

COALITION OF LA CITY UNIONS

CF 13-1500

November 20, 2013

By E-Mail & U.S. Mail

Members of Los Angeles City Council
c/o City Clerk, Room 395
City Hall
200 N. Spring Street
Los Angeles, California 90012-4801

Re: Appointment to fill Vacancy on the Employee Relations Board

Dear Members of the City Council:

We write to you as the Coalition of Los Angeles City Unions about the appointment of Dr. Rosalinda Lugo to fill a vacancy on the Employee Relations Board (ERB). We are troubled by the appointment and the process by which the appointment was made.

The Los Angeles City Employee Relations Ordinance clearly defines the qualifications of ERB members. Section 4.810(b) states:

Qualifications of Members. The members of the Board shall have broad experience in the field of employee relations and shall possess the impartiality necessary to protect the public interest including the interests of the City and its employees.

These qualifications are mandatory. In fact, the ERB members and its Executive Director are *all* labor arbitrators and mediators. They are labor relations neutrals by profession.

We have reviewed the appointment materials for Dr. Lugo. Since 1997, Dr. Lugo has been an Administrative Director and school Principal with the Los Angeles Unified School District with management and supervisory authority over administrators, managers, certificated teachers, and classified personnel. Her background materials do not show her to have broad experience, if any, in the field of employee relations. The materials do not show that she has held any labor relations position entailing impartiality. While we have no reason to assume that Dr. Lugo is not well-intentioned and eminently qualified in her own profession, she does not possess the qualifications which the ERO requires of ERB members: she is not, and has never been, a labor relations neutral.

Not only are the required qualifications clear in the ERO, they are necessary for the effective functioning of the ERB. The ERB functions as an effective neutral labor relations decision-maker because of the trust that all who appear before it – the City, City unions, and employees – have in its experience and impartiality. That trust is built over time. Recognizing the singularly critical importance of mutual trust, Mayor Riordan issued Executive Directive 2000-15 which contains a process for the City's Advisory Management Council and representatives of the recognized employee

organizations jointly to propose to the Mayor nominees to fill ERB vacancies. We understand that a process was in the ERO before the directive and was mistakenly omitted from the Charter.

Specifically in order to appoint Dr. Lugo, the Mayor also unilaterally, and without explanation, rescinded Executive Directive 2000-15 and specified that there be no replacement. In doing so, the Mayor abandoned a process that has worked well to ensure appointments of professional neutrals, trusted by all concerned, thus eliminating concern about bias or politicization of the ERB before the ERB even considers controversial cases.

While the Mayor may have eliminated an Executive Directive in his way, he cannot eliminate the requirements of the ERO. Dr. Lugo does not meet either of the mandatory requirements of the ERO: Dr. Lugo does not have broad experience in the field of employee relations, and her long and consistent management-side service (which she presumably would continue while she serves on the ERB) does not and cannot demonstrate impartiality necessary to protect both City interests and employee interests. While there are certainly commissions where the Mayor directs his appointees to take particular positions – whether to affect City employees, residents, or businesses or to bring City departments into line – the ERB is not one of them. To be a credible labor relations body, the core tasks of the ERB are, and must be, impartiality and neutrality.


Both City management and employees are harmed if the agency charged with resolving labor-management disputes is not comprised of members who meet the requirements of the ERO and if the agency loses the trust of the parties who appear before it.

Very truly yours,

Coalition Principals



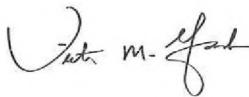
Cheryl Parisi
AFSCME DC 36




David Sanders
SEIU 721



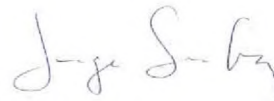
Chris Hannan
LA/OC Building Trades Council



Victor Gordo
LIUNA 777



Gavin Koon
Operating Engineers 501



Jorge Sanchez
Teamsters 911

cc: Holy Wolcott, Los Angeles City Clerk