



LORI GLASGOW  
EXECUTIVE OFFICER

# COUNTY OF LOS ANGELES BOARD OF SUPERVISORS

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March 15, 2016

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:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

13 March 29, 2016

LORI GLASGOW  
EXECUTIVE OFFICER

## **AMENDMENT TO THE HEARING OFFICER AGREEMENTS FOR THE EMPLOYEE RELATIONS COMMISSION (ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

### **SUBJECT**

Approve the amendment to the Hearing Officer Agreements for the Employee Relations Commission.

### **IT IS RECOMMENDED THAT THE BOARD:**

Approve the amendment to the existing agreements for services of labor mediators, fact-finders, mediators, and/or hearing officers which were approved by your Board, June 4, 2013, to provide for a daily rate of fifteen-hundred dollars (\$1500).

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

In June 2013, your Board approved agreements with individuals to provide services as labor mediators, fact-finders, mediators and/or hearing officers for the Employee Relations Commission. The agreement included a standard clause indemnifying the County for liability arising from acts and omissions of the above mentioned individuals. Compensation was set at \$900 for a full day and \$450 for a half day.

In May 13, 2014, your Board approved an amendment based on County Counsel advice that the indemnification clause in that agreement be modified to clarify that these individuals' services are quasi-judicial in nature and are protected by absolute immunity, and that the County will defend them when they are sued for actions in the scope of their contracted duties.

Currently, the Employee Relations Commission advises that they are unable to attract and retain sufficient qualified Hearing Officers to meet their obligations under the Ordinance. The impediment to obtaining a sufficient depth and breadth of knowledgeable Hearing Officers is compensation.

In examining other jurisdictions, the City of Los Angeles Employee Relations Board has no set rate structure, paying the neutral's regular daily rates. An examination of the State Mediation & Conciliation neutrals list, the major source of California public sector neutrals, is consistent with the recommended daily rate of \$1500. The Commission has also conducted an informal survey of local neutrals, and believes that the recommended rate change will allow for a solid core of available neutrals under the Agreement.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs that we provide workforce excellence (Goal 2). This recommendation to amend compensation will promote workforce excellence through the prompt resolution of personnel and employee relations matters, resulting in uninterrupted services to the employees and improved relationships between the County and its employees.

### **FISCAL IMPACT/FINANCING**

There will be a modest additional financial impact, which is dependent on the number of cases actually sent to hearing and resulting in Reports and Recommendations. It is estimated at \$43,000 per annum. Funding for this service is available in the Board of Supervisors, Executive Office's Adopted Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Not applicable.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of this recommendation will ensure continued uninterrupted services, assist in reducing scheduling time of hearings and mediations, and attract more experienced individuals to hear such cases, thereby enhancing the settlement of employee relations cases.

### **CONCLUSION**

Upon approval of this recommendation, the Executive Officer will notify those individuals with current agreements that an amendment has been made related to compensation, and in future agreements, the new compensation amount will be reflected.

The Honorable Board of Supervisors

3/15/2016

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Respectfully submitted,

A handwritten signature in cursive script that reads "Lori Glasgow". The signature is written in a dark ink and is positioned above the typed name.

LORI GLASGOW

Executive Officer, Board of Supervisors

LG:tb

c: Executive Officer, Board of Supervisors  
Chief Executive Officer  
County Counsel  
Tony Butka