

LOS ANGELES COUNTY
EMPLOYEE RELATIONS COMMISSION

In the Matter of

LOS ANGELES COUNTY EMPLOYEES
ASSOCIATION (LACEA), LOCAL 660,
SEIU; SOCIAL SERVICES UNION (SSU),
LOCAL 535, SEIU, and LOS ANGELES
COUNTY EMPLOYEES UNION (LACEU),
LOCAL 434, SEIU

Charging Parties

v.

COUNTY OF LOS ANGELES

Respondent

UFC 6.93 AMENDED

DECISION AND ORDER

The charge in this case was filed by LACEA, Local 660, SEIU; SSU, Local 535, SEIU, and LACEU, Local 434, SEIU (Unions or Charging Parties) against the County of Los Angeles (County or Respondent) alleging violations of Sections 12(a)(1) and 12(a)(3) of the Employee Relations Ordinance (Ordinance).^{1/}

^{1/}By letter dated September 9, 1981, the Charging Parties amended the charge to allege violations of Sections 12(a)(1) and 12(a)(3) of the Ordinance, rather than Sections 12(a)(1) and 12(a)(2) as alleged in their initial filing.

The Charging Parties contend that the Respondent violated these provisions by refusing to negotiate in good faith concerning the impact of layoffs and reductions implemented in a number of County departments and by failing to supply sufficient information to enable the Charging Parties to submit alternative proposals to these layoffs and reductions.

The matter was duly referred to Hearing Officer R. Wayne Estes, who held hearings on October 19 and November 21, 1981. 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. The Hearing Officer submitted his Report, dated June 2, 1982. The Charging Parties filed Exceptions to the Report on July 14, 1982. The Respondent did not file a statement in opposition to these Exceptions.

Hearing Officer Estes concluded that ". . . the action of the County-Respondent in question did not violate the Sections 12 (a) (1) (2) or (3) of the Employee Relations Ordinance" (HO Report, p. 6.) He therefore recommended that the charge be dismissed. In reaching these conclusions, the Hearing Officer determined that the findings of the Superior Court in the matter of LACEA, etc., et al. v. Los Angeles County, etc., et al., No. C379-497 ". . . are

highly persuasive in view of the definition of the County's duties to negotiate in good faith under the ERO (Section 3(o)) and the definition under the State Law (Government Code Sections 3504, 3405 and 3505.1)." (HO Report, p. 5.) In that case, the Court concluded that [r]espondents [County of Los Angeles] fulfilled their duty to negotiate with each petitioner [SEIU Unions] on the layoffs in question and to provide information for such negotiation." (LACEA v. Los Angeles County, p. 4.) The Hearing Officer's conclusions, however, were not predicated solely on these findings of the Superior Court. Hearing Officer Estes further determined that ". . . the County has met its duty to negotiate, if any, under the County-Union Memoranda of Understanding, specifically Articles 32, 34, 36 and Article 21 of the Fringe Benefit MOU (Joint Exhibit No. 1)." (HO Report, pp. 4-5.)

Having carefully reviewed Hearing Officer Estes' Report, the underlying record, and the Exceptions to the Report, the Commission adopts his findings and recommendation as set forth in his Report.

/

/

/

/

/

O R D E R

IT IS HEREBY ORDERED that the charge as filed by LACEA, Local 660, SEIU; SSU, Local 535, SEIU, and LACEU, Local 434, SEIU on September 3, 1981, and amended on September 9, 1981, be dismissed.

DATED at Los Angeles, California, this 20th day of August, 1982.



LLOYD H. BAILER, Chairman



JOSEPH R. GENTILE, Commissioner



FREDRIC N. RICHMAN, Commissioner