

LOS ANGELES COUNTY
EMPLOYEE RELATIONS COMMISSION

In the Matter of

LOS ANGELES COUNTY BLACK EMPLOYEES
ASSOCIATION (GLORIA J. FLUKER AND
VIVIAN L. CURTIS, CHILD SUPPORT
INVESTIGATORS)

Charging Party

vs.

RICHARD R. BUPP, CHIEF, REGIONAL
SERVICES DIVISION, DISTRICT
ATTORNEY'S OFFICE, LOS ANGELES
COUNTY

Respondent

UFC 21.1

DECISION AND ORDER

The Commission appointed Seymour Swerdlow as Hearing Officer in the above-identified matter. A hearing was held on Monday, August 6, 1979. Full opportunity was afforded the parties to present argument and evidence, and to examine and cross-examine witnesses. Both parties filed post-hearing briefs.

The Hearing Officer's Report was issued on March 3, 1980. No exceptions were filed to this Report.

The Charge in this matter was filed on May 23, 1979. It alleged that the Respondent, Richard R. Bupp, Chief,

Regional Services Division, District Attorney's Office, violated Section 12(a)(1) of the Employee Relations Ordinance ("Ordinance") by: (a) coercing certain employees "simply because they exercised their right of grievance against the Pomona District of the District Attorney's office"; (b) transferring certain employees "without just cause or just explanation"; (c) discriminating against such employees "simply because they were represented by the Los Angeles County Black Employees Association ('Association')" and choose to remedy their problems through the Association; and (d) harassing employees who used the grievance process.

The employees to whom the Charge applied were Child Support Investigators Gloria J. Fluker and Vivian L. Curtis. Linda Glass was also one of the named parties in the Charge; however, at the commencement of the hearing, the Association's representative requested that her name be removed from the Charge as she had withdrawn from the action. The Hearing Officer granted this request.

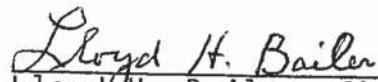
After a careful review of the Hearing Officer's Report and the transcript of proceedings in this matter, the Commission adopts the findings and conclusions of Hearing Officer Swerdlow. The Hearing Officer concluded that the Respondent did not violate the Ordinance as alleged in the Charge and recommended that the Charge be dismissed.

The Commission adopts the recommendation of the Hearing Officer as set forth in his Report, for the reasons stated therein.

O R D E R

Charge UFC 21.1 is hereby dismissed.

Dated at Los Angeles, California, this 15th day of May, 1980.



Lloyd H. Bailer, Chairman



Joseph A. Gentile, Commissioner