



December 8, 2020

Tameka Usher
Director of Human Resources
El Dorado County

Re: MMBA Representation Petition

Union Response:

After reviewing the Counties response to the lawfully submitted MMBA Representation, The Union's position regarding the Counties Tentatively Denying the employee's right to request changing Union representation violates the MMBA as it states:

Employee Rights Employees shall have the right to form, join and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of Employer-Employee Relations including but not limited to wages, hours, and other terms and conditions of employment. Employees shall also have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the County. No employee shall be interfered with, intimidated, restrained, coerced or discriminated against because of the exercise of these rights.

County Efficiency

Regardless of who represents this group of employees? The County would still be required to support whatever employee issues would arise regardless if the employees moved to OE3. It would create an additional bargaining table which would be insignificant issue for the county as the counties approach to negotiations has been all groups are basically given the same proposals. This group of employee's submitted the petition requesting a change of labor representation as they are not being provided the representation their specific Job classifications needs. Respectfully not the counties issue this being the reason these employees reached out to OE3 requesting assistance if they were able to obtain their own bargaining group. Which is allowed under the MMBA and the Counties Labor relations rules. Because Local 1 has the largest group of employees covered by a very broad number of job

classifications again does not mean the employees are receiving the labor representation they want. Having a smaller bargaining Unit does not in itself create an inefficiency.

Split Job classifications

A Barraging Unit contain four Job (4) Job classification which do not account for the senior position. The Counties position that the creation of the proposed bargaining unit would split the representation of the jobs classification. Again these job classifications are already split. Very similar to the Corrections Unit. The Lieutenant Job classification is not represented by OE3 nor does the DSA Represent the Correctional officers. Similarly with the Department System Analyst positons. The County states they cross over into a community of bargaining Units. This is already happening. The County also indicated in its denial letter that since their creation (Job Classifications) have been represented by Local 1.

Conclusion:

Currently regarding local 1's representation of such a large group on non-related job classifications under one MOU that have such a vast difference of job duties and wages and working conditions is not providing the type of labor representation the petitioners want. The examples provided by the County do not rise to the level to deny the Employees their rights under the MMBA to hold an election to choose a new labor representative. The petition submitted has well over 30% of the affected employees and based on the counties response the petition meets the requirements of the Counties Employee relations rules. On behalf of the Petitioners, OE3 is requesting that an election be secluded within 15 days.

Respectfully



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