

LOS ANGELES COUNTY
EMPLOYEE RELATIONS COMMISSION

In the Matter of)	
)	
AMERICAN FEDERATION OF STATE, COUNTY)	FILE NO. UFC 1.14
AND MUNICIPAL EMPLOYEES, LOCAL 119)	
)	
Charging Party))	
)	DECISION
and)	
)	AND
LOS ANGELES COUNTY ENGINEER'S)	
DEPARTMENT)	ORDER
)	
Respondent)	
)	
)	

It having been charged by American Federation of State, County and Municipal Employees, Local 119 (AFSCME) that the Los Angeles County Engineer's Department (Respondent) violated Section 12(a)(1) of the Employee Relations Ordinance (Ordinance) by engaging in unfair employee relations practices in five (5) instances, the Employee Relations Commission (Commission), following its investigation, appointed Mr. William Levin as Hearing Officer.

Pursuant to the Commission's Rules, the Hearing Officer submitted his report and recommendations to the parties and to the Commission. No exceptions having been filed, the

Commission adopts the Hearing Officer's findings and issues the following Decision and Order concerning each of the five cases:

1. Charge as to Warren Oliney's Written Reprimand.

The Respondent did not violate Section 12(a)(1) of the Ordinance and it is hereby

ORDERED that the charge as to Warren Oliney's written reprimand be, and the same hereby is, dismissed.

2. Charge as to Paul McKinney's Low Appraisal of Promotability.

The Respondent did not violate Section 12(a)(1) of the Ordinance and it is hereby

ORDERED that the charge as to Paul McKinney's low appraisal of promotability be, and the same hereby is, dismissed.

3. Charge as to James Wilkiel's Low Appraisal of Promotability.

The Respondent did violate Section 12(a)(1) of the Ordinance in its appraisal of promotability of James Wilkiel in October, 1970 and did give him a lower rating because of his union activity, and it is hereby

ORDERED that Respondent reevaluate James Wilkiel

for the Electro-Mechanic job no later than April 23, 1971, to be accompanied by a written statement setting forth in detail its basis for reevaluation on each of the five items rated in the appraisal of promotability. Evidence must be furnished to the Commission that there has been compliance with this Order.

4 and 5. Charges as to Sidney Mouton's Demotion and Freddie Blacknell's Demotion.

There was insufficient evidence of good cause for the late filing of these two charges and it is hereby

ORDERED that the charges as to the demotions of Sidney Mouton and Freddie Blacknell be, and the same hereby are, dismissed.

Dated this 16th day of April, 1971

Melvin Lennard
Commissioner Melvin Lennard, Chairman

Ben Nathanson
Commissioner Ben Nathanson

Reginald H. Alleyne, Jr.
Commissioner Reginald H. Alleyne, Jr.

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

Martha E. Schultz states: I am and at all times herein mentioned have been a citizen of the United States and a resident of the County of Los Angeles, over the age of eighteen years and not a party to nor interested in the within matter; that my business address is 374 Hall of Administration, Los Angeles, California;

That on the 10th day of May, 1971 I served the attached ORDER SUPPLEMENTING DECISION AND ORDER OF APRIL 16, 1971 upon the Charging Party by depositing a copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California, addressed as follows:

Herbert March, Esq.
American Federation of State, County and
Municipal Employees, Local 119
1106 W. Olympic Blvd.
Los Angeles, California 90015

and that the person on whom said service was made has his office at a place where there is a delivery service by United States mail, and that there is a regular communication by mail between the place of mailing and the place so addressed.

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

Dated: May 10, 1971.



Martha E. Schultz states:

I served a true copy of the within ORDER SUPPLEMENT -
ING DECISION AND ORDER OF APRIL 16, 1971

upon Lawrence L. Hoffman
 Deputy County Counsel
 Attorney for Respondent

Gordon T. Nesvig
Director of Personnel

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

Dated: May 10, 1971.

Martha E. Schultz