



LOS ANGELES CITY EMPLOYEE RELATIONS BOARD

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R. Douglas Collins
Chairman
Anthony Miller
Vice Chairman
Rosalinda Lugo
Rhonda L. Hilyer
Suzanne Steinke
Robert R. Bergeson
Executive Director

MINUTES OF MEETING

Monday, March 19, 2018

9:30 A.M.

BOARD MEMBERS PRESENT: **R. Douglas Collins**
 Anthony Miller
 Rosalinda Lugo
 Rhonda L. Hilyer
 Suzanne Steinke

Chairman Collins called the meeting to order at 9:32 a.m.

- 1. Public comments on matters within the Board's jurisdiction. A maximum of ten minutes will be provided for members of the public to address the Board on items of interest that are within the jurisdiction of the Board. Said ten minutes shall be equally divided among speakers, not to exceed five minutes per speaker.**

There were no public comments.

- 2. Consideration of minutes of the Board meeting of February 26, 2018.**

Member Steinke moved to approve the minutes of February 26, 2018. Seconded by Member Lugo.

Motion carried unanimously.

- 3. Executive Director's report:**

- a) New unfair employee relations practice claims filed.**

Executive Director Bergeson informed the Board that since its February meeting, one new unfair employee relations practice claim had been received: UERP 2069, filed by individual employee Larry Arnick against the Department of Building and Safety alleging racial discrimination (not a prima facie case).

- b) Status of impasses.**

Mr. Bergeson advised the Board that there were no new requests for imposition of impasse procedures.



c) Administrative matters, if any.

Executive Director Bergeson advised the Board that he had no administrative matters for their consideration.

Chairman Collins introduced Stephen Hayford who was in the audience and in the process of relocating part-time to the Southern California area and has been included on the ERB arbitrator and hearing officer panels.

4. Consideration of requests to withdraw various matters, if any.

Executive Director Bergeson stated that the Board had received no requests for withdrawal.

5. Recommending appropriate action on Petition C891, filed by Los Angeles Port Police Association seeking accretion of the class of Port Police Specialist (class code 3238) to the Harbor Peace Officers' Unit.

Executive Director Bergeson recommended that Petition C891, filed by Los Angeles Port Police Association seeking accretion of the class of Port Police Specialist (class code 3238) to the Harbor Peace Officers' Unit, be posted and scheduled for consideration at the Board's next regular meeting.

6. Consideration of the Personnel Department report on Petition C886, filed by SEIU, Local 721 seeking the accretion of the class of Theater Technicians (class code 0710) to the Service and Craft Unit.

There were no appearances on this matter.

Executive Director Bergeson recommended the Board approve accretion of Theater Technicians (class code 0710) to the Service and Craft Unit, as requested in the petition.

Member Hilyer so moved. Seconded by Member Steinke.

Motion carried unanimously.

7. Consideration of Hearing Officer's Report and Recommendation in the matter of consolidated UERPs 2044 and 2052, filed by Engineers and Architects Association against the Department of Recreation and Parks, alleging unilateral changes to call-in procedures for aquatic manager absences and retaliation and interference for protected activity. Exceptions filed by Respondent. Rebuttal to Exceptions filed by Claimant. Continued from Board meeting of February 26, 2018.

The following individuals were present on this matter: Attorney Adam Stern, on behalf of the Engineers and Architects Association; Personnel Director Harold Fujita, Sr. Personnel Analyst Paola Ferrari, and Deputy City Attorney Janis Barquist, on behalf of Department of Recreation and Parks.

Chairman Collins informed those present that in good faith the department stated in February that it

would submit exceptions by March 7 and the agenda was prepared as such. However, said Chairman Collins, Executive Director Bergeson tol him prior to the meeting that exceptions were not received March 12 via email.

Mr. Stern stated he did not file a rebuttal to the department's exceptions which he received via email on March 14.

Chairman Collins queried whether in light of the circumstances the Board should entertain oral argument from the parties on the hearing officers's report.

Mr. Stern asserted the department had now twice failed to file timely. Accordingly, opined Mr. Stern the Board should adopt the hearing officer's findings of fact and recommendations

After much discussion, Member Steinke moved to approve the hearing officer's report and recommendations and to order the executive director to prepare a draft order and notice to employees for posting. Seconded by Member Lugo.

Motion carried unanimously.

Member Steinke moved to adjourn the meeting. Seconded by Member Hilyer.

Motion carried unanimously.

MEETING ADJOURNED AT: 9:58 A.M.



ROBERT R. BERGESON
Executive Director

PERSONS WITH DISABILITIES: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its program, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to this meeting. For additional information, please contact Commission Executive Assistant Guadalupe N. Rodarte at (213) 473-9700.