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08 DEC -3 PM 4:10  
RECEIVED  
EMPLOYEE RELATIONS BOARD

8 *Attorneys for Respondent City of Los Angeles; et al.*

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11 **CITY OF LOS ANGELES**  
12 **EMPLOYEE RELATIONS BOARD**

13 ENGINEERS AND ARCHITECTS  
14 ASSOCIATION,

UERP NO. 1728

15 Petitioner,

16 vs.

EMPLOYER'S RESPONSE

17 CITY OF LOS ANGELES; DEPARTMENT  
18 OF RECREATION AND PARKS,

19 Respondent.

20 **TO CLAIMANT AND HIS ATTORNEY OF RECORD:**

21 **EMPLOYER, CITY OF LOS ANGELES, DEPARTMENT OF RECREATION AND**  
22 **PARKS, answering CLAIMANT'S UNFAIR EMPLOYEE RELATIONS PRACTICE CLAIM**  
23 **AGAINST MANAGEMENT admits, denies and alleges as follows:**

24 Pursuant to Employee Relations Board ("ERB") Rule 8.01, the parties met together  
25 on or about November 26, 2008 concerning UERP No. 1728. The parties were unable to  
26 resolve the outstanding issues. The City of Los Angeles denies that it has committed any  
27 alleged unfair employee relations practice.

28 ...

...

1 In this Claim, the Engineers and Architects Association ("EAA" or "Claimant") claims  
2 that the Department of Recreation And Parks of the City of Los Angeles violated § 4.860a  
3 (1) of the Employee Relations Ordinance.

4 EAA is claiming that SEIU 721 was given preferential treatment when it was  
5 permitted to address its own members at departmental meetings concerning matters within  
6 the scope of their bargaining obligations. The City admits that on or about October 28, 30,  
7 November 3, 4 and 6, 2008, the Department of Recreation and Parks held mandatory  
8 meetings for its employees at various locations. At the end of the meeting, SEIU was  
9 given approximately 3 minutes to address the employees. The topic under discussion was  
10 the impact of the City's budget crisis on City employees, on SEIU and its members. The  
11 SEIU representative did not discuss the dispute with EAA.

12 No interference with EAA's rights, and no support for SEIU's campaign is shown by  
13 the facts at issue.

14 For all the foregoing reasons, Respondent City submits that it has committed no  
15 Unfair Employee Relations Practice and that this charge should be dismissed with  
16 prejudice.

17  
18 DATED: December 3, 2008

Respectfully submitted,

19  
20 ROCKARD J. DELGADILLO, City Attorney  
21 ZNA PORTLOCK HOUSTON, Senior  
22 Assistant City Attorney  
23 **JANIS LEVART BARQUIST,**  
24 Deputy City Attorney

25 By: 

**JANIS LEVART BARQUIST**  
Deputy City Attorney

26  
27 Attorneys for Respondent City of Los  
28 Angeles; et al.

**PROOF OF SERVICE  
(VIA VARIOUS METHODS)**

I, the undersigned, say: I am over the age of 18 years and not a party to the within action or proceeding. My business address is 800 City Hall East, 200 North Main Street, Los Angeles, California 90012.

On **December 3, 2008**, I served the foregoing document(s) described as

**EMPLOYER'S RESPONSE**

on all interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

**Adam N. Stern, Attorney  
LEVY STERN AND FORD  
3660 Wilshire Blvd., Suite 600  
Los Angeles, CA 90012**

**BY MAIL** - ( ) I deposited such envelope in the mail at Los Angeles, California, with first class postage thereon fully prepaid, or  I am readily familiar with the business practice for collection and processing of correspondence for mailing. Under that practice, it is deposited with the United States Postal Service on that same day, 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 postage cancellation date or postage meter date is more than one (1) day after the date of deposit for mailing in affidavit; and/or

**BY PERSONAL SERVICE** - ( ) I delivered by hand, ( ) I caused to be delivered via messenger service, or ( ) I caused to be delivered via Document Services, such envelope to the offices of the addressee with delivery time prior to 5:00 p.m. on the date specified above.

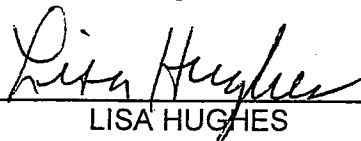
**BY FACSIMILE TRANSMISSION** - I caused the document to be transmitted to the offices of the addressee via facsimile machine at telephone number \_\_\_\_\_ on the date specified above at \_\_\_\_-a.m/p.m. The document was sent by fax from telephone number (213) 978-8315 and the transmission was reported complete and without error. A true copy of the Transmission Report is attached to the mailed or personal or both proof(s) of service.

**BY OVERNIGHT COURIER** - I deposited such envelope in a regularly maintained overnight courier parcel receptacle prior to the time listed thereon for pick-up. Hand delivery was guaranteed by the next business day.

**- 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.

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

Executed on **December 3, 2008**, at Los Angeles, California.

  
\_\_\_\_\_  
LISA HUGHES