



# DIGEST

## ADMINISTRATIVE GUIDELINES FOR NO-STRIKE AMENDMENT

The County guidelines to be used in the administration of "Proposition A," the "No-Strike" amendment to the County Charter passed into law by the voters on November 2, 1982 are shown below for the information of all employees. These guidelines are designed to assist County management in administering provisions of this amendment and to ensure that all of its requirements are observed.

Further information regarding the full implementation of this amendment will be provided in future issues of the County Digest.

### 1. Notice to Employees of Section 47.5

Each County department, commission, or agency shall furnish to each County employee under its jurisdiction a copy of the provisions of Section 47.5 of the Charter and request from each employee an acknowledgment of receipt.

—All persons currently employed by the County shall be provided a copy of Section 47.5 with their paychecks of (to be determined), 1983. Those persons currently employed by the County but who do not receive a paycheck on this date, shall also be provided a copy of Section 47.5.

—New employees hired after (to be determined), 1983 shall be provided a copy of Section 47.5 by the

appointing County department, commission or agency at time of appointment to the position for which hired.

—New employees hired after (to be determined), 1983 shall be provided a copy of Section 47.5 by the appointing County department, commission or agency at time of appointment to the position for which hired.

### II. Employee Acknowledgment of Receipt of Section 47.5

When each County employee is provided a copy of Charter Section 47.5, County management shall request all employees under their jurisdiction a signed statement, acknowledging receipt of the Charter Section.

—County employees will be requested to sign Section I of a pre-addressed two-part form titled:

"ACKNOWLEDGMENT OF RECEIPT OF COPY OF SECTION 47.5 OF ARTICLE X OF THE CHARTER OF THE COUNTY OF LOS ANGELES"

If the employee refuses to sign this acknowledgment, an appropriate superior and one witness shall complete, sign and date Section II of the form titled:

"DECLARATION OF SERVICE OF COPY OF SECTION 47.5 OF ARTICLE X OF THE CHARTER OF THE COUNTY OF LOS ANGELES"

### III. Record Acknowledging Employee Receipt of Section 47.5

County management shall collect and send completed forms (original signed copy) to the County Civil Service Commission.

Departments will retain a duplicate copy of the completed employee acknowledgment of Receipt form and file same in the employee's official personnel file.

### IV. Procedures to be Followed in the Event of Potential or Actual Strike or Work Action to Withhold Services.

#### A. Potential Strike or Work Action to Withhold Services

If there appears to be agitation for a strike or work action to withhold services, County management should remind employees of the County Charter No-Strike provisions and caution them of the consequences of participating in prohibited activities. However, prior to any communication with employees, management should consult with the Employee Relations Division of the Chief Administrative Office.

1. If it is determined there is the likelihood of a strike or work action to withhold services, the Employee Relations staff of the Chief Administrative Office should:

—Contact the appropriate Employee Organization(s), make them aware of management's observations and of its intent to communicate with and remind employees of the Charter No-Strike provisions. Also, the union will be requested to caution its members against instigating or participating in any form of prohibited activity.

2. Department Management Should:

—Communicate with all affected employees, requesting they exercise restraint and avoid any violation of the provisions of Charter Section 47.5.

However, in accordance with Charter Section 47.5, management shall not limit or impair the right of any employee or group of employees to express or communicate a complaint or opinion on any

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matter related to conditions of public employment, so long as the same is not designed to and does not interfere with the full and faithful and proper performance of the duties of public employment.

## B. Actual Strike or Work Action to Withhold Services

The department head must declare, based on a review of facts, that a strike or concerted work action to withhold services is in effect. However, prior to making such a declaration, all pertinent facts must be reviewed with the Employee Relations staff of the Chief Administrative Office. In the event of a strike or work action to withhold services County management shall note the exact date and time the strike or work action to withhold services commenced. Management shall then immediately identify all employees who may be participants.

The Employee Relations staff of the Chief Administrative Office will be in communication with all other County departments to ascertain the scope and magnitude of the strike or work action to withhold services.

1. In the Event of a Strike Management Shall:
  - (a) Identify all employees absent from work by a review of

the time rolls (time cards/records) or by on-site observation.

—This information shall be by department and include name, employee number, class title, work location, assigned work hours and days and time absent.

- (b) Identify all employees who had previously approved time off i.e., vacation, jury duty, approved personal time off, extended sick/medical leave, etc.

Management will use the above information to proceed with required discharge actions.

## 2. In the Event of a Work Action to Withhold Services, Management Shall:

—Identify by personal on-site observation, all employees abstaining in whole or in part from the full performance of their duties without authorization. The same information required in 1 (a) above shall be collected. Management shall describe what was the basis for determining that employees are abstaining from the full performance of their assigned duties.

Management will use the above information to proceed with required discharge actions.

## C. Preliminary Notice to Participating Employee of Intent to Discharge, and Subsequent Departmental / Employee Meetings

County management shall initiate discharge proceedings against employees identified and presumed to have engaged in a strike or a concerted work action to withhold services. The first step is to provide notice to these employees of the charge against them and to provide them with a timely opportunity to respond to these charges. It is imperative that management ensure the correct Skelly procedures (based on court case of Skelly v. State Personnel Board, 1975) are completed prior to the effective date of the discharge. Any questions regarding these procedures should be referred to the Appeals Division of the Department of Personnel.

The employee shall be given an opportunity to respond to the charges in a meeting with management, if he/she so requests, or in writing. If a meeting is held with any employee who is issued a Notice of Intent to Discharge, an appropriate level of management will attend. Such management should have sufficient au-

thority to make the final decision or to make a recommendation to the department head on the action to be taken, with reason to believe the recommendation will be adopted.

Management shall discharge any employee who, after the investigation is completed is determined to have:

—Instigated, participated in, or afforded leadership in any form of concerted action to withhold services.

## D. Notice of Discharge

County employees found to have violated provisions of Charter Section 47.5 shall be issued a formal written Notice of Discharge. Such notice shall be personally served on the employee or sent to the home address by Certified U. S. Mail. A copy shall also be sent to the Civil Service Commission. In addition to the effective date, charges and supporting facts, this notice shall include a statement of the employee's appeal rights to the Civil Service Commission pursuant to the applicable Civil Service Rules and time frames. Any questions regarding these procedures should be referred to the Appeals Division of the Department of Personnel.

## Retirees . . .

The following people have retired in recent months after more than thirty years of service to the County:

Sheriff: Charles E. Covington, Jack Patrick Morgan, Harvey Morris, Harold W. Swenson, Charles W. Vaughn, Jean L. Eastwood, Raymond M. Reid, William Daniel Spargo.

Road: Robert E. Berry, William J. Botieff, Charles F. Flemings, Jr., Gilbert Johnson, James Thompson.

District Attorney: George A. Cooper, Richard Fullbright, Agnes Owens.

Engineering: Mark B. Mandich, Louis P. Nota, Lawrence C. Thompson.

Mechanical: Charles H. Milton, Woodroe Rosier.

Fire: Howard Schultz, Shigeyuki Kusuda, James V. Lewis.

L.A. Municipal Court: Mary L. Soto, Phil A. Duran.

Public Social Services: Ethel L. Campbell, Minnie L. Moore.

Also: Stewart R. Abbott, County Clerk; Harold S. Daniels, Agricultural Commission; William R. Hardy, Flood Control; Warren House. Health Services; Wallace H. Sides, Superior Court; Hitoshi G. Sameshima, Purchasing and Stores; Harry E. Chatfield, SCAQMD.

County of Los Angeles

## DIGEST

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Supervisor Ed Edelman, former Vice President Walter F. Mondale, his daughter Eleanor Mondale, Supervisor Kenneth Hahn and Los Angeles City Controller James K. Hahn (left to right) at dedication on June 6, 1983 of the plaque in the Hall of Administration commemorating Vice President Walter F. Mondale's visit to Los Angeles County on March 3, 1979, when he addressed all elected officials in Los Angeles County. The plaque was placed at the Temple Street entrance to the Board Hearing Room by order of the Board of Supervisors.

## NEGOTIATIONS UPDATE

Since formal negotiations commenced in Los Angeles County in 1970, subsequent to the Board of Supervisors adopting the Employee Relations Ordinance, the month of June has been considered critical by both County management and Union spokespersons. Their joint concern is to complete negotiations in June and present agreements reached (Memoranda of Understanding) to the Board of Supervisors for their approval and adoption concurrent with the adoption of the budget for the next fiscal year.

This year isn't any different in that June is a critical month. What is different though is the reality of a severe budget shortfall and its impact on negotiations. The proposed County budget has no funds for salary increases and

requires the elimination of 4,405 County positions. Still, there is a gap of \$143.7 million which will have to be made up through increased revenues or additional cuts in County expenditures.

During this month before the State adopts its budget, County management and Union representatives will continue in a concerted effort to obtain fair and adequate funding through the State budget process. Other revenue measures under consideration by the Legislature could also help. These include adjustment of the property tax allocation and the Governor's proposed "tax loophole" bill. Negotiations with the Retirement and Investment Boards regarding several issues which could result in additional County revenue and for reduced retirement costs are in progress.

However promising these sound they are not certain nor are they necessarily the permanent solution to the County's budget deficit. Management and Union representative will still have to address the problem at the negotiating table.

The County is exhausting every possibility to reduce the impact on employees and come up with solutions that will result in minimum layoffs of employees. One alternative proposed by the County to correct the projected budget deficit is reduction in pay and rollback of some employee benefits. This situation, while common in other sectors of our economy, is new to employees of the County of Los Angeles.

To date, progress has been slow as the parties wait to see what the County fiscal picture looks like for 1983-84. That picture should be clearer this month.

# Brian Berger Appointed Director Of County Animal Care and Control

On May 19 the Board of Supervisors unanimously confirmed the appointment of Mr. Brian H. Berger as Director of the Los Angeles County Department of Animal Care and Control.

"Brian Berger is one of the most capable administrators in County government," Supervisor Schabarum said. "His leadership ability, organizational skills, and affable nature have been tested and proven. I am confident that under his guidance, the County Department of Animal Care and Control will continue its reputation as one of the most respected and most progressive humane agencies of its size in the nation."

Mr. Berger will now assume complete charge of the Department, which has more than 200 employees, a \$6 million annual budget, six animal shelters and five spay and neuter clinics. The Department is responsible for providing all animal care and control services for un-

incorporated portions of Los Angeles County, as well as for 32 contract cities.

Prior to Mr. Berger's appointment to his new post, he served as Acting Director of the Department of Animal Care and Control for County Chief Administrative Officer (CAO) Harry Hufford, who was selected by the Board to fill the position until a permanent replacement could be found. Mr. Berger has been in this acting assignment since April, 1982.

Previous to his work for the Department, Mr. Berger served as Chief Deputy to Los Angeles County Supervisor Michael Antonovich for 17 months. Before that, he worked as an Administrative Deputy for the County Mechanical Department, as well as for the CAO's office.

"In his 15 years with the County, beginning as an administrative assistant in the Assessor's office, and now cul-



Mr. Brian H. Berger

minating as head of one of our most service-oriented departments, Brian has demonstrated his many outstanding talents. I look forward to working with him as he accepts this challenging position," Supervisor Schabarum concluded.

**THE LOS ANGELES COMMISSION ON ASSAULTS AGAINST WOMEN HAS PROVIDED US WITH THE FOLLOWING SCHEDULE OF SELF-DEFENSE WORKSHOPS FOR JUNE AND JULY. WOMEN MAY CALL (213) 651-3147.**

- Wednesday June 29—9:30 a.m. to 1:30 p.m.  
Daniel Freeman Hospital, Fitness Center  
333 North Prairie Avenue  
Inglewood, CA 90301  
(This workshop is for women with physical disabilities only.)
- Saturday July 2—12 noon to 4:00 p.m.  
Echo Park Recreation Center, Gymnasium  
1632 Bellevue Avenue  
Los Angeles, CA 90026
- Saturday July 2—10:00 a.m. to 2:00 p.m.  
Lueders Park, Game Room  
1500 Rosecrans Avenue (just west of Long Beach Blvd.) Compton, CA 90213
- Friday July 8—9:00 a.m. to 1:00 p.m.  
National Council of Jewish Women,  
Auditorium  
543 N. Fairfax Avenue  
Los Angeles, CA 90036
- Saturday July 9—8:00 a.m. to 12 noon  
Los Angeles Trade Technical College,  
Gymnasium  
400 West Washington Blvd.  
Room J212, Physical Education Building  
(corner of 23rd and Flower)  
Los Angeles, CA 90015
- Saturday July 9—9:00 a.m. to 1:00 p.m.  
Daniel Freeman Hospital, Fitness Center  
333 North Prairie Avenue  
Inglewood, CA 90301  
(This workshop is for women with physical disabilities only.)

For self-defense workshops outside these areas, call the office of the Los Angeles Commission on Assaults Against Women at (213) 938-3661.

## FREE Saturday Afternoon At The Movies

Continuing its long-time policy of showing free, award-winning films, the Natural History Museum in Exposition Park will show films at 2:00 p.m. every Saturday in July and August in the Delacour Auditorium. Three films of general interest are described below.

On July 9, "Audubon" follows the famous artist-naturalist as he tours the American wilderness creating the paintings for *Birds of America*; this documentary is shown in conjunction with an exhibit of Audubon lithographs on display in the Museum's Director's Gallery.

On July 30, "The Woven Gardens"—part of the BBC-TV "Tribal Eye" series—details the life of the nomadic Quashqa'i weavers of Iran.

The Golden Age of Radio is recreated on August 13 when "The Great Radio Comedians" presents Jack Benny, Fred Allen and other favorites from the '30s and '40s in selections from their most popular programs.

Doors to the Delacour Auditorium open at 1:30 p.m., and children under 15 must be accompanied by an adult.

The Natural History Museum is located in Exposition Park, south of the Santa Monica Freeway and two blocks west of the Harbor Freeway at 900 Exposition Boulevard. Saturday afternoon films are FREE. Regular admission to the Museum is \$1.50 for adults; students, seniors and children 5-17, 75¢.