

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: July 13, 2022

To: The City Council

From: Matthew W. Szabo, City Administrative Officer



Subject: **UPDATED EMPLOYEE RELATIONS ORDINANCE PROVISIONS -
ORDINANCE AMENDING LOS ANGELES ADMINISTRATIVE CODE SECTION
4.800 ET SEQ.**

RECOMMENDATIONS

The City Administrative Officer recommends the following actions by the City Council and Mayor:

1. That the City Council, subject to the approval of the Mayor, adopt the attached ordinance, approved as to form and legality by the City Attorney, amending Sections 4.801, 4.810, 4.811, 4.820, 4.822, 4.830, 4.850, 4.855, 4.857, 4.860, 4.865, and 4.870 of the Los Angeles Administrative Code, pertaining to the City's Employee Relation Ordinance, to provide updated language, and conform to the amended Rules and Regulations adopted by the Employee Relations Board on June 28, 2021; and
2. That the City Council authorize the Controller and the City Administrative Officer to correct any clerical errors, or, if approved by the City Attorney, any technical errors in the above ordinance.

SUMMARY

In accordance with California Government Code Section 3507, this Office has been engaged since October 22, 2021, in the process of meeting and consulting with the City's employee organizations regarding updates to the City's Employee Relations Ordinance (ERO), which is codified in Los Angeles Administrative Code (LAAC) Section 4.800, *et seq.*

The amendments to the various provisions in LAAC Section 4.800 *et seq.* submitted herein provide consistency with the final, amended Rules and Regulations adopted by the City's Employee Relations Board on June 28, 2021, as well as providing miscellaneous clean-up and clarifications, such as eliminating obsolete language and providing for gender-neutral terms. Some of the incorporated revisions reflect input provided by the City's employee organizations.

There are two provisions in LAAC Section 4.800 *et seq.* -- Sections 4.810c and 4.810(f)(4) -- in which the Coalition of Los Angeles City Unions (Coalition) requested additional changes that are not reflected in the attached ordinance.

LAAC Section 4.810c pertains to the "Appointment and Removal of Board Members." Current language refers to Charter Section 502, which provides for the Mayor to appoint Commissioners subject to the approval of the City Council. The Coalition has requested that the terms of LAAC Section 4.810c instead reflect the procedure that pre-existed the voters in June 1999 adopting the current language in Charter Section 502. In order to stay compliant with Charter Section 502, the attached ordinance maintains the current language referencing Charter Section 502, but adds a provision to provide an avenue for recognized employee labor organizations, as well as the City Administrative Officer, to submit names of recommended candidates to the Mayor in a timely manner.

LAAC Section 4.810f(4) pertains to "powers and duties" of the ERB "[t]o investigate and determine the validity of charges of unfair employee relations practices, to make findings, and to issue orders to cease and desist which are not in conflict with other provisions of law." The Coalition has requested that this language be amended, greatly expanding the ERB's remedial powers. The City Attorney has recommended against such changes, advising that the City's ERO currently authorizes the ERB to deal with past violations of the ERO by declaring whether they occurred, and authorizes the ERB to award prospective relief by ordering the employer to cease committing such violations in the future, with the limitation that such orders not conflict with other provisions of law. Therefore, as recommended by the City Attorney, the attached ordinance does not include any changes to the current language in LAAC Section 4.810f(4).

FISCAL IMPACT

There are no costs associated with the changes reflected in the attached ordinance.

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Attachment