



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

January 10, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPOINTMENT OF EMPLOYEE RELATIONS COMMISSIONERS
(3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve the amendment to the Employee Relations Ordinance (County Code Chapter 5.04) to permit your Board, to waive the residency requirement for Commissioners; waive length of service limitations to allow Commissioners Joseph Gentile and Arthur Hernandez to serve more than two consecutive terms; waive the residency requirements for Commissioners Joseph Gentile and Arthur Hernandez; amend the term Commissioners serve at the pleasure of the Board from 4 to 3 years; repeal obsolete provisions, and re-appoint Commissioners Joseph Gentile, Arthur Hernandez and Edna Francis to staggered terms as set forth in this letter.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommendations provide for the re-appointment of Commission members to the Employee Relations Commission (ERCOM) to staggered terms so that the Commission can continue to carryout its function of administering the provisions of the County Employee Relations Program.

Implementation of Strategic Plan Goals

The recommended actions support the County's Strategic Plan Goal of Organizational Effectiveness and Workforce Excellence by enabling ERCOM to continue to administer the Employee Relations Ordinance and to carry out the County's public policy of promoting the improvement of personnel management and relations between the County of Los Angeles and its employees and to protect the public by assuring, at all times, the orderly and uninterrupted operations and services of County government.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

FISCAL IMPACT/FINANCING

None.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Commission Chair Joseph Gentile and Commissioner Dr. Arthur Hernandez have recently moved to a neighboring county. County Code provision 5.04.100 (B) provides that members of the Commission have expertise in the field of employee relations, ***shall reside in the County of Los Angeles***, and shall possess the integrity and impartiality necessary to protect the public interest as well as the county and its employees. The amendment to 5.04.100 (B) would permit the Board, if it finds that the best interests of the County will be served, to waive the residency requirement.

It is also timely to re-appoint members to the Employee Relations Commission.

The terms of service for all three (3) Commission members have lapsed. Commission Chair Joseph Gentile and Commissioner Hernandez have served more than two consecutive full periods of service. Commissioner Francis has completed one full term of service but has not been re-appointed to a second term. Pursuant to County Code provision 5.04.110 (B), the Board by order, can extend the length of service requirement, or waive this limit for individuals, or the Commission as a whole.

In addition, since the terms of service for all Commissioners have lapsed, Section 5.04.130 of the County Code requires that the Chief Administrative Officer, the Coalition of County Unions and SEIU Local 660 jointly develop a list of nine highly qualified labor relations practitioners to fill three vacancies on the Commission. The nine nominees are:

| | | |
|------------------|------------------|----------------|
| Joseph Gentile | Bob Bergeson | Doug Collins |
| Edna Francis | Victor Manriquez | Michael Prihar |
| Arthur Hernandez | Walt Daugherty | Tony Butka |

After evaluation and review of all the qualified nominees, we recommend that re-appointment of Commissioners Joseph Gentile, Arthur Hernandez and Edna Francis to be in the best interests of the County's employee relations program, including the waiving of the residency requirement and consecutive term limit in the re-appointment of the Commissioners Joseph Gentile and Arthur Hernandez. SEIU Local 660 and the Coalition of County Unions concur in the recommendation for re-appointment of the Commissioners and amendment to County Code 5.04.100 (B).

We also recommend that the Board amend the term that commissioners serve on the Board from four to three years (Section 5.104.160 (A)) and maintain the staggering of the terms of service not to exceed three years (County Code 5.04.130 (E)) for each respective Commission member in order to preserve the continuity and stability of the Commission:

| <u>Seat</u> | <u>Commissioner Term of Service</u> | <u>Nominee</u> |
|-------------|-------------------------------------|------------------|
| A | January 1, 2006 to November 2006 | Joseph Gentile |
| B | January 1, 2006 to November 2007 | Arthur Hernandez |
| C | January 1, 2006 to November 2008 | Edna Francis |

IMPACT ON CURRENT SERVICES

None.

CONCLUSION

The accompanying amendment to County Code Section 5.04.100 (B & C), 5.04.110 (A) and 5.04.130 (E) has been approved as to form by the Office of the County Counsel.

Respectively submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:JA
DLW:mj

Attachments

- c: County Counsel
- Auditor-Controller
- Executive Officer, Board of Supervisor
- Coalition of County Unions
- SEIU Local 660