

LOS ANGELES COUNTY
EMPLOYEE RELATIONS COMMISSION

In the Matter of)	
)	
LOS ANGELES COUNTY EMPLOYEES)	
ASSOCIATION (LACEA), LOCAL 660,)	
SEIU)	
)	
Charging Party)	
)	
v.)	UFC 6.108
)	
COUNTY OF LOS ANGELES, DEPARTMENT)	
OF HEALTH SERVICES)	
)	
Respondent)	
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DECISION AND ORDER

The charge in this case was filed by the Los Angeles County Employees Association (LACEA), Local 660, SEIU (Union or Charging Party) against the Los Angeles County Department of Health Services (County or Respondent) alleging that the County violated Sections 12(a)(1) and 12(a)(3) of the Los Angeles County Employee Relations Ordinance (Ordinance) when it assigned Virginia Johnson, a Supervising Patient Financial Services Worker, to the evening shift at Olive View Medical Center. The Union contends the parties had negotiated a policy which specified the manner in which shift assignments were to be made and that the County breached this agreement in reassigning Johnson.

The matter was duly referred to Hearing Officer Michael D. Rappaport, who held a hearing on April 14, 1983. The parties appeared and were afforded full opportunity to offer argument and evidence and to examine and cross-examine witnesses. Post-hearing briefs were filed. Hearing Officer Rappaport submitted his Report, dated September 15, 1983. No Exceptions were filed to this Report.

In brief, the Hearing Officer rejected the Union's contention that negotiations had taken place between the Charging Party and the Respondent on the shift assignment policy and concluded, instead, that the meetings were merely consultation sessions. He therefore concluded that the County ". . . did not enter into any agreement which could be enforced through a bad faith bargaining unfair labor practice charge." (HO Report, p. 8.)

Ancillary to these conclusions, Hearing Officer Rappaport found that even if the shift assignment policy in question constituted an enforceable bargaining agreement, the County did not violate this policy by its assignment of Supervising Patient Financial Services Worker Johnson to the evening shift.

For the foregoing reasons, the Hearing Officer concluded that the County did not violate Sections 12(a)(1) and 12(a)(3) of the Ordinance and recommended that the charge be dismissed.

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

O R D E R

IT IS HEREBY ORDERED that the charge be dismissed.

DATED at Los Angeles, California, this 24th day of October, 1983.



LLOYD H. BAILER, Chairman



JOSEPH P. GENTILE, Commissioner



LOS ANGELES COUNTY EMPLOYEE RELATIONS COMMISSION

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Lloyd H. Bailer, Chairman
Joseph F. Gentile
Fredric N. Richman

Walter F. Daugherty
Executive Officer

MINUTES OF SPECIAL MEETING

October 17, 1983

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

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

The Commission reviewed the entire record in the matters of:

- UFC 6.108 (LACEA, Local 660, SEIU v. Department of Health Services)
- UFC 24.2 (Federation of Public Sector Workers, Professional Social Service Supervisors v. Department of Public Social Services)

The Commission also reviewed the agenda for its regular business meeting of October 24, 1983.

The meeting was adjourned at the close of business.


WALTER F. DAUGHERTY
Executive Officer