

LOS ANGELES COUNTY
EMPLOYEE RELATIONS COMMISSION

In the Matter of

FRANK ARBURTHA, RUBIN BAXLEY,
RICHARD CASTILLO, LEON JOHNSON,
RICHARD LINDERHOLM, ROBERT E.
SCHLIEBS, AND ROBERT ULLOA,

Charging Parties

v.

RONALD W. COLEMAN, DIRECTOR,
AND ARTHUR BOGDANOFF, PRESIDENT,
AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
LOCAL 119, AFL-CIO,

Respondents

UFC 70.16

DECISION AND ORDER

This case concerns an allegation by the Charging Parties that Respondents engaged in an unfair employee relations practice as defined in the Employee Relations Ordinance of the County of Los Angeles (the Ordinance) by discriminating against the Charging Parties during negotiation of a Memorandum of Understanding by not giving the Power Equipment Painter classification the same consideration for pay increases as comparable

classifications. As a result of this alleged action, the Charging Parties claimed that Respondents violated Sections 3(o) and 4 of the Ordinance.

The Commission referred this matter to Hearing Officer Edgar Allan Jones, III. A hearing was held on Wednesday, November 28, 1979. All parties were present and were afforded full opportunity to offer argument and evidence, and examine and cross-examine witnesses. Closing briefs were filed. The Commission received Hearing Officer Jones' Report on April 10, 1980. No exceptions to this Report were filed.

After a careful review of the Hearing Officer's Report and the underlying record, the Commission adopts the findings and conclusions of Hearing Officer Jones. Respondents questioned the propriety of the Commission's entertainment of the Charging Parties' allegations but the Hearing Officer found that the Commission has jurisdiction over this matter. The Hearing Officer rejected Respondents' contention that the Charging Parties should have resorted to internal union remedies rather than resort to the unfair employee relations machinery of the Ordinance. On the merits, the Hearing Officer found that the record did not establish that

Respondents acted in bad faith in this matter. He therefore recommended that the charged 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 70.16 is hereby dismissed.

Dated at Los Angeles, California, this 23rd day of May, 1980.



Lloyd H. Bailer, Chairman



Joseph P. White, Commissioner