

LOS ANGELES CITY EMPLOYEE RELATIONS BOARD



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R. Douglas Collins
Chairman
Christopher Ruiz Cameron
Vice Chairman
Anthony Miller
Rosalinda Lugo
Rhonda L. Hilyer
Robert R. Bergeson
Executive Director

MINUTES OF MEETING

Monday, November 23, 2015

9:30 A.M.

BOARD MEMBERS PRESENT: **R. Douglas Collins, Chairman**
Christopher Ruiz Cameron, Vice Chairman
Anthony Miller
Rosalinda Lugo
Rhonda L. Hilyer

Chairman Collins called the meeting to order at 9:30 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 October 26, 2015.**

Member Hilyer moved to approve the minutes of October 26, 2015. Seconded by Vice Chairman Cameron.

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 June meeting, no new unfair employee relations practice claims had been received.

- b) **Status of impasses.**

Mr. Bergeson advised the Board that the only request for imposition of impasse procedures is item 6 on this date's agenda.

c) Administrative matters, if any.

Executive Director Bergeson announced that the Mayor has nominated Member Miller for re-appointment and that Mr. Miller will appear before the City Council on December 2, 2015.

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

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

5. Consideration of appropriate action on Petition C872, filed by DWP Management Employees Association, seeking the accretion of Legislative Representative (class code 9482) to the DWP Management Employee's Unit.

Executive Director Bergeson recommended that Petition C872, be posted and scheduled for consideration at the Board's next regular meeting.

Member Hilyer so moved. Seconded by Member Lugo.

Motion carried unanimously.

6. Consideration of Impasse No. 233 filed by Los Angeles Police Department.

The following individuals were present on this matter: Attorney Gary Ingemunson, on behalf of LAPPL; Lt. Ron Splicer, on behalf of the Los Angeles Police Department.

Mssrs. Ingemunson and Spicer agreed the parties are at impasse and both wish to proceed directly to factfinding.

Member Hilyer moved to find the existence of an impasse appropriate for factfinding. Seconded by Member Miller.

Motion carried unanimously.

7. Consideration of appropriate action on Decertification Petition D40 and Petition for Certification C871 filed the Los Angeles Detention Officers Association for the Safety & Security Unit (MOU No. 18).

The following individuals were present on this matter: Regional Director David Sanders and Representative Jody Klipple behalf of SEIU; Sr. Labor Relations Specialist, on behalf of the Office of the City Administrative Officer.

After much discussion, the Board took no action other than to ask for the best unit member list the CAO can provide and to ask the petitioner to make an appearance on December 21 with the understanding the organization has until that day to submit a sufficient showing of interest.

Member Miller moved to continue the matter to the Board's December meeting. Seconded by Vice Chairman Cameron.

8. Consideration of Personnel Department reports on:

- a) **Petition C867, filed by Los Angeles/Orange County Building & Construction Trades Council (LAOCBCTC), seeking the accretion of the class of Playground Equipment Supervisor (class code 3325) to the Supervisory Building Trades Unit.**

No individuals were present on this matter.

Executive Director Bergeson informed the Board the Personnel Department is in agreement with the accretion of the class of Playground Equipment Supervisor (class code 3325) to the Supervisory Building Trades unit and that no other organization petitioned to represent the class.

Member Hilyer moved to approve the petition. Seconded by Vice Chairman Cameron.

Motion carried unanimously.

- b) **Petition C869, filed by Los Angeles/Orange County Building & Construction Trades Council (LAOCBCTC), seeking the accretion of the class of Sr. Port Electrical Mechanic (class code 3847) to the Building Trades unit.**

No individuals were present on this matter.

Executive Director Bergeson informed the Board the Personnel Department is in agreement with the accretion of the class of Sr. Port Electrical Mechanic (class code 3847) to the Building Trades unit and that no other organization petitioned to represent the class.

Member Lugo moved to approve the petition. Seconded by Member Miller.

Motion carried unanimously.

- c) **Petition C866, filed by Los Angeles Professional Managers Association (LAPMA), seeking the accretion of the class of Personnel Director (class code 1714) to the Management Employees unit; and**
- d) **Petition C870, filed by Human Resource Professionals' Association, seeking to create a Personnel Director (class code 1714) bargaining unit and to be certified by the Board to represent that unit.**

The following individuals were present on these consolidated matters: Assistant City Attorney Vivienne Swanigan on behalf of the Personnel Department; Executive Director Charley Mims and Recreation and Parks Personnel Director Harold Fugita, on behalf of Los Angeles Professional Managers Association (LAPMA); President Shelly Del Rosario, on behalf of Human Resource Professionals' Association.

Attorney Swanigan referenced Decision ERB-238 which held that Department Personnel Officer was not appropriate for inclusion in the Management Employees unit which she asserted supports the Personnel Department's request that Petition C866 be denied.

Mr. Mims opined that there were a lot of contradictions and inconsistencies in the hearing officer's report in Decision ERB-238 and that questions of fact exist and he urged the Board not to deny Petition C866 on that basis.

After much discussion, the Board determined it would not be appropriate to accrete Personnel Director to the Management Employees unit. However, because L.A. Professional Managers Association submitted showing of interest from a majority of the incumbents in the class, the Board decided to consider Petition C866 to be an intervening petition with regard to Petition 870, which is a petition for certification to create a bargaining unit of solely Personnel Directors. Because it appeared there may be some disagreements of fact between LAPMA and the employee organization which filed Petition C870, Human Resource Professionals Association, the Board further determined to hold a hearing en banc at its next regularly scheduled meeting of December 21, 2015 to make findings of fact on those points.

9. Consideration of further processing of Unfair Employee Relations Practice Claim UERP 2001, filed by SEIU Local 721 against the Los Angeles World Airports alleging interference with protected activity.

The following individuals were present on this matter: Sr. Personnel Analyst Angela Brown, on behalf of Los Angeles World Airports; Regional Director David Sanders, on behalf of SEIU.

Mr. Sanders and Ms. Brown indicated they had agreed to resolve this dispute via another avenue and a letter requesting approval of withdrawal containing signatures of both parties will be forthcoming.

Member Hilyer moved to continue this matter to the Board's December meeting to finalize the settlement. Seconded by Vice Chairman Cameron.

Motion carried unanimously.

Vice Chairman Cameron moved to adjourn the meeting. Seconded by Member Miller.

Motion carried unanimously.

MEETING ADJOURNED AT: 10:48 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.