

**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.

<b>3. Name of Claimant:</b> Engineers and Architects Association	<b>4. Claimant's Address:</b> 350 S. Figueroa Street, Suite 600 Los Angeles, CA 90071-9863
<b>5. Claimant's Telephone Number:</b> 213-620-6920	RECEIVED EMPLOYEE RELATIONS BOARD 08 OCT - 6 PM 12:49
<b>6. Claimant's Representative (e.g., attorney):</b> Adam N. Stern, Attorney	
<b>8. Claimant's Representative's Telephone Number:</b> 213-380-3140	<b>7. Claimant's Representative's Address:</b> Levy Stern and Ford 3660 Wilshire Blvd., Suite 600 Los Angeles, CA 90012
<b>9. Name of Employer Charged:</b> City of Los Angeles, Dept. of Public Works, Bureau of Engineering	<b>10. Employer's Address:</b> Public Works Building 1149 S. Broadway, Suite 710 Los Angeles, CA 90015
<b>11. Employer's Telephone Number:</b> 213-485-4943	

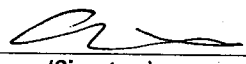
**12. Management has violated and/or is violating the following sections of the Los Angeles City Employee Relations Ordinance (check all boxes that apply):** 54.860 A, 1 , 2 , 3 , 4 , and/or 5 .

**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 \_\_\_\_\_ Attorney  
(Claimant) (Title)

 \_\_\_\_\_ October 2, 2008  
(Signature) (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.**

**DO NOT WRITE IN THIS BLOCK**

CLAIM NUMBER: \_\_\_\_\_

DATE FILED: \_\_\_\_\_

10-6-08

## BASIS OF CHARGE

Within the ninety days last past the above named Employer has violated its duty to remain neutral with respect to the current raid being conducted by SEIU. Specifically, SEIU organizers were provided exclusive access to the third floor conference room at 1828 Sawtelle Blvd., Department of Public Works, Bureau of Engineering. An EAA representative was present in the public lobby of the building speaking with and providing written material to Charging Party's members. An SEIU organizer objected to the presence of the EAA representative in the public lobby and got a Department secretary to order EAA's representative off the property. The EAA representative refused to leave the public area and stated that he would only do so if he was ordered in writing. Approximately fifteen minutes later, a Personnel representative for the Department of Public Works, Mildred Owens and the Charging Party's representatives had a phone conversation where the Charging Party's representative was ordered to leave the public lobby of the building. By providing preferential access to SEIU while denying same to Charging Party's representatives, the above-named Employer has, and continues to violate its obligation to remain neutral.

For a remedy, the Union requests that the Employer be ordered to cease and desist from violating its obligation to remain neutral, to cease and desist from treating Charging Party's representatives in a disparate fashion from SEIU organizers and to post the usual and customary notice advising employees of the violation of the Employee Relations Ordinance and the remedies therefor. The Charging Party also requests that any Petition filed by SEIU seeking to decertify any bargaining unit represented by the Charging Party be dismissed.

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the County of Los Angeles, State of California. I am over the  
4 age of 18 and not a party to the within action; my business address is 3660 Wilshire  
5 Boulevard, Suite 600, Los Angeles, California 90010. I declare that I am employed in the  
6 office of a member of the bar of this Court at whose direction this service was made.

7 On October 2, 2008, I served the following document(s): **Unfair Employee**  
8 **Relations Practice Claim Against Management** on interested parties in this action:

9

via facsimile to:

10

11 by placing the document listed above in a sealed envelope with  
12 postage thereon fully prepaid, in the United States Mail at Los  
Angeles, California addressed as set forth below.

13

14 by personally delivering the document(s) listed above to the  
person(s) at the address(es) set forth below.

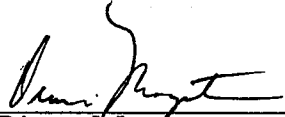
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15 **SEE ATTACHED SERVICE LIST**

16 I am "readily familiar" with the firm's practice of service of process. Under  
17 that practice it would be deposited with U.S. postal service on that same day with  
18 postage thereon fully prepaid at Los Angeles California in the ordinary course of  
19 business.

20 I declare under penalty of perjury that the above is true and correct.

21 Executed on October 2, 2008, at Los Angeles, California.

22   
23 \_\_\_\_\_  
24 Diane Morgenstern

**SERVICE LIST**

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City of Los Angeles  
Dept. Of Public Works  
Bureau of Engineering  
Public Works Building  
1149 S. Broadway, Suite 710  
Los Angeles, CA 90015