

LOS ANGELES CITY EMPLOYEE RELATIONS BOARD



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R. Douglas Collins
Chairperson
Rosalinda Lugo, Ed. D.
Vice Chairperson
Christine Diaz-Herrera
Brenda Suttonwills
Dianne Baquet-Smith

Najeeb Khoury
Executive Director

MINUTES OF MEETING

Monday, August 26, 2024

9:30 A.M.

BOARD MEMBERS PRESENT: R. Douglas Collins
Rosalinda Lugo
Christine Diaz-Herrera (via Zoom)
Brenda Suttonwills
Dianne Baquet Smith

Chair Collins called the meeting to order at 9:30 a.m. All members of the Board were present with Member Diaz-Herrera participating by Zoom.

- 1. Public comments on matters within the Board's jurisdiction. A maximum of ten minutes will be provided for members of the public to address the Board on items of interest that are within the jurisdiction of the Board. Said ten minutes shall be equally divided among speakers, not to exceed five minutes per speaker.**

There were no public comments.

- 2. Consideration of Minutes of the Board Meeting of July 22, 2024.**

Member Baquet-Smith moved to approve the minutes of July 22, 2024; seconded by Vice Chair Lugo; and the motion passed unanimously.

- 3. Executive Director's Report:**

- a) New unfair employee relations practice claims filed.**

Executive Director Khoury noted that no new unfair employee relations practice claims had been filed since the Board's last meeting.

- b) Status of impasses.**

There were no updates on the status of impasses.

- c) Administrative matters, if any.**



Executive Director Khoury had no administrative matters to report.

4. Consideration of requests to withdraw various matters, if any.

There were no requests to withdraw since the Board's last meeting.

5. Consideration of Appeal of Executive Director's determination that a prima facie case was not pled in Unfair Employee Relations Practice claim 2232, filed by Fernando Campos against the City of Los Angeles, Board of Public Works, alleging an inappropriate removal of differential pay.

Dr. Fernando Campos appeared on his own behalf; Dina Ramirez, Senior Personnel Analyst I, and Ulysses Aguayo, Deputy City Attorney, appeared on behalf of the Board of Public Works.

This matter was continued from the July 2024 meeting.

Dr. Campos was the Executive Officer at the Board of Public Works from 2015-2024. Per Dr. Campos, he essentially served three roles while at the Department of Public Works and oversaw and resolved multi-billion-dollar issues. Dr. Campos alleged that a supervisory differential pay was inappropriately removed in 2020, and that he should have been receiving out-of-class pay during his entire tenure at the Board of Public Works.

The Executive Director issued a non-prima facie letter, stating that such claims are handled through the grievance process and are not grounds for a UERP. Executive Director Khoury also noted that Dr. Campos had filed related grievances and had filed a request for arbitration in addition to the UERP.

At the July 2024 meeting, the Board of Public Works asserted that it had denied Dr. Campos' related grievances and had provided the denials to Dr. Campos' union. This Board continued the matter to allow the Board of Public Works to produce those communications; however, the Board of Public Works was unable to do so.

At the August 2024 meeting, the Board of Public Works argued that the charge should still be dismissed as the parties had entered into a settlement agreement which extinguished all outstanding claims. The Board of Public Works also stated the charge was untimely as Dr. Campos and the Union never advanced the related grievances. Dr. Campos responded that the settlement agreement had nothing to do with the differential pay.

This Board expressed its displeasure that the Board of Public Works was changing its argument for why the charge should be dismissed and that the representatives of the Board of Public Works did not have the precise settlement agreement language with them. This Board nevertheless concluded that it was crucial for it to see the settlement agreement waiver language.

Chair Collins agreed but also noted that there was still a timeliness issue that needs to be addressed and noted that unions have the authority to decide which grievances to advance to arbitration.

Vice Chair Lugo moved to continue the matter so that the Board of Public Works could submit the relevant settlement waiver language and so that the parties could provide timelines; seconded by Member Suttonwills; and the motion passed unanimously.

Member Baquet-Smith moved to adjourn the meeting; seconded by Member Suttonwills; and the motion passed unanimously.

MEETING ADJOURNED AT: 9:52 a.m.



NAJEEB KHOURY
Executive Director

PERSONS WITH DISABILITIES: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its program, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to this meeting. For additional information, please contact Commission Executive Assistant Veronica D. Coleman at (213) 473-9700.