

In the Matter of the Impasse Between
COUNTY OF LOS ANGELES PROBATION DEPARTMENT

and

JOINT COUNCIL OF SUPERVISING DEPUTY PROBATION OFFICERS ASSOCIATION (“SDPOA”), REPRESENTED BY SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 721 (“SEIU, LOCAL 721”)

THE COUNTY OF LOS ANGELES PROBATION DEPARTMENT’S OPINION ACCEPTING AND REJECTING PORTIONS OF THE FACTFINDER’S FINDINGS AND RECOMMENDED TERMS OF SETTLEMENT

The County of Los Angeles Probation Department (“Department”) by and through its Representative, Liebert Cassidy Whitmore, submits its acceptance and rejection to portions of the *Factfinder’s Findings and Recommended Terms of Settlement* (“Report”).

I. ACCEPTED RECOMMENDATIONS

The Department accepts the Factfinder’s recommendations in the Report as follows:

- That the Department and SEIU Local, 721 “agree on either the [Department’s] Article 43, New Section H proposal or adopt language set forth in the AFSCME Local 685 Memorandum of Understanding for Deputy Probation Officers.”

II. BACKGROUND AND PROCEDURAL HISTORY CORRECTIONS

The Department rejects the Factfinder’s finding of facts in the Report as to the following matters, but otherwise agrees with the recommendations:

Statement in Report	Location of Statement	Basis for Rejection and Support for Same
The County and the Union, entered into negotiations for a successor MOU in July 2023, after an agreement was reached with AFSCME, Local 685, which represents Bargaining Unit 701, Probation Officers.	Page 2	The Department reached a tentative agreement with AFSCME, Local 685, on or around July 2023. The agreement was made and entered into on August 8, 2023. (See County Exhibit 8.)
The County did not change its position on their proposal for involuntary transfer language in Article 43, and again declared impasse on August 9, 2023.	Page 4	The Department did not declare impasse on August 9, 2023. SEIU, Local 721 sent a proposal to the Department on August 9, 2023. The Department sent its counterproposal to SEIU, Local 721’s

Statement in Report	Location of Statement	Basis for Rejection and Support for Same
		August 9 proposal on August 11, 2023. (See Union Exhibit 1.)
On October 30, 2023, the County sent the Union a Last, Best, and Final Offer at 2:20 p.m. County Exhibit 11.	Page 5	The Department sent its October 30, 2023 Last, Best, and Final Offer to SEIU, Local 521 at 2:10 p.m. (See County Exhibit 11.)
On September 29, 2022, the County sent a letter to James Schoengarth, President SEIU, Local 721, BU 702, set forth as County Exhibit 5, affirming a declaration of a staffing emergency by Deputy Chief Karen Fletcher, via a September 23, 2022, email and reiterated by the Chief Probation Officer's letter dated September 22, 2022, providing financial incentives to encourage employee attendance to alleviate the staffing emergency and insure the health and safety of all.	Page 6	The staffing emergency was reiterated in the Chief Probation Officer's letter dated September 27, 2022. (See County Exhibit 5.)

III. CONCLUSION

Accordingly, for all the above-mentioned reasons, the Department accepts the recommendations set forth in the Report, but objects to the portions of the factual findings in the Report as noted above.

Dated: May 10, 2024

LIEBERT CASSIDY WHITMORE

By: /s/ Millicent O. Usoro
 Adrianna Guzman
 Millicent O. Usoro
 Attorneys for COUNTY OF LOS
 ANGELES PROBATION
 DEPARTMENT

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: **6033 West Century Boulevard, 5th Floor, Los Angeles, California 90045.**

On **May 10, 2024**, I served the foregoing document(s) described as **THE COUNTY OF LOS ANGELES PROBATION DEPARTMENT'S OPINION ACCEPTING AND REJECTING PORTIONS OF THE FACTFINDER'S FINDINGS AND RECOMMENDED TERMS OF SETTLEMENT** in the manner checked below on all interested parties in this action addressed as follows:

Carson V. Acosta
Staff Counsel
SEIU Local 721
1545 Wilshire Blvd., Suite 100
Los Angeles, CA 90017
Email: carson.acosta@seiu721.org

(BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy through Liebert Cassidy Whitmore's electronic mail system from mgruen@lcwlegal.com to the email address(es) set forth above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on **May 10, 2024**, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

/s/ Marsha J. Gruen
Marsha J. Gruen