

LOS ANGELES COUNTY  
EMPLOYEE RELATIONS COMMISSION

In the Matter of

AMERICAN FEDERATION OF STATE,  
COUNTY AND MUNICIPAL EMPLOYEES  
(AFSCME), LOCAL 685, AFL-CIO

Charging Party

v.

COUNTY OF LOS ANGELES, PROBATION  
DEPARTMENT

Respondent

UFC 1.65

DECISION AND ORDER

The charge in this case was filed by the American Federation of State, County and Municipal Employees (AFSCME), Local 685, AFL-CIO (Union) against the County of Los Angeles Probation Department (County or Respondent) alleging that the Respondent violated Section 12(a)(1) of the Los Angeles County Employee Relations Ordinance (Ordinance) by threatening the Union's President in retaliation for his representation of an employee at an investigatory meeting.

The matter was duly referred to Hearing Officer Kenneth Cloke, who held a hearing on April 12, 1983. Both parties were present and were afforded full opportunity to

offer argument and evidence and to examine and cross-examine witnesses. Post-hearing briefs were filed. Hearing Officer Cloke submitted his Report on July 25, 1983. A brief supporting Exceptions to the Hearing Officer's Report was filed, as well as a brief in opposition to these Exceptions.

The Commission adopts the findings and recommendations of the Hearing Officer as set forth in his Report, but for his construing Supervising Deputy Probation Officer Aros Mouton's remarks as threats to do physical violence. We find, instead, that these remarks were of the nature of threats to impose disciplinary or discharge action.

In brief, Hearing Officer Cloke concluded that the Union President in the course of his official duties was threatened by Supervisor Mouton and that this threat constituted conduct proscribed by Section 12(a)(1) of the Ordinance. The Commission therefore finds that the following remedy is appropriate.

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O R D E R

IT IS HEREBY ORDERED that the charge filed by the Union on January 26, 1983 be sustained and that the County be directed to (1) cease and desist from threatening employees in the exercise of their Ordinance rights, and (2) inform the employees present at the meeting which gave rise to the instant dispute that such threats are proscribed by the Ordinance and the County will not tolerate these threats on the part of its supervisorial staff.

DATED at Los Angeles, California, this 30th day of August, 1983.

*Lloyd H. Bailer*

LLOYD H. BAILER, Chairman

  
JOSEPH F. GENPILE, Commissioner



## LOS ANGELES COUNTY EMPLOYEE RELATIONS COMMISSION

374 Hall of Administration, 500 W. Temple Street, Los Angeles, California 90012

(213) 974-2417

### MINUTES OF SPECIAL MEETING

August 30, 1983

Lloyd H. Bailer, Chairman

Joseph F. Gentile

~~Fredric N. Richman~~

Walter F. Daugherty

Executive Officer

A special meeting of the Employee Relations Commission was held commencing at 8:30 Tuesday morning.

Present: Lloyd H. Bailer, Chairman  
Joseph F. Gentile

The Commission reviewed the record and issued its decision in the matter of UFC 1.65 (American Federation of State, County and Municipal Employees (AFSCME), Local 685 v. Probation Department, County of Los Angeles).

The meeting was adjourned at the close of business.

  
WALTER F. DAUGHERTY  
Executive Officer



## LOS ANGELES COUNTY EMPLOYEE RELATIONS COMMISSION

374 Hall of Administration, 500 W. Temple Street, Los Angeles, California 90012

(213) 974-2417

### MINUTES OF SPECIAL MEETING

August 26, 1983

Lloyd H. Bailer, Chairman

Joseph F. Gentile

~~Franklin N. Richards~~

Walter F. Daugherty

Executive Officer


A special meeting of the Employee Relations Commission was held commencing at 8:00 Friday morning.

Present: Lloyd H. Bailer, Chairman  
Joseph F. Gentile

The Commission reviewed the record in the matter of UFC 1.65 (American Federation of State, County and Municipal Employees (AFSCME), Local 685 v. Probation Department, County of Los Angeles) preparatory to drafting its decision.

The Commission reviewed the objections and issued its decision in the matter of DEC-19 involving the unit of Child Welfare Workers.

The meeting was adjourned at the close of business.

  
WALTER F. DAUGHERTY  
Executive Officer