



## 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, October 26, 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 9:34 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 September 28, 2015.**

Member Hilyer moved to approve the minutes of September 28, 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 last meeting, one new unfair employee relations practice claim had been received: UERP 2008, filed by Engineers and Architects Association against Los Angeles World Airports, alleging an unlawful unilateral outsourcing of "gating" assignments and adjustment at Tom Bradley International Terminal at LAX (has been processed).

- b) **Status of impasses.**

Mr. Bergeson stated that there were no new requests for imposition of impasse procedures.

**c) Administrative matters, if any.**

Executive Director Bergeson advised the Board that Member Miller was meeting with a representative of the Mayor's Office this afternoon regarding Member Miller's reappointment or replacement.

**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 further processing of Unfair Employee Relations Practice Claim UERP 2007, filed by Engineers and Architects Association against the Personnel Department alleging retaliation against employee Saturday Aisuan for engaging in protected activity.**

The following individuals were present on this matter: Attorney Adam Stern, on behalf of Engineers and Architects Association; Sr. Personnel Analyst Steven Presberg, on behalf of the Personnel Department. Attorney Stern asserted that retaliation actions occurred after employee January Aisuan availed himself of his protected right to union representation during appeal of a suspension to the Civil Service Commission. Mr. Stern asserted that Mr. Aisuan was subjected to unwarranted scrutiny and surveillance by department supervisors whose suspension decision had been overturned and he requested the claim be sent to hearing.

Mr. Presberg asserted the matter should be dismissed as no prima facie case had been made since EAA had failed to establish a nexus between Mr. Aisuan's Civil Service case and the scrutiny to which he was allegedly subjected.

After much discussion of alleged disparate treatment and the standard for arguing a prima facie case of retaliation for protected activity, it was suggested the parties engage in mediation. The ERB staff will contact the State Mediation/Conciliation Service for the parties to proceed with that process should they agree to pursue it. After the parties concurred with that recommendation, Member Miller moved to continue this matter for 30 days. Seconded by Vice Chairman Cameron.

Motion carried unanimously.

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

Motion carried unanimously.

**MEETING ADJOURNED AT: 10:21 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.