

CITY OF LOS ANGELES EMPLOYEE RELATIONS BOARD 200 NORTH MAIN STREET, SUITE 1100 LOS ANGELES, CALIFORNIA 90012 (213) 473-9700		UNFAIR EMPLOYEE RELATIONS PRACTICE CLAIM AGAINST MANAGEMENT	
1. <i>Who May File a Claim:</i> In accordance with §4.860 C of the Los Angeles City Employee Relations Ordinance, a claim of unfair employee relations practice may be filed against management by an employee representative, an individual employee or a group of employees, or by a management representative. 2. <i>How to File:</i> Within 90 days after the occurrence of the alleged unfair employee relations practice, file a typewritten original and eight copies of the claim with the Employee Relations Board and simultaneously serve one copy of the claim directly on the party or parties against whom the claim is directed. Use additional sheets if necessary. You may file the claim in person or by mail; you may not file a claim by fax. Refer to Employee Relations Board Rule 8 for additional requirements and procedures.			
3. Name of Claimant: Los Angeles City Attorneys Association (LACAA)		4. Claimant's Address: LACAA—c/o SEIU Local 721 309 S. Raymond Avenue Pasadena, CA 91105	
5. Claimant's Telephone Number: (626) 463-0470			
6. Claimant's Representative (e.g., attorney): Robert F. Hunt		7. Claimant's Representative's Address: Robert F. Hunt, General Counsel SEIU Local 721 309 S. Raymond Avenue Pasadena, CA 91105	
8. Claimant's Representative's Telephone Number: (626) 463-0470			
9. Name of Employer Charged: Office of the City Attorney		10. Employer's Address: William W. Carter, Executive Assistant City Attorney Office of the City Attorney City Hall East—8 th Floor 200 N. Main Street Los Angeles, CA 90012	
11. Employer's Telephone Number: (213) 978-8351			
12. Management has violated and/or is violating the following sections of the Los Angeles City Employee Relations Ordinance (check all boxes that apply): §4.860 A, 1 <input checked="" type="checkbox"/> , 2 <input type="checkbox"/> , 3 <input checked="" type="checkbox"/> , 4 <input type="checkbox"/> , and/or 5 <input type="checkbox"/> .			
13. Basis of this claim (be specific about facts, names, dates, and places; use additional sheets if needed): See attached.			
14. Other attempts to remedy this alleged violation, and the results of those attempts.			
15. I declare that I have read this charge and that the statements herein are true and factual to the best of my knowledge and belief.		DO NOT WRITE IN THIS BLOCK CLAIM NUMBER:	
By: <u>Robert F. Hunt</u> (Claimant)		<u>General Counsel</u> (Title)	
<u>[Signature]</u> (Signature)		<u>1/7/10</u> (Date)	
NOTE: If this claim is filed by more than one party, the signatures of the additional parties must be provided on an attached sheet.		DATE FILED:	

UERP Claim
LACAA and the Office of the City Attorney

Basis of Claim

The Los Angeles City Attorneys Association (LACAA) represents attorneys in the Office of the City Attorney. On or about October 26, 2009, the Office announced that its first Volunteer Attorney Program had completed a training class and would begin providing legal services, including trial work, on behalf of the City. The volunteers began providing legal services and continue to do so.

In a letter dated November 6, LACAA requested to meet and confer over the implementation of this program and the practical consequences of the new program. On November 13, the Office sent a letter acknowledging receipt of the LACAA request and indicated they would review the issue. As of this date, the Office has not agreed to meet and confer on either the implementation of the program or the practical consequences.

The volunteer attorney program at issue constitutes a transfer of bargaining unit work in that the volunteers are performing precisely the same type of legal historically performed by the LACAA represented Attorneys. Additionally, the Office is utilizing this "free" labor while the represented Attorneys are mandated to reduce their work hours by 3.75 hours per pay period. The decision to supplant represented Attorneys by "free" labor has a direct impact on the wages, hours and significant employment conditions of the members.

The Office's Volunteer program also has practical consequences on the significant working conditions of the LACAA represented Attorneys. Certain represented Attorneys have been assigned supervisory oversight responsibilities over the volunteers. There are also instances where the Office has not filled vacant Attorney positions reportedly due to the presence of the volunteers.

The Office's refusal to meet and confer constitutes interference with the Attorneys' right to representation on matters within the scope of representation. The Office's conduct also violates its duty to meet and confer in good faith on matters within the scope of representation. Consequently, the Office has violated Sections 4.860(a)(1) and 4.860(a)(3) of the Employee Relations Ordinance.

LACAA respectfully requests that the Employee Relations Board find that the City has violated the ERO and issue an appropriate remedy.

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 309 S. Raymond Avenue, Pasadena, CA 91105

On January 7, 2010 I served the foregoing document described as the **Unfair Employee Relations Practice Charge** on interested parties in this action.

by telecopying said document to _____ at
facsimile number _____

by placing the original a true copy
thereof enclosed in sealed envelope(s) addressed as
follows:

William W. Carter, Executive Assistant City Attorney
Office of the City Attorney
City Hall East, 8th Floor
200 N. Main Street
Los Angeles, CA 90012

(BY MAIL)

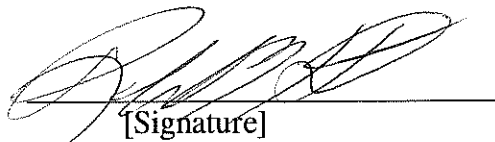
I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

Executed on January 7, 2010 at Pasadena, California.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Robert F. Hunt
[Type or Print Name]


[Signature]