

LOS ANGELES COUNTY
EMPLOYEE RELATIONS COMMISSION

In the Matter of)	
SOCIAL SERVICES UNION, LOCAL 535, SEIU, AFL-CIO)	
)	
Charging Party)	
)	
v.)	UFC 10.14
)	
FELTON PIDGEON, DIRECTOR, FOOD SERVICES, MARTIN LUTHER KING, JR. HOSPITAL)	
)	
Respondent)	
)	

DECISION AND ORDER

The charge in this case was that the Director of Food Services at Martin Luther King, Jr. Hospital committed an unfair employee relations practice by discriminating against Community Workers Ella Nelson and Eleanor Brice for their union activity -- issuing each of them on December 4, 1978 a lettergram concerning their need to improve their attendance, and transferring them on February 1, 1979 from extremely interesting work to relatively menial jobs.

The matter was duly referred to Hearing Officer Spencer D. Pollard, who held hearings on March 20 and May 8, 1979. Both parties were afforded full opportunity to offer argument and evidence, and to examine and cross-examine witnesses. The hearings were closed by post hearing briefs. The report of the Hearing Officer was submitted to the Commission on November 27, 1979. No exceptions were filed.

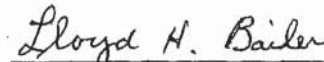
The Commission adopts the findings and recommendations of Hearing Officer Pollard. He concluded that there was "insufficient evidence to indicate unlawful discrimination against these employees for union activity." (Report, p.3) He found that there was no union activity at all in evidence concerning Ms. Nelson, and Ms. Brice attended only one "meet and consult" meeting with management representatives after being selected by the Director of Food Services to do so. "It stretches credibility to believe that the Director would embark on a campaign against Ms. Brice for attending a meeting which he directed her to attend." (*Ibid*, p.4)

Hearing Officer Pollard found that the complainants were transferred in accordance with a program of "regionalization" of Community Workers at the order of higher authority. Concerning the lettergrams, the Hearing Officer rejected the County's contention that these were not disciplinary in nature but he did not find that these "grams" were issued to the complaining employees for union activity.

ORDER

The charge in Case No. UFC 10.14 is hereby dismissed.

Dated at Los Angeles, California, this 25th day of
January, 1980.



Lloyd H. Bailer, Chairman



Joseph P. Gentile, Commissioner



William Levin, Commissioner

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