

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

Date: July 13, 2005

To: Robert R. Bergeson, Executive Director
Employee Relations Board

From: Margaret M. Whelan, General Manager
Personnel Department

Subject: ACCRETION PETITION C772

On June 27, 2005, the Employee Relations Board posted Petition C772, filed by the Public Safety Technology Council seeking to sever the classes of Communications Electrician, Code 3686, Senior Communications Electrician, Code 3638, Assistant Signal Systems Electrician, Code 3818, Signal Systems Electrician, Code 3819, and Electrical Craft Helper, Code 3799, represented by the Los Angeles/Orange Counties Building and Construction Trades Council, Building Trades Unit and to sever the classes of Communications Electrician Supervisor, Code 3689, Senior Communications Electrician Supervisor, Code 3691, and Signal Systems Supervisor I & II, Code 3839 represented by the Los Angeles/Orange Counties Building and Construction Trades Council, Supervisory Building Trades Unit, and to accrete them into the Safety Technology Unit.

UNIT DESCRIPTIONS

The Los Angeles /Orange Counties Building and Construction Trades Council, Building Trades Unit was established by E.R.B. No. 5 on April 27, 1973 to consist of non-supervisory classes that are involved in construction and the building trades. In making its determination to establish this Unit, the Board considered several factors including "a strong community of interest, common job skills and working conditions." Examples of classes in the Building Trades Unit are Painter, Air Conditioning Mechanic, Electrician, Communications Electrician, Sheet Metal Worker, Elevator Mechanic, and Street Lighting Electrician. The highest annual salary in the unit is Wastewater Treatment Electrician II at \$74,646 and the lowest annual salary in the Building Trades Unit is Electrical Conduit Mechanic and Electrical Craft Helper which are at \$44,745 annually. Classes in this unit typically require either an apprenticeship in the particular trade or some combination of formalized coursework and experience in the respective field.

The Los Angeles/Orange Counties Building and Construction Trades Council Supervisory Building Trades Unit was established by E.R.B. No. 10 on December 19, 1973 to consist of supervisory classes that are involved in construction and the building trades. In making its determination to establish this Unit, the Board considered factors such as community of interest, common job skills and working conditions. The Board also indicated that the proposed group of classes to be included in this unit represents a "composite of many job skills that, while related, are sufficiently broad to meet the Board's requirement of keeping supervision the dominant factor uniting these employees." Many of the classes that comprise this unit are first, second or third level supervisors to the classes in the Building Trades Unit. Examples of classes in the Supervisory Building Trades Unit are Air

Conditioning Mechanic Supervisor, Elevator Repair Supervisor, and Street Lighting Electrician Supervisor. The highest annual salary in the unit is Building Maintenance District Supervisor, Construction and Maintenance Supervisor II, and Mechanical Repair General Supervisor all at \$89,449 annually. The lowest annual salary in the Supervisory Building Trades Unit is Roofer Supervisor at \$62,472 annually. Entry into classes in this unit is typically accomplished through promotion from one of the lower level classes in the Building and Trades Unit.

CLASSES

A Communications Electrician performs skilled work in the installation, construction, repair, maintenance, and modification of electronic monitoring and control systems, video systems, and communications systems including radio, radar, signal, telephone, among others. There are a total of 182 Communications Electricians who work primarily in the Information Technology Agency but also in the Department of Airports, the Los Angeles Police Department, the Los Angeles Convention Center, the Department of Public Works Bureau of Sanitation, and the Harbor Department. The highest annual salary for a Communications Electrician is \$63,830 and entry into the class requires four years of experience installing or repairing electronics or communications systems or a combination of completion of a 2 year degree or certificate program in electronics or telecommunications, and 2 years of the described experience.

A Senior Communications Electrician supervises a small group of Communications Electricians in addition to performing this work. There are 22 Senior Communications Electricians all of whom are employed in the Information Technology Agency except one who is employed at the Los Angeles Convention Center. The highest annual salary for a Senior Communications Electrician is \$70,094 and entry into the class requires two years of experience as a Communications Electrician.

A Communications Electrician Supervisor supervises and coordinates the work of one or more crews engaged in the same type of work. There are 19 Communications Electrician Supervisors City-wide, all of whom work in the Information Technology Agency. The highest annual salary for a Communications Electrician Supervisor is \$73,330 and entry into the class requires two years of experience as a Senior Communications Electrician or four years as a Communications Electrician.

A Senior Communications Electrician Supervisor directs the activities of various crews engaged in this type of work. The incumbent at this level is primarily concerned with the technical operation of communications systems. There are five Senior Communications Electrician Supervisors in the City all of whom are employed by the Information Technology Agency. The highest annual salary for a Senior Communications Electrician Supervisor is \$76,963 and entry into the class requires two years of experience as a Communications Electrician Supervisor.

A Signal Systems Electrician performs skilled technical work involving the installation, repair, maintenance, and modification of traffic signal equipment, electronic and digital traffic signal controllers, microcomputers and other microprocessor based traffic signal control devices, fiber optic, video, and laser pulsed traffic signal communications devices. They may work in a traffic signal shop or in the field and may also act as a lead worker with a signal construction or signal systems crew. There are 76 incumbents in the class, all of whom are employed by the Department of Transportation. The highest annual salary for a Signal Systems Electrician is \$68,830 and entry into the class requires completion of an apprenticeship program as an electrician, or, four years of experience performing electrical

or electronic control work and completion of 30 semester (45 quarter) units in electrical and electronics technology.

The class of Assistant Signal Systems Electrician is a trainee class in which incumbents work under and receive on-the-job training from a Signal Systems Electrician. Incumbents in this class must successfully complete at least 24 semester (36 quarter) units in fundamentals of electronics, electronic circuits, introduction to microprocessors, and electronics technology courses to qualify for promotion. They then must promote to an Electrician class within five years after appointment. There are 12 incumbents in this class all of whom work in the Department of Transportation. The highest salary for the class is \$51,719 and entry into the class requires a combination of experience as a helper in electrical or electronics work and completion of courses in electronics. This combination can be one year of experience and 2 semesters of course work or two years of experience and one semester of course work.

A Signal Systems Supervisor assigns, reviews, and evaluates the work of several traffic signal crews engaged in installing, maintaining, and repairing electric and electronic traffic signals and controllers on a regular or emergency basis. There are 13 Signal Systems Supervisors all of whom work in the Department of Transportation. This class consists of two paygrades. There are 11 incumbents in paygrade I and two incumbents in paygrade II. The highest annual salary for a Signal Systems Supervisor I is \$73,330 and the highest salary for the paygrade II is \$76,963. Entry into the class requires two years of experience as a Signal Systems Electrician.

Electrical Craft Helper is the entry level class to a wide variety of electrical trades. An employee in this class normally assists an electrical journey-level worker by performing both manual and semi-skilled work in the construction, installation, maintenance, and/or repair of electrical systems, facilities, and equipment which is conducted under direct supervision. Incumbents gain apprenticeship experience in this class enabling them to learn one of the trades in order to compete for promotional opportunities. The City has two separate classes of Electrical Craft Helpers. One class consists of exempt, as needed Electrical Craft Helpers (Code 0851), and the other group, which this petition addresses, consists of regular positions of Electrical Craft Helpers (Code 3799). There are 69 incumbents in this class (Code 3799) throughout the City in the Departments of Transportation, Airports, General Services, Recreation and Parks, Harbor, the Convention Center, and the Bureaus of Street Lighting, Street Services, and Sanitation. The highest annual salary for the class is \$44,745 and entry into the class requires six months of experience as a helper in an electrical trade or successful completion of one of several Electrical Craft courses offered by the City or Los Angeles Unified School District.

DISCUSSION

Section 4.822 of the Employee Relations Ordinance sets out several criteria for the determination of appropriate bargaining units. The criteria we believe are relevant to this petition include community of interest; history of representation of the class; effect of the unit on the efficient operations of the City and sound employee relations; the extent of commonality of skills, working conditions, duties and education; and the rights of professional, management, and confidential employees to be represented separately.

Based on the types of classes that currently exist in both the Building Trades Unit and Supervisory Building Trades Unit, we believe that the eight classes in question have a strong history of representation and community of interest with other classes in these respective Units. The classes of Assistant Signal Systems Electrician, Communications Electrician, Electrical Craft Helper, and Signal Systems Electrician all have been part of the Building

Trades Unit since its inception in 1973. This Unit contains classes that are involved in building construction or in the installation and maintenance of equipment involving knowledge and skill in one of the building trades. For example the classes of Electrician, Street Lighting Electrician, Signal Systems Electrician, and Wastewater Treatment Electrician share common knowledge and skills and require similar backgrounds and experience in the electrical field. The class of Police Surveillance Specialist is similar to Communications Electrician in the type of work performed and the required background in electronic communications equipment. We believe it would not serve the community of interest to separate these classes who have so much in common.

As an entry level class, Electrical Craft Helper is utilized in a number of Departments whereby an incumbent can gain experience in one of many different trades and have an opportunity for promotion into that respective trade. There is therefore, a community of interest with other electrical trades classes in the Building Trades Unit in that the knowledge, skills, and experience of incumbents in this class will be utilized as they promote into other classes in the same bargaining unit. In addition, there are 53 Electrical Craft Helpers, Code 0851, employed on an exempt basis who are not part of this petition. Severing the 69 incumbents who are employed on a regular basis would leave 53 Electrical Craft Helpers in the current Building and Trades Unit. We believe that having members in two classes that perform the same duties and responsibilities and differentiated by tenure only would not serve the community of interest for all members in the classes.

The Supervisory Building Trades Unit was established to include a variety of supervisory classes in the building trades. The classes of Communications Electrician Supervisor, Senior Communications Electrician Supervisor, and Signal Systems Supervisor have been part of the Supervisory Building Trades Unit since its inception in 1973. Similar to the Building Trades Unit, classes within the Supervisory Building Trades Unit have a strong community of interest in that they require a background in one of the trades and supervise classes who perform this type of work. The classes in question share not only the fact that they supervise employees in one of the building trades but they also share common knowledge, skills, and backgrounds with other classes in this Unit such as Electrical Technical Advisor, Electrician Supervisor, Police Surveillance Specialist II, Senior Traffic Signal Supervisor, Street Lighting Electrician Supervisor I, II, and III, and Wastewater Treatment Electrician Supervisor.

We have a concern about the precedent that could be set by severing these classes from their current unit and accreting them into the Safety Technology Unit. The City currently has 41 bargaining units and over 1,300 classes. Every bargaining unit creates an administrative burden on City management including potentially lengthy negotiation of MOU's, administration of salary and benefit differences and inequities between related classes that develop because of separate units, and inconsistencies in representation of similarly situated employees in matters such as grievances and discipline. We believe that creating a separate unit consisting of a small number of classes creates an unreasonable burden on management and sets a precedent that could result in many small groups of employees establishing separate bargaining units. We believe that this kind of fragmentation of bargaining units would not be in the best interest of either the represented employees or City management. We further believe that the classes listed in Petition C772 do not possess unique enough skills or background to justify a separate bargaining unit. The small bargaining units that currently exist in the City consist of employees who are either peace officers, professional, confidential, management, or possess extremely unique skills such as Port Pilots, and, therefore, have been determined to be entitled to be represented separately from other employees.

The Employee Relations Ordinance defines a professional employee as someone who possesses specialized knowledge and skills gained through a recognized course of instruction such as an attorney, physician, registered nurse, engineer, or scientist. As described above, classes in the Building and Trades and Supervisory Building Trades Units typically require experience in the respective field or some combination of coursework and experience. Thus, none of the classes listed falls under the definition of professional.

The Employee Relations Ordinance defines a confidential employee as one who is privy to the information leading to decisions of City Management affecting employee relations. None of the positions in the classes listed in Petition C772 have been designated as confidential.

The Employee Relations Ordinance defines a management employee as having significant responsibilities for formulating or administering City or departmental policies and programs. The City has established a Management Employees Unit to recognize classes which meet this criteria. The history of representation of the classes in Petition C772 suggests that none have been considered management for employee relations purposes. In addition, the Civil Service Commission which, for its purposes, identifies management classes by establishing either a one year probationary period and/or granting limited seniority credit on examinations, does not recognize any of these classes as management.

RECOMMENDATIONS

The Personnel Department believes that the classes listed in Petition C772 do not qualify as either professional, confidential, management, nor are they unique enough to form a separate bargaining unit under the Employee Relations Ordinance. Based on the unit determination factors listed, we believe there are no compelling reasons to create a separate bargaining unit consisting of these eight classes.

The Personnel Department, with the concurrence of the City Administrative Officer and Departments employing incumbents in the classes of Communications Electrician, Senior Communications Electrician, Assistant Signal Systems Electrician, Signal Systems Electrician, and Electrical Craft Helper recommends that these classes would most appropriately be retained in the Building and Trades Unit, and that the classes of Communications Electrician Supervisor, Senior Communications Electrician Supervisor, Signal Systems Supervisor I & II would most appropriately be retained in the Supervisory Building Trades Unit.

MMW:mw

Enclosures

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