

**CITY OF LOS ANGELES
EMPLOYEE RELATIONS BOARD**
200 NORTH MAIN STREET, SUITE 1100
LOS ANGELES, CALIFORNIA 90012
(213) 485-2066

**UNFAIR
EMPLOYEE RELATIONS
PRACTICE CLAIM AGAINST
MANAGEMENT**

- Who May File a Claim:** 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.
- How to File:** 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:

Engineers and Architects Association

4. Claimant's Address:

350 S. Figueroa Street, Suite 600
Los Angeles, CA 90071-9863

5. Claimant's Telephone Number:

213-620-6920

6. Claimant's Representative (e.g., attorney):

Adam N. Stern, Attorney

7. Claimant's Representative's Address:

Levy Stern and Ford
3660 Wilshire Blvd., Suite 600
Los Angeles, CA 90012

8. Claimant's Representative's Telephone Number:

213-380-3140

9. Name of Employer Charged:

City of Los Angeles, Los Angeles World Airport

10. Employer's Address:

Vincent Campbell, Personnel Director, One World
Way, Los Angeles, CA 90045

11. Employer's Telephone Number:

310-337-4900

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 , 2 , 3 , 4 , and/or 5 .

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.

By: Adam N. Stern

(Claimant)

Attorney

(Title)

(Signature)

September 19, 2008

(Date)

**DO NOT WRITE IN THIS BLOCK
CLAIM NUMBER:**

UERP 1707

DATE FILED:

9-22-08

NOTE: If this claim is filed by more than one party, the signatures of the additional parties must be provided on an attached sheet.

Basis of Charge

Within the ninety days last past, the above-named Employer has violated its obligation to remain neutral when two labor organizations are competing to represent employees. Specifically, on or about September 18, 2008, Los Angeles World Airports employee Daniel Malmuth was working in his office during work time. His supervisor, Senior Management Analyst II, and manager-level employee Sonja Mattingly appeared at his office with SEIU Organizer Grant Lindsey in tow. Ms. Mattingly asked Mr. Malmuth if he would like to talk to the SEIU organizer and Mr. Malmuth responded in the negative. Ms. Malmuth then took Grant Lindsey to the next office where another EAA represented employee was working. Ms. Mattingly and Mr. Lindsey spent some time, again during working hours, talking to the employee in the office next to Mr. Malmuth in an attempt to convince him to support SEIU.

The above-named employer has also unilaterally changed terms and conditions of employment for bargaining unit employees without giving the Union notice or an opportunity to bargain. Specifically, on or about September 10, 2008, Ms. Mattingly informed Mr. Malmuth and other represented employees that the previous long-standing practice of allowing employees to work through breaks, including lunch periods, and leaving earlier in the day than would have otherwise been required would be changed. Ms. Mattingly informed Mr. Malmuth and other employees that the practice of shortening the work day by working through breaks was eliminated effective immediately.

By these and other acts, the above-named Employer has, and continues to, violate the Employee Relations Ordinance.

For a remedy, the Union requests that the Charged Party be ordered to cease and desist in violating its obligation to remain neutral and to refrain from making unilateral changes to terms and conditions of employment. The Charging Party further requests that any and all petitions filed by SEIU seeking to decertify any bargaining unit represented by Engineers and Architects Association be dismissed based upon the Employer's failure to maintain neutrality. Finally, the Union requests that the usual and customary notice be posted advising employees of the violation of the Employee Relations Ordinance and the remedy therefor.