

LOS ANGELES COUNTY
EMPLOYEE RELATIONS COMMISSION

In the Matter of)	
)	
LOS ANGELES COUNTY PUBLIC DEFENDERS UNION,)	
)	
Charging Party,)	UFC No. 004-23
)	
vs.)	
)	
LOS ANGELES COUNTY PUBLIC DEFENDER,)	
)	
Respondent.)	
)	

DECISION AND ORDER

Background

This Decision and Order (“D&O”) arises out of two Unfair Practice Charges (“UFCs”) filed by the Los Angeles County Public Defenders Union (“Charging Party” or “LAPDU”) against the Los Angeles County Public Defender (“Respondent” or “PD”) (collectively “Parties”) owing to actions taken by the Respondent in pursuing a new system for managing attorney workloads called the Case Complexity Management System (“CCMS”) during negotiations for a new memorandum of understanding (“MOU”).

On February 17, 2023, the Charging Party filed UFC No. 004-23, which alleged violations of Sections 5.04.240 (A)(1) and (3) of the Los Angeles County Employee Relations Ordinance (“ERO”). UFC No. 004-23 addressed actions taken by the Respondent during the pendency of UFC No. 002-22, a prior UFC challenging the CCMS, in which the Commission ruled in favor of the PD.

In UFC No. 002-22, LAPDU challenged the PD’s unilateral implementation of CCMS despite the PD’s having offered at least three comprehensive proposals and the Parties’ having participated in at least six bargaining sessions that took place over four months spanning the period September to December 2021. Following the report and recommendation of the hearing officer assigned to that case, the Commission dismissed UFC No. 002-22.

While UFC No. 002-22 was still pending, the PD acted unilaterally again. By email

dated January 30, 2023, the PD announced that henceforth each case would be given a complexity “score” and that all attorneys working for the PD would be required to perform significant data entry in order to record and process information for the new CCMS system. These steps were called “CCMS Phase I Case Complexity Measures.”

In response, LAPDU filed the underlying charge, UFC No. 004-23, which alleged that the PD had failed to engage in effects bargaining.

Mr. David P. Beauvais was assigned to serve as Hearing Officer (HO). On January 18, 2024, HO Beauvais conducted a one-day of hearing by video conference. The Parties were each afforded a full and fair opportunity to present relevant arguments and evidence and to examine and cross-examine witnesses under oath.

Decision

On June 11, 2024, HO Beauvais issued his Report and Recommendation (HO Report), which concluded that the Respondent did not violate Sections 5.04.240 (A) (1) and (3) of the ERO and recommended that UFC No. 004-23 be dismissed. No exceptions to the HO Report were filed by the Parties.

On July 22, 2024, at a regularly scheduled meeting, the Commission considered and by unanimous vote adopted the HO Report in its entirety. We also ordered that UFC No. 004-23 be dismissed.

Order

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Hearing Officer’s Report is adopted in its entirety.
2. The Respondent did not engage in any unfair employee relations practice within the meaning of Sections 5.04.240 (A) (1) and (3) of the ERO by unilaterally implementing the CCMS Phase I Case Complexity Measures.
3. This UFC is hereby dismissed.

IT IS SO ORDERED.

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Christopher David Ruiz Cameron, Chair



Najeeb Khoury, Commissioner



Patti Paniccia, Commissioner

Date: March 24, 2025