formerly incarcerated individuals, former gang members, and those who are or have been homeless, TLH is a beacon of equity for City employment. Its success has spawned outgrowths of the program, such as Bridge-to-Jobs, which has broadened access to City employment for semi-skilled classifications, even as the TLH team has also supported the City's partnership with the Los Angeles Community College District and newly-created entry-level hiring programs with the Board of Public Works.

The program's outsized accomplishments are all the more remarkable considering how tiny its supporting operation is. A mere 12 members currently make up the TLH team, so the elimination of even a single position (vacated due to SIP) would have disproportionate impact on the program and its continued growth.

CLIENT SERVICES (\$553,867): *1 Sr. Personnel Analyst I, 3 Personnel Analysts, 2 Sr. Administrative Clerk, and 1 Administrative Clerk*

- **Position cuts in Client Services reduce levels of HR support for affected departments.**

Client Services fills the HR function for 26 City departments, from hiring and onboarding to labor relations, training, and discipline. Since the onset of the pandemic, Client Services has taken on a whole host of new responsibilities, such as scheduling Disaster Service Workers, creating new telecommuting or hybrid remote/onsite work structures, tracking COVID exposures and cases, and processing an unprecedented number of medical leaves and returns-to-work. They will be essential partners to departments during their reconstitution phase.

The seven positions proposed for cuts are dedicated to specific departments: the Bureau of Engineering, General Services, Housing, Street Lighting, Street Services, and Transportation. Their elimination would either reduce the level of support we could provide to those departments or require us to shift resources, impacting other departments instead.

At a time when the Consolidated departments need our services more than ever, as they seek to operate in a post-COVID landscape, our Client Services Division should be fortified to lend the levels of assistance expected of them.

DISASTER SERVICE WORKER PROGRAM (\$216,372): *1 Emergency Management Coordinator II; 1 Management Analyst; \$50,000 in Contractual Funding (for DSW case management program fees and upgrades)*

- **The pandemic has made a standing team of emergency management coordinators imperative.**

Prior to the pandemic, our department only had resources enough for a single Sr. Management Analyst I dedicated to emergency management work -- both for the department and in conjunction with EMD on Citywide emergency preparedness. The scale of the pandemic required us to dedicate a trio of Assistant General Managers and pull over 30 staffers from nearly all our divisions to stand up and run the Disaster Service Worker (DSW) program for over a year. The pandemic made indubitably clear that we need more robust resources -- namely, a permanent team led by emergency management professionals -- to continue updating the DSW program and working with EMD to create ongoing trainings and practice drills for different types of disasters that might require the City workforce to be redeployed.

WORKERS' COMPENSATION (\$634,534): *1 Sr. Workers' Compensation Analyst (for monitoring third-party administrators), 5 Workers' Compensation Analysts (to perform claims administration), 1 Management Analyst (for contract administration), 1 Accounting Clerk, 1 Secretary, 1 Sr. Administrative Clerk*

- **Restored staffing levels will be imperative to timely claims handling that avoids costly additional payments and penalties triggered by delays.**

Proposed cuts of over a dozen positions within the Workers' Compensation Division will harm its operations in two distinct ways:

- First, the reduction in positions will exacerbate the current problem of assigning claims adjusters a caseload in excess of industry best practice;
- Second, the excess caseloads will make it more difficult for adjusters to meet mandated deadlines, thereby triggering additional payments and penalties.

Currently, the City has nearly 17,500 workers' compensation claims. A staff of 30 analysts within Personnel manages approximately a third of those claims. Each of them carries approximately 150 cases, even though industry best practice indicates that caseloads should not exceed 125.

Juggling the excess number of cases adversely impacts the City's overall management of the workers' compensation program, since it prevents our analysts from focusing on the technical details involved in claims handling. Workers' compensation is a non-discretionary state-mandated benefit with immutable deadlines and tangible penalties for their violation. Employers are charged with additional payments to the injured employee, as well as an administrative penalty, for untimely actions.

Deadlines are even more compressed in the Workers' Compensation Alternative Dispute Resolution (ADR) program, which affords benefits to both the City and to City employees, but which accelerates the claims-handling process (compared to the customary state timeline). ADR speeds up medical treatment and reduces litigation through mediation (which can be scheduled in just seven days), but it requires claims analysts and their support teams to handle work in expedited fashion.

ADR and claims handling in general need the right levels of staffing to be cost-effective. It is therefore imperative to restore staffing levels in the division so that it can handle claims in a manner that provides timely and sound medical treatment to injured employees while also being compliant with applicable deadlines in order to prevent excess bills and costs to the City.

HUMAN RESOURCES & PAYROLL (HRP) PROJECT SUPPORT

The foregoing restorations will do more than support the specific programs we have identified. They will also help us boost support for the City's new, custom-designed Human Resources & Payroll project that is slated to replace PaySR in less than eight months' time. We are uniquely poised to help departments prepare for the transition and, perhaps more importantly, adjust to the new system through elevated levels of assistance and training.

CONCLUSION

To ensure the City's success in its hiring needs, we must start with our own positions. The workforce restoration that followed the Great Recession was a years-long and painstaking process, in part because of budget constraints but also because the reductions had wiped away foundational hiring infrastructure. The lessons of that experience can help us avoid a similar outcome. With full staffing, the Personnel Department can regain its momentum in both civilian and public safety hiring and be an invaluable resource for the City's post-COVID future: one defined by equity and employee health, safety, and wellness.

I am available to discuss our letter and other items. You may reach me or Paula Dayes, Assistant General Manager, at (213) 473-3470.



WENDY G. MACY
General Manager

cc: Matt Szabo, Deputy Chief of Staff
Chief Legislative Analyst
City Administrative Officer