

THE COMMUNIQUE

from

LOS ANGELES COUNTY CHICANO EMPLOYEES ASSOCIATION

Fall 2003

Los Angeles County Department of Public Works Comparison of Data of 12/31/96 and 3/31/03

By Alan Clayton
Director of EEO
Los Angeles County Chicano Employees Association
And Rudy Rico, Co-General Manager

The Department of Public Works still has to do more to comply with the goal of equal hiring and promotional opportunities for Latinos. It is very significant that there are no Latinos currently (3/31/03) among the eight positions in executive management and that there were no Latinos in executive management on 12/31/96.

In reviewing all of the different job classifications and job categories in the Department of Public Works, it is clear that even though progress has been made in an number of job classifications and categories there still remains more work to be done if Latinos are to be fully integrated into all levels of this department including the top policy making positions. Also, the department needs to promote Latinas to supervisory, administrative, and management positions.

Our Director of EEO and our Co-Executive Director, Rudy Rico, in conjunction with the Los Angeles County Hispanic Managers Association, met with the Public Works Department Director and his staff to continue our co-operative effort to advocate for more hiring and promotions of Latinos throughout the department. We asked the Department head and his top staff to carefully review our data and take proactive steps that will result in fair and equal promotional practices for Latino employees.

The following data shows the results of our meetings with the department directors since 1996. We will continue to schedule more meetings in the future to review their data. (See comparison data table on pages 3-7).

Note: In future newsletters we plan to do a number of analysis of Latino employee representation in different large county departments.

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The Struggle Continues

By Lorenzo Sandoval
President
Los Angeles County Chicano Employees Association

LACCEA continues to aggressively advocate for the rights of our members and for the Latino community. LACCEA through its employee advocate has been filing a large number of grievances over the last eight months and successfully settling or winning significant number of these employee grievances. We have given county management a clear message that we will fight any unfair discipline against any of our members.

LACCEA also has strongly supported the funding of Los Angeles County programs in all of our contacts with elected officials. We have been especially vigilant in seeking to maintain as much funding as is possible for community based programs and Probation Department programs that impact an at-risk youth, youth currently under the jurisdiction of the Probation Department, and youth leaving the jurisdiction of the Probation Department and returning to the community. Last year we were able to successfully protect all of the \$32,700,000 allocated to Los Angeles County for these critical programs. These programs are vital to the Latino community as over 50.0% of the at-risk youth are Latino. This year with the budget crisis our hard work resulted in only about \$5,000,000.00 of the \$32,700,000.00 being cut. This is a huge victory for at-risk Latino youth.

LACCEA has also been working hard to keep certified Spanish-speaking bilingual employees from being laid off. In this effort, LACCEA Director of EEO and representatives from the Los Angeles County Hispanic Managers Association have been working with Supervisor Gloria Molina's office. Our Director of EEO in conjunction with the Hispanic Managers Association has also met with the Director of the Los Angeles County Affirmative Action Office and the Director of the Department of Health Services on this issue. We believe that our advocacy has result in some certified Spanish-speaking staff not being laid off. We are currently waiting for the Department of Health Services report on how many certified Spanish-speaking staff were laid off.

LACCEA along with the Los Angeles County Hispanic Managers Association will be continuing to meet with

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Los Angeles County Department Directors over the recruiting, hiring, and promoting of Latinos and over the appropriate hiring of certified Spanish-speaking staff. We have been preparing analysis of the various large county departments and providing them to Supervisor Gloria Molina's office and the County Office of Affirmative Action Officer. Rudy Rico, our Co-Executive Director, along with our Director of EEO, and the representative from the Los Angeles County Hispanic Managers Association, recently met with the Director of the Public Works Department and his top staff. Our Director of EEO prepared and presented a comprehensive analysis of the departments' progress or lack of progress in the hiring and promotions of Latinos. We were able to demonstrate to them exactly where more work needed to be done. We pointed out that we still do not have a Latino among the top eight positions in the department. We also pointed out that it is very important that the department management not retaliate against staff that file complaints.

Our Director of EEO, with a representative of the Hispanic Managers Association, also met with the Sheriff's Department. The Sheriff, since he has been in office from 12/07/98 to 5/31/03, has made thirty appointments to his top law enforcement positions. Out of the 30 individuals that he appointed 25 were Whites and 1 was Latino, who he subsequently demoted. He also appointed 15 White females to Captain and positions above and no Latinas. He currently has no Latinas above the rank of

Lieutenant. He also in his current Captains list has 27 Latinos in the first band but appointed only 1 Latino out of 16 appointments. Because of this lack of fair promotional practices for Latinos, LACCEA is strongly supporting the Los Angeles Chapter of the Hispanic American Command Officers Associations complaint of systemic employment discrimination against Latinos by the Sheriff's Department. They have filed this complaint with the United States Equal Employment Opportunity Commission.

LACCEA also met with the Director of the Department of Health services over the lack of Latinos in Supervisory Administrative and management positions. Our Director of EEO informed the Health Services Director that they were in violation of federal law and must take appropriate corrective action.

LACCEA also continues to work with other Latino employees associations with members who are employees of L.A. County such as (1) the Los Angeles County Hispanic Managers Association, (2) the Chapter of the Mexican American Correctional Association, (3) the Los Angeles County Latino Public Defenders Association, (4) the Los Angeles County Latino Prosecutors Association, and (5) the Los Angeles Chapter of the Hispanic American Command Officers Association on issues that would benefit Latino Employees in Los Angeles County government and the Latino community.

Meet Our Board Member

Ray Leyva

*By John Serrano
2nd Vice President*

Ray Leyva has been a member of the L.A. County Chicano Employees Association for over 5 years and on the Board of Directors for the past three years. He has served as treasurer for the past two years.

Ray is a past President of the Los Angeles Chapter of the Hispanic American Police Command Officers Association and in that role strongly supported LACCEA's Schiff/Cardenas Juvenile Justice Bill.

Ray is presently serving as a Captain at the Men's Central Jail where he started as a Deputy over 22 years ago.

Ray grew up in Bakersfield and moved to Los Angeles where he started California State College at Los Angeles and obtained a B.A. in Business then a Masters in Business Administration (M.B.A.) from Pepperdine University. When I asked Ray why he majored in Business rather than Law Enforcement he replied that he was thinking about a career in administration even then and felt it would be best to learn how to manage resources and to administer services to a wide and diverse population.

Ray has worked most aspects of law enforcement and he reports that the most satisfying was working as a Sergeant at the East L.A. station. Ray says he was able to work with the community and its organizations in setting up programs and seeking solutions that resulted in a positive change.

Ray indicated that what drew him to the CEA was Alan Clayton (LACCEA's Director of EEO) and the organization's efforts to improve the hiring and promotional practices of various L.A. County departments including the Sheriff's Department, Health Services Dept., Department of Public Works, Children's and Family Services Dept., Social Services Dept., and the Probation Department. Ray emphasized that as Latinos we need to take a leadership role in assuring that our people receive the services that they are entitled to. He emphasized that "if we don't do it, no one else will do it for us." He said "LACCEA advocacy has led to significant gains in Latino representation in some departments. However, we're actually going backwards in some departments in the number of Latinos in management. In those departments, Latinos have become a forgotten, even an invisible minority."

I pointed out to Ray that in the late 1950's the literature referred to the Latino community as "The Invisible Minority". Ray responded "that's my point, we need to strongly support organizations like LACCEA if we hope to change things."

**Los Angeles County Department of Public Works
Comparison of Data of 12/31/96 and 3/31/03**

Prepared By Alan Clayton on 5/14/03

Director of EEO

Los Angeles County Chicano Employees Association

Category A Management	White				Black				Hispanic				Total Positions
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female			
12/31/1996	44	78.6%	2	3.6%	1	1.8%	1	1.8%	1	1.8%	1	1.8%	56
Overall %		82.1%				3.6%				3.6%			
3/31/2003	44	62.0%	1	1.4%	2	2.8%	3	4.2%	7	9.9%	6	8.5%	71
Overall %		63.4%				7.0%				18.3%			
Category B													
Supv. Management													
12/31/1996	15	34.1%	11	25.0%	4	9.1%	1	2.3%	3	6.8%	4	9.1%	44
Overall %		59.1%				11.4%				15.9%			
3/31/2003	11	28.9%	7	18.4%	3	7.9%	4	10.5%	3	7.9%	4	10.5%	38
Overall %		47.3%				18.4%				18.4%			
Category C													
Management													
12/31/1996	36	31.9%	26	23.0%	7	6.2%	11	9.7%	5	4.4%	17	15.0%	113
Overall %		54.9%				15.9%				19.4%			
3/31/2003	28	16.0%	24	13.7%	11	6.3%	21	12.0%	17	9.7%	39	22.3%	175
Overall %		29.7%				18.3%				32.0%			
Administrative													
Assistant II													
12/31/1996	2	15.4%	3	23.1%	1	7.7%	3	23.1%	0	0.0%	2	15.4%	13
Overall %		38.5%				30.8%				15.4%			
3/31/2003	1	5.6%	2	11.7%	1	5.6%	2	11.7%	0	0.0%	8	44.4%	18
Overall %		17.3%				17.3%				44.4%			
Administrative													
Assistant III													
12/31/1996	6	50.0%	2	16.7%	2	16.7%	0	0.0%	0	0.0%	1	8.3%	12
Overall %		56.7%				16.7%				8.3%			
3/31/2003	6	17.1%	6	17.1%	2	5.7%	5	14.3%	3	8.8%	7	20.0%	35
Overall %		34.2%				20.0%				28.8%			
Staff Assistant I													
12/31/1996	0	0.0%	0	0.0%	0	0.0%	2	22.2%	0	0.0%	5	55.6%	9
Overall %		0.0%				22.2%				55.6%			
3/31/2003	0	0.0%	1	9.1%	1	9.1%	2	18.2%	0	0.0%	7	63.6%	11
Overall %		9.1%				27.3%				63.6%			
Category D													
Supervising Clerical													
12/31/1996	4	10.5%	5	13.2%	3	7.9%	7	18.4%	4	10.5%	6	15.8%	38
Overall %		23.7%				26.3%				26.3%			
3/31/2003	4	9.8%	6	14.6%	1	2.4%	11	26.8%	8	19.5%	6	14.6%	41
Overall %		24.4%				29.2%				34.1%			

	White				Black				Hispanic				Total Positions
	Male		Female		Male		Female		Male		Female		
Secretary IV													
12/31/1996	0	0.0%	6	27.3%	0	0.0%	4	18.2%	0	0.0%	12	54.5%	24
Overall %			27.3%				18.2%				54.5%		
3/31/2003	0	0.0%	6	17.6%	0	0.0%	4	11.8%	0	0.0%	20	58.8%	34
Overall %			17.6%				11.8%				58.8%		
Senior Secretary IV													
12/31/1996	0	0.0%	6	27.3%	0	0.0%	4	18.2%	0	0.0%	12	54.5%	22
Overall %			27.3%				18.2%				54.5%		
3/31/2003	0	0.0%	4	15.4%	0	0.0%	5	19.2%	0	0.0%	16	61.6%	26
Overall %			15.4%				19.2%				61.6%		
Intermediate Typist Clerk													
12/31/1996	0	0.0%	12	20.0%	0	0.0%	10	16.7%	0	0.0%	24	40.0%	60
Overall %			20.0%				16.7%				40.0%		
3/31/2003	1	1.4%	11	15.5%	0	0.0%	12	16.9%	3	4.2%	24	33.8%	71
Overall %			16.9%				16.9%				38.0%		
Senior Typist-Clerk													
12/31/1996	1	4.2%	1	4.2%	0	0.0%	6	25.0%	0	0.0%	10	41.7%	24
Overall %			8.4%				25.0%				41.7%		
3/31/2003	0	0.0%	1	4.5%	0	0.0%	2	9.1%	1	4.5%	13	59.1%	22
Overall %			4.5%				9.1%				63.6%		
Category E Clerical													
12/31/1996	7	2.0%	69	19.8%	11	3.2%	66	18.9%	22	6.3%	125	35.8%	349
Overall %			21.8%				22.1%				42.1%		
3/31/2003	8	2.3%	55	15.5%	6	1.7%	66	18.6%	26	7.3%	127	35.8%	355
Overall %			17.8%				20.3%				43.1%		
Category F Supervising													
12/31/1996	152	50.0%	21	6.9%	18	5.9%	3	1.0%	28	9.2%	5	1.6%	304
Overall %			56.9%				6.9%				10.8%		
3/31/2003	172	40.3%	28	6.6%	20	4.7%	2	0.5%	49	11.5%	9	2.1%	427
Overall %			46.9%				5.2%				13.6%		
Category G Professional													
12/31/1996	166	36.9%	23	5.1%	26	5.8%	11	2.4%	56	12.4%	7	1.6%	450
Overall %			42.0%				8.2%				14.0%		
3/31/2003	98	24.9%	31	7.9%	20	5.1%	8	2.0%	43	10.9%	27	6.9%	394
Overall %			32.8%				7.1%				18.8%		
Sr. Civil Engineer Asst.													
12/31/1996	34	30.9%	4	3.6%	7	6.4%	2	1.8%	24	21.8%	0	0.0%	110
Overall %			34.5%				8.2%				21.8%		
3/31/2003	31	24.6%	11	8.7%	9	7.1%	2	1.6%	12	9.5%	13	10.3%	126
Overall %			33.3%				8.7%				19.8%		
Principal Civil Eng. Asst.													
12/31/1996	43	49.4%	6	6.9%	7	8.0%	4	4.6%	7	8.0%	0	0.0%	87
Overall %			56.3%				12.6%				8.0%		
3/31/2003	21	21.9%	5	5.2%	6	6.3%	4	4.2%	17	17.7%	5	5.2%	96
Overall %			27.1%				10.5%				22.9%		

Category J	White				Black				Hispanic				Total Positions
	Male		Female		Male		Female		Male		Female		
<i>Supv. Protective Regulatory</i>													
12/31/1996	28	63.6%	0	0.0%	13	29.5%	1	2.3%	2	4.5%	0	0.0%	44
Overall %		63.6%				31.8%				4.5%			
3/31/2003	22	48.9%	1	2.2%	9	20.0%	0	0.0%	11	24.4%	1	2.2%	45
Overall %		51.1%				20.0%				26.6%			
<i>Sr. Building Eng. Inspector</i>													
12/31/1996	21	46.7%	4	8.9%	4	8.9%	0	0.0%	11	24.2%	2	2.2%	45
Overall %		55.6%				8.9%				26.4%			
3/31/2003	18	45.0%	5	12.5%	3	7.5%	1	2.5%	5	12.5%	2	5.0%	40
Overall %		57.5%				10.0%				17.5%			
<i>Construction Inspector</i>													
12/31/1996	8	50.0%	2	12.5%	1	6.3%	0	0.0%	2	12.5%	0	0.0%	16
Overall %		62.5%				6.3%				12.5%			
3/31/2003	14	60.9%	1	4.3%	4	17.4%	1	4.3%	2	8.7%	0	0.0%	23
Overall %		65.2%				21.7%				8.7%			
<i>Sr. Construction Inspector</i>													
12/31/1996	42	62.7%	1	1.5%	5	7.5%	0	0.0%	12	17.9%	1	1.5%	67
Overall %		64.2%				7.5%				19.4%			
3/31/2003	31	58.5%	2	3.8%	3	5.7%	0	0.0%	13	24.5%	0	0.0%	53
Overall %		62.3%				5.7%				24.5%			
Category L													
<i>Supv. General Services</i>													
12/31/1996	70	53.8%	0	0.0%	21	16.2%	0	0.0%	36	27.7%	0	0.0%	130
Overall %		53.8%				16.2%				27.7%			
3/31/2003	68	54.8%	0	0.0%	17	13.7%	0	0.0%	35	28.2%	0	0.0%	124
Overall %		54.8%				13.7%				28.2%			
<i>Flood Control Construction Supv.</i>													
12/31/1996	20	62.5%	0	0.0%	2	6.3%	0	0.0%	8	25.0%	0	0.0%	32
Overall %		62.5%				6.3%				25.0%			
3/31/2003	20	64.5%	0	0.0%	1	3.2%	0	0.0%	8	25.8%	0	0.0%	31
Overall %		64.5%				3.2%				25.8%			
<i>Construction Superintendent</i>													
12/31/1996	8	61.5%	0	0.0%	1	7.7%	0	0.0%	4	30.8%	0	0.0%	13
Overall %		61.5%				7.7%				30.8%			
3/31/2003	9	69.2%	0	0.0%	1	7.7%	0	0.0%	3	23.1%	0	0.0%	13
Overall %		69.2%				7.7%				23.1%			
<i>Road Maintenance Supervisor</i>													
12/31/1996	20	64.5%	0	0.0%	3	9.7%	0	0.0%	7	22.6%	0	0.0%	31
Overall %		64.5%				9.7%				22.6%			
3/31/2003	19	63.3%	0	0.0%	4	13.3%	0	0.0%	6	20.6%	0	0.0%	30
Overall %		63.3%				13.3%				20.6%			
<i>Rd. Maintenance Superintendent</i>													
12/31/1996	13	65.0%	0	0.0%	2	10.0%	0	0.0%	5	25.0%	0	0.0%	20
Overall %		65.0%				10.0%				25.0%			
3/31/2003	14	66.7%	0	0.0%	2	9.5%	0	0.0%	5	23.8%	0	0.0%	21
Overall %		66.7%				9.5%				23.8%			

Category M <i>Public Works Laborer</i>	White				Black				Hispanic				Total Positions
	Male		Female		Male		Female		Male		Female		
12/31/1996	37	18.9%	0	0.0%	50	25.5%	4	2.0%	99	50.5%	2	1.0%	196
Overall %		18.9%				27.5%				51.5%			
3/31/2003	15	13.3%	0	0.0%	27	23.9%	0	0.0%	68	60.2%	1	0.9%	113
Overall %		13.3%				23.9%				61.1%			
Public Works Maintenance Worker													
12/31/1996	83	32.5%	3	1.2%	76	29.8%	0	0.0%	90	35.3%	1	0.4%	255
Overall %		33.7%				29.8%				35.7%			
3/31/2003	60	22.6%	3	1.1%	60	22.6%	4	1.5%	131	49.4%	1	0.4%	265
Overall %		23.7%				24.1%				49.8%			
Crew Leader													
12/31/1996	42	41.6%	1	1.0%	28	27.7%	1	1.0%	26	25.7%	0	0.0%	101
Overall %		42.6%				28.7%				25.7%			
3/31/2003	31	32.3%	1	1.0%	24	25.0%	1	1.0%	36	37.5%	0	0.0%	96
Overall %		33.3%				26.0%				37.5%			
Traffic Painter & Sign Poster													
12/31/1996	8	24.2%	0	0.0%	6	18.2%	0	0.0%	19	57.6%	0	0.0%	33
Overall %		24.2%				18.2%				57.6%			
3/31/2003	4	13.3%	0	0.0%	5	16.7%	0	0.0%	19	63.3%	1	3.3%	30
Overall %		13.3%				16.7%				66.6%			
Sr. Traffic Painter & Sign Poster													
12/31/1996	2	20.0%	0	0.0%	1	10.0%	0	0.0%	7	70.0%	0	0.0%	10
Overall %		20.0%				10.0%				70.0%			
3/31/2003	1	10.0%	0	0.0%	1	10.0%	0	0.0%	8	80.0%	0	0.0%	10
Overall %		10.0%				10.0%				80.0%			
Water Service Worker													
12/31/1996	9	40.9%	1	4.5%	9	40.9%	0	0.0%	3	13.6%	0	0.0%	22
Overall %		45.4%				40.9%				13.6%			
3/31/2003	8	33.3%	1	4.2%	5	20.8%	0	0.0%	9	37.5%	1	4.2%	24
Overall %		37.5%				20.8%				41.9%			
Survey Technician I													
12/31/1996	11	40.7%	1	3.7%	4	14.8%	0	0.0%	10	37.0%	0	0.0%	27
Overall %		44.4%				14.8%				37.0%			
3/31/2003	6	26.1%	2	8.7%	4	17.4%	0	0.0%	10	43.5%	0	0.0%	23
Overall %		34.8%				17.4%				43.5%			
Category P Welder													
12/31/1996	4	50.0%	0	0.0%	2	25.0%	0	0.0%	2	25.0%	0	0.0%	8
Overall %		50.0%				25.0%				25.0%			
3/31/2003	4	36.4%	1	9.1%	1	9.1%	0	0.0%	5	45.5%	0	0.0%	11
Overall %		45.5%				9.1%				45.5%			
Painter													
12/31/1996	4	33.3%	0	0.0%	2	16.7%	0	0.0%	6	50.0%	0	0.0%	12
Overall %		33.3%				16.7%				50.0%			
3/31/2003	2	22.2%	0	0.0%	0	0.0%	0	0.0%	7	77.8%	0	0.0%	9
Overall %		22.2%				0.0%				77.8%			

	White				Black				Hispanic				Total Positions
	Male		Female		Male		Female		Male		Female		
Power Equipment Mechanic													
12/31/1996	24	50.0%	0	0.0%	1	2.1%	0	0.0%	19	39.6%	0	0.0%	48
Overall %		50.0%				2.1%				39.6%			
3/31/2003	14	31.8%	0	0.0%	1	2.3%	0	0.0%	24	54.5%	0	0.0%	44
Overall %		31.8%				2.3%				54.5%			
Category Q													
Crafts													
12/31/1996	83	49.1%	0	0.0%	13	7.7%	0	0.0%	61	36.1%	0	0.0%	169
Overall %		49.1%				7.7%				36.1%			
3/31/2003	62	37.6%	1	0.6%	16	9.7%	0	0.0%	75	45.5%	0	0.0%	165
Overall %		38.2%				9.7%				45.5%			
Heavy Truck Driver													
12/31/1996	24	42.1%	0	0.0%	16	28.1%	0	0.0%	17	29.8%	0	0.0%	57
Overall %		42.1%				28.1%				29.8%			
3/31/2003	19	27.1%	0	0.0%	23	32.9%	0	0.0%	27	38.6%	0	0.0%	70
Overall %		27.1%				32.9%				38.6%			
Assistant Dam Operator													
12/31/1996	5	50.0%	0	0.0%	1	10.0%	0	0.0%	4	40.0%	0	0.0%	10
Overall %		50.0%				10.0%				40.0%			
3/31/2003	3	27.3%	0	0.0%	3	27.3%	0	0.0%	5	45.5%	0	0.0%	11
Overall %		27.3%				27.3%				45.5%			
Dam Operator													
12/31/1996	6	60.0%	0	0.0%	1	10.0%	0	0.0%	3	30.0%	0	0.0%	10
Overall %		60.0%				10.0%				30.0%			
3/31/2003	6	60.0%	0	0.0%	1	10.0%	0	0.0%	3	30.0%	0	0.0%	10
Overall %		60.0%				10.0%				30.0%			
Power Equipment Operator													
12/31/1996	28	66.7%	0	0.0%	2	4.8%	0	0.0%	12	28.6%	0	0.0%	42
Overall %		66.7%				4.8%				28.6%			
3/31/2003	25	58.1%	0	0.0%	3	7.0%	0	0.0%	15	34.9%	0	0.0%	43
Overall %		58.1%				7.0%				34.9%			
Category T													
Executive Management													
12/31/1996	7	87.5%	1	12.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	8
Overall %		100.0%				0.0%				0.0%			
3/31/2003	6	75.0%	0	0.0%	1	12.5%	0	0.0%	0	0.0%	0	0.0%	8
Overall %		75.0%				0.0%				0.0%			
Departmental Total													
12/31/1996	1181	36.2%	197	6.0%	399	12.2%	125	3.8%	690	21.1%	187	5.7%	3264
Overall %		42.2%				16.0%				26.8%			
3/31/2003	976	30.0%	193	5.9%	334	10.3%	133	4.1%	776	23.8%	241	7.4%	3258
Overall %		35.9%				14.4%				31.2%			

*Latino population in the year 2000 was 44.6% in Los Angeles County.
Latino Civilian Labor Force in the year 2000 was 41.2% in Los Angeles County.*

A Letter to Representative Graciela Flores-Napolitano

The Honorable Graciela Flores-Napolitano
U.S. House of Representatives
1609 Longworth House Office Bldg.
Washington D.C. 20515

Dear Representative Flores-Napolitano:

On behalf of Los Angeles County Chicano Employees Association (LACCEA), I am writing to you requesting your support in addressing and combating the discriminatory promotional system within the Los Angeles County Sheriff's Department (LASD). We are asking for your help and a letter in support of the Hispanic American Command Officers, Los Angeles Chapter efforts to achieve fair promotional practices for Latinos. Both the Los Angeles County Hispanic Managers Association and the Mexican American Correctional Association (State) are supporting HAPCOA's efforts. LACCEA is asking you to support the Hispanic American Police Command Officers Association (HAPCOA) complaint that was filed on July 17th 2003 with the Equal Employment Opportunity Commission to address systemic disparate promotional practices within the LASD. HAPCOA says that **"the complaint was prompted when during the current promotional process, only one of 27 eligible Hispanics was promoted to the rank of Captain, although there were 16 open positions."** In addition, other issues listed below, were also considered before this complaint was filed."

HAPCOA states in their complaint that "the Los Angeles County Sheriff's Department, led by Sheriff Lee Baca, has made **30** promotions to the **top level sworn positions**, since he has been in office (12-7-98 thru 5-31-2003). These promotions included the Undersheriff, Assistant Sheriffs and Division Chiefs, **with 25 of the 30 being male or female Whites.** Among these 30 top level promotions, **only one was a Latino**, and that one Latino Division Chief has since been demoted back to the rank of Commander. A number of outstanding Latino candidates were bypassed for these top-level promotions."

"During this same timeframe, the Los Angeles County Sheriff's Department promoted **15 White females** to the positions of Captain and above, but **No Latinas** were promoted to the position of Captain or above." There are currently **No Latinas** at the rank of Captain

or above in the LASD.

LACCEA is in full support of this complaint because Sheriff Lee Baca has substantially ignored the advice that we gave him in meetings over the last four years and has not fairly promoted Latinos and Latinas to policy-making law enforcement positions.

Latinos make up 44.6% of Los Angeles County's population; they are 29.6% of the Sheriff's Department personnel. Whites, 31.1% of the population, make up 54.9% of the Department and Blacks, 9.7% of the population represent 10.3% of the Department.

Sheriff Lee Baca holds the highest post in the Department, but there are **no other Latinos** in the other top 14 positions: One Undersheriff, Two Assistant Sheriffs and Eleven Division Chiefs. With the exception of two Division Chiefs who are Asian, all are White. **Eleven** of these positions are held by **White males** and one of the positions is held by a White female. It is clear that **White males** dominate the top command structure.

We are requesting your support for the HAPCOA complaint by writing a letter to Supervisor Yvonne Brathwaite Burke, Chairperson of the Los Angeles County Board of Supervisors. Supervisor Burke's address is 500 West Temple St., Kenneth Hahn Hall of Administration Room 866, Los Angeles, CA 90012. We would also request that you send a letter to Cari Dominguez, Chairperson of the United States Equal Employment Opportunity Commission asking that they **thoroughly** investigate the disparate promotional practices employed by the LASD and settle the case with a comprehensive plan that is designed to provide fair promotional practices for Latino employees over the next ten years.

Please mail us copies of any correspondence that you send to Supervisor Burke and EEOC Chairwoman Cari Dominguez.

On behalf of LACCEA, I want to thank you in advance for your serious consideration of our request. Please call me if you have any questions at (626) 979-4902.

Sincerely,

Alan Clayton
Director of EEO
LACCEA

Meet LACCEA's Attorney at Law

Victor Manrique

LACCEA has retained the Law Offices of Victor Manrique to provide representational services to our members.

Victor Manrique is experienced before the Los Angeles County Civil Service and Employee Relations Commissions and is the former Chief Counsel to Local 660, SEIU for the past nine years. Mr. Manrique has represented 30 labor organizations during the past 18 years. He began his practice as the former west coast counsel to the ILGWU, and later worked 7 years in union-side labor law firms before establishing his own firm. Mr. Manrique obtained a Bachelor of Science in Business Administration from U.S.C. and his Juris Doctor degree from the University of California, Hastings College of the Law.

Mr. Manrique has worked with community, labor and religious groups over the years and is a former regional MAPA director involved with voter registration, candidate development, and voter mobilization efforts.

Know Your Rights

*By Victor Manrique
Attorney at Law*

This is the first in a series of articles by LACCEA's new counsel on representation questions and members are encouraged to write Victor Manrique on questions of general interest. This column is a general overview not a substitute for legal advice and the result in any particular case depends upon its specific facts. You should consult counsel if you believe you have a case and the passage of time can bar a claim. The general rule to avoid discipline is to obey an order and grieve it later, unless the order places you in danger or calls for an illegal act.

What is the structure of Los Angeles County offices that cover representational issues and what do they do?

The three main county offices are: the Employee Relations Commission (ERCOM), the Civil Service Commission, and the Department of Human Resources, Ap-

peals Unit.

ERCOM has three main functions. ERCOM processes arbitration requests by labor unions for labor contract violations and for disciplinary cases of 5 day suspensions or less. ERCOM also handles unfair labor practice charges based on anti-union, or anti-organizational activity retaliation. ERCOM further handles representational cases for unorganized county workers attempting to obtain union recognition by becoming part of existing labor unions or forming new labor unions. The source of ERCOM's authority starts with California Government Code Section 3500 etc. which permits counties to create ERCOM. The county ERCOM ordinance and its Rules and Regulation as well describe its role and functioning. For those of you familiar with the private sector, you will recognize that county ERCOM is similar to the federal National Labor Relations Board that covers private industry.

The Civil Service Commission handles disciplinary appeals of 5 day suspensions or greater, including discharges, disciplinary reductions and non-disciplinary medical releases. The Commission also has secondary jurisdiction to review non-promotion, examination and appraisal of promotability scoring claims after rulings by the Department of Human Resources Appeals Unit. The Civil Service Commission was established by Section 34 of the county charter and is governed by Civil Service Rules last negotiated with unions and approved by the Board of Supervisors in 1985 found as Appendix 1 to Title 5 of the County Code. The Commission also has procedural rules as well.

The Civil Service Rules refer to a "director of personnel" but this is not your departmental personnel office, rather it is the overall county Department of Human Resources. The Appeals Unit of the Department of Human Resources now carries the functions described in the Civil Service Rules of reviewing appeals on non-promotion claims, examination scoring, probationary reductions or releases, and has secondary review from departmental decisions on reclassification requests.

You file a grievance and take grievances to arbitration as well as unfair labor practices through ERCOM, and you file appeals either to the Civil Service Commission or the Appeals Unit of the Department of Human Resources.

You may not file both an ERCOM case and a Civil Service appeal at the same time on substantially the same facts, you must choose the proper forum. You may file both an arbitration and an unfair labor practice before ERCOM on the same matter, and ERCOM will defer the unfair to the arbitration and reactivate the unfair only if

the arbitration is repugnant to the purposes of the ordinance.

Can LACCEA represent in all forums?

LACCEA is a voluntary county employee association open to all and it is a recognized employee organization by ERCOM. LACCEA policy is that LACCEA can represent you if you are a member for more than 90 days when the problem or claim arose either before the Civil Service Commission and before the Appeals Unit of the Department of Human Resources.

However, LACCEA's role before ERCOM is limited to unfair labor practice charges, not arbitrations. LACCEA does not bargain the labor contracts, called Memoranda of Understanding, between the county and the unions. Since the unions, such as SEIU Locals 660, 535, and 434B, AFSCME Local 685, and the County Coalition of Unions bargain the contracts as exclusive bargaining representatives for their respective units approved by ERCOM, it is the unions that control the right to arbitrate grievances under their respective MOUs. LACCEA cannot take over representation of grievances to process them to arbitration, you must go through your union to get to arbitration. LACCEA may represent on a grievance arising under a union MOU, but LACCEA is limited to the three-step grievance process after which LACCEA representation ends. The unions may pursue binding arbitration before a third party neutral after the three-step grievance process is exhausted as provided in the MOUs. Arbitration is expensive and the unions are not required to take every grievance to arbitration, but the option is a very important consideration.

For non-represented employees, that is employees not covered by a union memorandum of understanding, you have no arbitration rights. Non-represented employees have access to the Civil Service Commission and the Appeals Unit of the Department of Human Resources, limited access to ERCOM under an unfair labor practice, and no access to ERCOM under union arbitration

provisions.

LACCEA policy as established by the Board of Directors is that members must choose their representative at the beginning of the grievance or appeal process and may not switch back and forth between organizations at different steps of the process.

What other County offices help employees?

The Office of Affirmative Action Compliance maintains statistics on the composition of the county workforce and both receives complaints from employees on discrimination by departments and assists departments to defend against discrimination complaints by employees. The OAAC has no authority to order departments to remedy discrimination, it may only set up non-binding mediation. A discrimination appeal may be made before the Civil Service Commission or under the non-discrimination provision of most union contracts, and where the discrimination is based on union activity, before ERCOM as an unfair labor practice.

The Long Term Disability office of the Department of Human Resources provides information on this important protection. The LTD plan is described in County Code Section 5.28.440 etc. and is administered for the county by the Voluntary Plan Administrators.

The Americans with Disability Act office of the Department of Human Resources assists employees with information ADA protections and can recommend accommodations to departments.

Disability retirement is not administered by the county but by the separate Los Angeles County Employee Retirement Association (LACERA). For employees in contributory plans, except Plan E, you may have early retirement rights based upon service or non-service connected disability.

The next article will cover examination and promotion rules.

Your New Board Members

*By John Serrano
Elections Committee*

The LACCEA by laws article IX Election of Board Members, Section II states that the names of the nominees should be submitted to the General Manager for each board seat no later than April 20th. The newsletter for Summer 2003 states on the first page, article "Time for Elections" states "if you are a member in good stand-

ing and wish to run for a board position, please submit an election statement no more than 100 words long, no later than April 20, 2003." Given that the LACCEA had seven open seats on the Board and that we received 7 applications that met the criteria of Article IX of the by laws, the elections committee therefore certifies the election of the seven candidates, as there is no contest for any open seat. The candidates elected were (1) Charlie Araujo, (2) Irma Becerra, (3) Grey Fisher, (4) Michael Santos, (5) Joaquin J. Herran, (6) Marcelino Sandoval, and (7) Lorenzo Sandoval.

Please Join Us at LACCEA's Installation of Officers



PLEASE MAIL YOUR CHECK IMMEDIATELY TO 2200 S. FREMONT AVE., ALHAMBRA, CA 91803, SUITE 201 BY 8/18/03. PLEASE MAKE CHECKS PAYABLE TO "LOS ANGELES COUNTY CHICANO EMPLOYEES ASSOCIATION". THE TICKETS WILL BE HELD AT THE DOOR. CALL US AT (626) 458-2314 IF YOU HAVE ANY QUESTIONS.

LOS ANGELES COUNTY
CHICANO EMPLOYEES ASSOCIATION

2200 South Fremont Avenue, Suite 201
Alhambra, California 91803
(626) 458-2314 • Fax (626) 458-2317

Board of Directors
Lorenzo Sandoval, President
Michael Santos, First Vice President
John Serrano, Second Vice President
Ray Leyva, Treasurer
Joe Delgado, Secretary
Fred Martel
Ralph Ochoa
Paul Lopez
Marcelino Sandoval
Joaquin Herran
David Zaragoza
Greg Fisher
Irma Becerra
Charlie Araujo

Staff
Rudy Rico, Co-General Manager
Raymond Palacios, Co-General Manager
Alan Clayton, Director EEO
Zuly Barrios, Assistant to General Manager

Retained Counsel
Law Office of Victor Manrique



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