



LOS ANGELES COUNTY EMPLOYEE RELATIONS COMMISSION
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Christopher David Ruiz Cameron, Chair
Anthony Miller, Member
Najeeb Khoury, Member

Joseph F. Gentile
Chairman Emeritus

Jeri Weinstein
Executive Director

March 22, 2021

MEETING MINUTES

REGULAR SESSION

A virtual meeting of the Los Angeles County Employee Relations Commission was held on Monday, March 22, 2021 at 1:00p.m. **via Zoom Pro**. A link for attendees was sent via email. A phone number was provided for members of the public for public comment. This information was posted on the ERCOM website via the County of Los Angeles portal.

All three Commissioners were in attendance for this meeting. The Commission welcomed new Commissioner Najeeb Khoury.

All actions by the Commission described and summarized below are indicated by M/S/P (moved, seconded, passed). Unless otherwise noted, all votes were unanimous. Meeting was called to order at 1:00 P.M..

1. Approval of Minutes of February 17, 2021.
M/S/P motion to approve the minutes
2. Report of Executive Director
Executive Director had nothing to report.
3. Public Comment
None
4. Consideration of requests for **Unfair Practice Charges:**
 - a. American Federation of State, County & Municipal Employees (**AFSCME**), Council 36

NEW -UFC 003-21

American Federation of State, County & Municipal Employees, Council 36 vs. Los Angeles County Department of the Public Defender and Los Angeles County Chief Executive Office (CEO).

(Failure to provide information, Direct Dealing)

M/S/P to grant the request, by the Executive Director (ED), to dismiss this UFC. After the request by the ED, the Union representative, Jason Wojciechowski, advised the Commission the Union was prepared to withdraw this matter.

- b. American Federation of State, County & Municipal Employees (**AFSCME**),
Local 1083

NEW -UFC 006-21 American Federation of State, County & Municipal
Employees, Local 1083 vs. Child Support Services
Division.
(Bad Faith Bargaining, Interference)

M/S/P to grant the County's request for a Continuance while outside counsel was retained.

- c. American Federation of State, County, & Municipal Employees (**AFCSME**)
Local 685

NONE

- d. Association for Los Angeles Deputy Sheriffs (**ALADS**)

-UFC 001-21 Association for Los Angeles Deputy Sheriffs (ALADS)
vs. Los Angeles County.
(Failure to engage in impact bargaining, as a result of
Measure J budget cuts, that affected wages, hours,
and conditions of employment.)
(Continued from February 17, 2021)

-County Opposition and Request for Dismissal of
UFC 001-21 (004-21) Consolidated with PPOA

M/S/P to grant ALADS, Mr. Aitchison, a continuance for time to respond in writing to the County's Motion to Dismiss

-UFC 002-21 Association for Los Angeles Deputy Sheriffs (ALADS)
vs. Los Angeles County Sheriff's Department
(Violation of the Employee Relations Ordinance 5.04.070
by intimidation, coercion, discrimination, etc., for
employees exercising their rights under the Ordinance)
(Continued from February 17, 2021)

M/S/P to grant ALAD's request for this matter to moved to hearing. There was no opposition from the County.

e. California Association of Professional Employees (**CAPE**)

-UFC 016-19 California Association of Professional Employees (**CAPE**)
vs. Assessor's Office
(P. Thomas/Interfering with Participation in Union Activity)
(Continued from October 28, 2019)

M/S/P to grant CAPE's request to move this matter to hearing. There was no opposition from the County.

-UFC 018-19 California Association of Professional Employees (**CAPE**)
vs. Department of Beaches and Harbors
(L. Phan/Interfering with Participation in Union Activity)
(Continued from October 28, 2019)

M/S/P to approve CAPE's request to continue this matter for one more month. Jeff Hickman representing the County did not oppose this continuance but requested a decision on this matter at the April 26, 2021 ERCOM meeting.

f. Los Angeles/Orange Counties Building & Construction Trades Council
AFL-CIO
NONE

g. Professional Peace Officers Association (**PPOA**)

NEW -UFC 004-21 Professional Peace Officers Association (**PPOA**) vs
Los Angeles County.
(Failure to engage in impact bargaining, as a result of
Measure J budget cuts, that affected wages, hours,
and conditions of employment.)

-County opposition and request for dismissal of
UFC 004-21 (consolidated with 001-21 ALADS)

M/S/P this matter was continued per the decision for UFC 001-21 as the cases are consolidated. Same fact pattern and requests, different Unions.

h. Service Employees International Union

-UFC 014-20 Service Employees International Union (**SEIU**), Local 721
vs. Department of Health Services (**DHS**)
(Failure to Negotiate matters that are mandatory
subjects of bargaining, including changes to working
conditions, contracting out bargaining unit work, failure
to provide requested information).
(Continued from November 18, 2020)

M/S/P motion to continue this matter in order for SEIU representative Katie

Engst to amend the UFC in order to provide more specifics as to dates and changes to working conditions subsequent to a request by County representative Adrianna Guzman.

NEW -UFC 005-21 Service Employees International Union (SEIU), Local 721
Vs. Los Angeles County Department of Children and
Family Services (**DCFS**)
(Interference, Intimidation, Coercion regarding
engagement in Union Activities)

M/S/P to continue this matter per the request of County representative Jeffrey Hickman to allow the County to retain outside counsel.

NEW -UFC 007-21 Service Employees International Union (SEIU), Local 721
Vs. Los Angeles County Department of Social Services
(**DPSS**)
(Unilateral Implementation of Task-Based Model to
replace Caseloads Model – Failure to Meet and Confer a
matter that is negotiable.)

M/S/P to continue this matter per the request of County representative Jeffrey Hickman to allow the County to retain outside counsel.

NEW -UFC 008-21 Service Employees International Union (SEIU), Local 721
Vs. Los Angeles County Department of Social Services
(**DPSS**)
(Interference and Disparagement.)

M/S/P to continue this matter per the request of County representative Jeffrey Hickman to allow the County to retain outside counsel.

5. Request to **Withdraw Unfair Practice Charge**

-UFC 013-20 Association for Los Angeles Deputy Sheriffs (**ALADS**) vs.
Los Angeles Sheriff's Department (**LASD**)
(Failure to process grievance)

Reason: Grievance processed

-UFC 004-20 American Federation of State, County & Municipal
Employees vs. Child Support Services Department
(Refusal to Meet and Confer regarding a matter
considered a change to working conditions, "hoteling")

Reason: Settlement

UFC 004-19 LA/Orange Counties Building & Construction Trades vs.

AMENDED Los Angeles County Sheriff's Department (Facility Services Bureau)
(Retaliation)

M/S/P motion to accept request for withdrawal of all of the above matters.

6. Consideration of request for **Amendment of Certification:**

- AC 001-21** Request for Deletion per CEO Classifications Affected Units
- a. Bargaining Unit 211 SEIU
Item No. 0322 - Cemetery Caretaker
 - b. Bargaining Unit 222 SEIU
Item No. 5577 - Supervising Renal Dialysis Equipment Technician

M/S/P motion to accept deletion of the above classifications. There was no opposition from SEIU. SEIU Representative Ruben Soto present.

7. Consideration of Representation

- a. Consideration of Request and Application, by the Los Angeles County Public Defenders Union to be granted status as a Certified Organization of Los Angeles County.
(Continued from January 21, 2021)

M/S/P motion to approve the Los Angeles County Public Defenders Union (LACPDU) as a certified organization in Los Angeles County. All proper paperwork including application and by-laws were submitted in January 2021. This ruling does not designate the LACPDU as the majority representative for Bargaining Unit 803.

- b. Consideration of Los Angeles County Public Defenders Union request to be designated as the Certified Majority Representative for Bargaining Unit 803, Public Defenders 1-4 via the previously completed card count and not a formal election, due to the request by AFSCME Council 36 to be removed from consideration as the majority representative on the election ballot.

On February 17, 2021, a hearing was held by the Employee Relations Commission pursuant to a request by AFSCME, Counsel 36 regarding the merits of a decertification vote by members of Bargaining Unit 803 (BU 803). The purpose of this vote was to decertify AFSCME, Counsel 36 as the majority representative of BU 803. Additionally, AFSCME, Counsel 36 filed an Unfair Practice Charge alleging obstruction by management of their abilities to represent the bargaining unit, and the contention from AFSCME, Counsel 36 was that an election should not move forward

until resolution of the Unfair Practice Charge. At the hearing on February 17, the Commission ruled an Election could move forward.

Subsequently, the Executive Director engaged PERB to hold the election, with the first notices, per the rules, being distributed on March 12, 2021. On March 11, 2021, AFSCME, Counsel 36 sent a letter to the Commission and all other parties relinquishing representation rights to Bargaining Unit 803 and opting out of the election.

This prompted the Los Angeles County Public Defenders Union (LACPDU) to request a stipulation to the prior card count for decertification as the count to be used for this group to become the certified majority representative for Bargaining Unit 803, in lieu of an election or second card count.

The Commission discussed the merits of the request, the intent of the rules, and afforded County management an opportunity to speak on the matter as well.

M/S/P to continue with an election, as had been previously ruled, unless the County CEO and the LACPDU come to an agreement relative to a stipulation on a card count.

8. Commissioner's Special Items.

Meeting was adjourned at 2:45 P.M..

EXECUTIVE SESSION

9. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Jeri Weinstein
JERI WEINSTEIN
Executive Director