



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

Neal Mok
Head Board Specialist

July 18, 2022

REGULAR SESSION

Meeting Minutes

A virtual meeting of the Los Angeles County Employee Relations Commission was held on Monday, July 18, 2022 at 1:00 p.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 meeting was called to order at 1:00 P.M. Commissioner Miller left the meeting at 2:14 P.M.

Agenda Items 7, 10, 11, 5b, 5c, and 5d were addressed immediately after Public Comment. All other Agendas Items after Public Comment were addressed after Agenda Item 5d in numerical order.

All actions by the Commission described and summarized below are indicated by M/S/P (moved, second, passed). Unless otherwise noted, all votes were unanimous.

1. Approval of Minutes of May 23, 2022
M/S/P to approve minutes.
2. Approval of Minutes of June 27, 2022
M/S/P to approve minutes.
3. Report of Executive Director

Executive Director Weinstein reported that recruitment for ERCOM Hearing Officers will begin January 2023. She will be creating a proposal to change the qualification requirements for Hearing Officers that the Board of Supervisors currently has. If anyone has suggestions on the recruitment process for ERCOM Hearing Officers, please email Executive Director Weinstein.

4. Public Comment

NONE

5. Consideration of requests for **Unfair Practice Charges:**a. Service Employees International Union (**SEIU**)

-UFC 015-21 Service Employees International Union Local 721 (SEIU)
vs. Department of Children and Family Services (DCFS)
(Request for Information)
(Cont'd from January 24, 2022)

- Respondent's Motion to Dismiss
- Declaration of HR Manager III

M/S/P to grant the mutual request for continuance.

NEW -UFC 012-22 Service Employees International Union Local 721 (SEIU)
vs. Department of Children and Family Services (DCFS)
(Bad Faith Bargaining)

M/S/P to grant the County's request for continuance.

NEW -UFC 018-22 Service Employees International Union Local 721 (SEIU)
vs. Department of Children and Family Services (DCFS)
(Interference)

M/S/P to grant the County's request for continuance.

NEW -UFC 019-22 Service Employees International Union Local 721 (SEIU)
vs. Los Angeles County Sheriff's Department (LASD)
(Workplace Access)

M/S/P to grant the County's request for continuance.

NEW -UFC 025-22 Service Employees International Union Local 721 (SEIU)
vs. Department of Public Social Services (DPSS)
(Bad Faith Bargaining)

M/S/P to grant the Union's request for continuance.

NEW -UFC 022-22 Service Employees International Union Local 721 (SEIU)
vs. Chief Executive Office (CEO)
(Bad Faith Bargaining)

M/S/P to grant the County's request for continuance.

NEW -UFC 013-22 Service Employees International Union Local 721 (SEIU) vs. Department of Health Services (DHS), Department of Mental Health (DMH), & Department of Public Health (DPH) (Bad Faith Bargaining)

M/S/P to grant the County's request for continuance.

NEW -UFC 014-22 Service Employees International Union Local 721 (SEIU) vs. Department of Health Services (DHS) (Interference with Union Activity - Photos)

M/S/P to grant the Union's request for continuance.

NEW -UFC 015-22 Service Employees International Union Local 721 (SEIU) vs. Department of Health Services (DHS) (Interference with Union Activity - Surveillance)

M/S/P to grant the Union's request for continuance.

NEW -UFC 020-22 Service Employees International Union Local 721 (SEIU) vs. Department of Health Services (DHS) (Interference)

M/S/P to grant the County's request for continuance.

b. Los Angeles County Public Defenders Union (LAPDU)

AMENDED -UFC 002-22 Los Angeles County Public Defenders Union (LAPDU) vs. Los Angeles County Public Defender's Office (PD) (Unilateral Workload Change) (Cont'd from February 28, 2022)

- County's Motion to Dismiss
- County's Response to Amended UFC

M/S/P to move this Unfair Practice Charge to hearing in part. The Commission moved to dismiss the bad faith bargaining allegation and moved the charge of a unilateral change in working conditions allegation to hearing.

-UFC 003-22 Los Angeles County Public Defenders Union (LAPDU) vs. Los Angeles County Public Defender's Office (PD) (Workplace Posters) (Cont'd from February 28, 2022)

M/S/P to grant a mutual request for continuance.

c. Association of Deputy District Attorneys (**ADDA**)

-UFC 016-22 Association of Deputy District Attorneys (ADDA)
AMENDED vs. Los Angeles County District Attorney's Office (DA)
 (Retaliation & Failure to Bargain)
 (Cont'd from May 23, 2022)

M/S/P to move the Unfair Practice Charge to Hearing.

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

-UFC 011-22 Association for Los Angeles Deputy Sheriffs (ALADS)
 vs. Board of Supervisors (BOS) &
 Chief Executive Office (CEO)
 (Failure to Negotiate - Employee Discipline)
 (Cont'd from April 25, 2022)

- Respondent's Objection and Request to Dismiss
- Charging Party's Response to Respondent's Objection and Request to Dismiss
- Respondent's Response to Charging Party's Response to Respondent's Objection and Request to Dismiss

M/S/P to move this Unfair Practice Charge to hearing in part. The Commission moved to dismiss the charge related to the decision to transfer the authority for disciplinary decisions, related to Covid matters, to the Director of Human Resources, and moved the charge related to the failure to engage in effects bargaining, as a result of that decision, to hearing.

e. American Federation of State, County and Municipal Employees (**AFSCME**)

NEW -UFC 021-22 American Federation of State, County and Municipal
 Employees Local 119 (AFSCME)
 vs. Department of Health Services (DHS)
 (Request for Information)

M/S/P to move the Unfair Practice Charge to Hearing.

f. International Association of Fire Fighters (**IAFF**)

NEW -UFC 024-22 International Association of Fire Fighters Local 1014
 (IAFF) vs. Fire Department (FD)
 (Unilateral Change)

M/S/P to grant the County's request for continuance.

6. Consideration of Request for **Withdrawal of Unfair Practice Charge:**

a. Service Employees International Union (**SEIU**)

-UFC 017-22 Service Employees International Union Local 1957(SEIU)
Committee of Interns and Residents (CIR)
vs. Department of Health Services (DHS)
(Bad Faith Bargaining)

M/S/P to approve the request to withdraw UFC 017-22.

7. Consideration of Hearing Officer Patti Paniccia's Hearing Officer Report in the matter of UFC 011-21, Los Angeles County Professional Peace Officers Association (PPOA) vs. Los Angeles County Board of Supervisors.

Consideration of Charging Party's Exceptions to the Hearing Officer's Report in the matter of UFC 011-21, Los Angeles County Professional Peace Officers Association (PPOA) vs. Los Angeles County Board of Supervisors.

Consideration of Respondent's Opposition to Charging Party's Exceptions to the Hearing Officer's Report in the matter of UFC 011-21, Los Angeles County Professional Peace Officers Association (PPOA) vs. Los Angeles County Board of Supervisors.

M/S/P to remand this matter back to Hearing Officer Paniccia to reconsider the analysis in light of the burden shifting set forth in *Teamsters Local 856 v. County of Merced*, PERB 2740 M, and other analyses discussed in that case, and complete a supplemental report related to that analysis.

8. Consideration of request for **Withdrawal for Request for Accretion:**

a. Los Angeles County Lifeguard Association (**LACOLA**)

-AC 005-22 Request for Accretion
Item Number: 2932 Section Chief, Lifeguard Services,
Fire
Unit Affected: 642
(Cont'd from February 28, 2022)

M/S/P to approve the request for withdrawal of the Request for Accretion.

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

a. CEO Request to Delete Class

- AC 008-22 Bargaining Unit 432
Union – SEIU Local 721
Item Number - 7615

Senior Sewing Worker

M/S/P to approve the request to delete the Senior Sewing Worker classification.

b. CEO Request for Title Change

- AC 009-22

Bargaining Unit 432

Union – SEIU Local 721

Item Number - 7617

Head Sewing Worker to Sewing Worker Supervisor

M/S/P to approve the request for title change from Head Sewing Worker to Sewing Worker Supervisor.

10. Consideration for approval of the Petition for Certification of the Los Angeles County Child Support Attorneys Association (LACCSAA) as a Certified Organization with Los Angeles County.

M/S/P to approve the Petition for Certification of the Los Angeles County Child Support Attorneys Association (LACCSAA) as a Certified Organization with Los Angeles County.

11. Consideration for approval of the Petition for Decertification of AFSCME District Council 36 as the Certified Majority Representative for the Los Angeles County Child Support Attorneys (LACCSA), Bargaining Unit 802, filed by the Los Angeles County Child Support Attorneys Association.

M/S/P to acknowledge the Petition for Decertification, filed by the Los Angeles County Child Support Attorneys, of AFSCME District Council 36 as the Majority Representative for the Los Angeles County Child Support Attorneys (LACCSA), Bargaining Unit 802, met or surpassed the threshold of 30% delineated in the ERCOM Rules (5.04). The Commission ordered an election to determine the will of Los Angeles County Child Support Services Attorneys as it pertains to their preference for Certified Majority Representative. No representative from AFSCME District Council 36 was present at the meeting.

12. Consideration of Continuation of Teleconferencing for Employee Relations Commission Meetings pursuant to AB 361. Per AB 361:

“To ensure the safety of members of the public and employees, while guaranteeing the public’s right to attend and participate in meetings of ERCOM, and in alignment with our Health Officer’s recommendations to reduce crowding indoors and to support physical distancing, effective immediately, ERCOM will continue to meet via teleconferencing, in compliance with AB 361 while we are under a State of Emergency and while State or local officials continue to recommend measures to promote social distancing. ERCOM will reconsider the circumstances of the State of Emergency to determine whether teleconferencing should continue within 30 days

after today's meeting under AB 361.”

M/S/P motion to meet via teleconference for August 22, 2022 ERCOM Meeting pursuant to AB 361.

13. Commissioner's Special Items.

NONE

The next Employee Relations Commission Meeting will be held via Zoom on August 22, 2022 at 1:00 P.M.

The meeting was adjourned at 3:16 P.M.

Jeri Weinstein

JERI WEINSTEIN
Executive Director