

LOS ANGELES COUNTY  
EMPLOYEE RELATIONS COMMISSION

In the Matter of	)	
	)	
LOS ANGELES COUNTY FIRE	)	
FIGHTERS, LOCAL 1014	)	
	)	
Charging Party	)	
	)	
v.	)	UFC 5.16
	)	
LOS ANGELES COUNTY FIRE	)	
DEPARTMENT	)	
	)	
Respondent	)	

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DECISION AND ORDER

The charge in this case was filed by the Los Angeles County Fire Fighters, Local 1014 (hereafter "Union") against the Los Angeles County Fire Department (hereafter "County") alleging a violation of Section 12(a)(1) of the Employee Relations Ordinance (hereafter "Ordinance") with respect to the representation of Union members at a Civil Service Commission hearing.

The matter was duly referred to Hearing Officer Karen G. Andres, who held a hearing on June 17, 1992. The parties appeared and were afforded full opportunity to offer argument, present relevant evidence, and examine and cross-examine witnesses. Oral arguments were made at the conclusion of the hearing. The Hearing Officer submitted her Report to the Commission on July 13, 1992. No Exceptions were filed.

The facts are relatively uncontroverted. In brief, Captain Xavier Campos had represented Fire Fighters Charles Galvan and Arthur Lopez at the preliminary stages of their respective appeals concerning a promotional examination. Although the Union provided representation at the December 16, 1991 Civil Service hearing on their appeals, Campos was expected to act as a technical advisor to the Union regarding the examination. Some five days prior to the hearing, Campos was ordered to meet with outside counsel regarding his deposition in a lawsuit pending against the County. The timing of this meeting conflicted with the Galvan/Lopez Civil Service hearing. Captain Campos appeared at the morning portion of the hearing and left after the lunch recess to attend the meeting regarding his deposition.

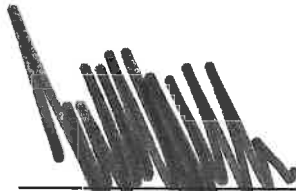
The Hearing Officer found, and we agree, that the County's conduct at issue did not violate Campos' rights to serve and act as a representative for Galvan and Lopez nor did such interfere with the representation rights of those two employees at their Civil Service Commission hearing. The Hearing Officer found in such regard that the County was unaware Campos was to provide assistance at the Civil Service hearing when it scheduled the pre-deposition meeting and that there was no indication of any intent to prevent Campos from attending the hearing.

Having carefully reviewed the Hearing Officer's Report, the Commission adopts the findings, conclusions, and recommendations as set forth in the Report for the reasons stated therein.


O R D E R

IT IS HEREBY ORDERED that charge UFC 5.16 is dismissed.

DATED at Los Angeles, California, this 28th day of August, 1992.



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JOSEPH F. GENTILE, Chairman

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PAUL K. DOYLE, Commissioner

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ROBERT D. STEINBERG, Commissioner