

STATE OF CALIFORNIA

PUBLIC EMPLOYMENT RELATIONS BOARD



UNITED PUBLIC EMPLOYEES, LOCAL 1,

Charging Party,

v.

COUNTY OF SACRAMENTO,

Respondent.

Case No. SA-CE-477-M

COMPLAINT

It having been charged by Charging Party that Respondent engaged in unfair practices in violation of California Government Code section 3500 et seq., the General Counsel of the Public Employment Relations Board (PERB) on behalf of PERB, pursuant to California Government Code sections 3509(b) and 3541.3(i) and California Code of Regulations, title 8, section 32640, issues this COMPLAINT and alleges:

1. Charging Party is an exclusive representative within the meaning of PERB Regulation 32016(b) of two bargaining units: the Welfare Non-Supervisory Unit and the Office-Technical Unit.
2. Respondent is a public agency within the meaning of Government Code section 3501(c) and PERB Regulation 32016(a).
3. Before June 5, 2007, Respondent's policy was to provide current unit members who have purchased medical and dental insurance benefits with a subsidy to pay for these same benefits upon retirement.
4. On or about June 5, 2007, Respondent changed this policy by eliminating the medical and dental insurance subsidy for current unit members who retire on or after June 1, 2007.

5. Respondent engaged in the conduct described in paragraph 4 without prior notice to Charging Party and without having afforded Charging Party an opportunity to meet and confer over the decision to implement the change in policy and/or the effects of the change in policy.

6. By the acts and conduct described in paragraphs 4 and 5, Respondent failed and refused to meet and confer in good faith in violation of Government Code section 3505 and committed an unfair practice under Government Code section 3509(b) and PERB Regulation 32603(c).


7. This conduct also interfered with the rights of bargaining unit employees to be represented by Charging Party in violation of Government Code section 3506 and is an unfair practice under Government Code section 3509(b) and PERB Regulation 32603(a).

8. This conduct also denied Charging Party its right to represent unit members in violation of Government Code section 3503 and is an unfair practice under Government Code section 3509(b) and PERB Regulation 32603(b).

Any amendment to the complaint shall be processed pursuant to California Code of Regulations, title 8, sections 32647 and 32648.

DATED: June 11, 2007

TAMI R. BOGERT  
General Counsel

By   
\_\_\_\_\_  
Yarou Partov  
Regional Attorney

**PUBLIC EMPLOYMENT RELATIONS BOARD**

Sacramento Regional Office  
1031 18th Street  
Sacramento, CA 95814-4174  
Telephone: (916) 324-0141  
Fax: (916) 327-6377



June 12, 2007

Margot Rosenberg, Attorney  
Leonard Carder  
1330 Broadway, Suite 1450  
Oakland, CA 94612-2513

Steve Lakich, Director, Labor Relations  
County of Sacramento  
700 H Street, Suite 7650  
Sacramento, CA 95814

Re: United Public Employees, Local 1 v. County of Sacramento  
Unfair Practice Charge No. SA-CE-477-M

Dear Parties:

The Office of the General Counsel has issued the enclosed COMPLAINT in the above-entitled matter. The Respondent is required to file an ANSWER within twenty (20) calendar days from the date of service of the COMPLAINT, pursuant to PERB Regulation 32644.<sup>1</sup> The required contents of the ANSWER are described in Regulation 32644(b). If you have not filed a Notice of Appearance form, one should be completed and returned with your ANSWER.

Also enclosed is a Notice of Informal Conference informing you that an informal settlement conference has been scheduled. If you are unable to meet on the date specified, please follow the instructions in the second paragraph of the notice. All inquiries, filings and correspondence should be directed to the undersigned.

Sincerely yours,

*Christine A. Bologna*

Christine Bologna  
Administrative Law Judge

Enclosures

---

<sup>1</sup> PERB's Regulations are codified at California Code of Regulations, title 8, section 31001 et seq. Copies may be purchased from PERB's Publications Coordinator, 1031 18th Street, Sacramento, CA 95814-4174, and the text is available at [www.perb.ca.gov](http://www.perb.ca.gov).

STATE OF CALIFORNIA  
PUBLIC EMPLOYMENT RELATIONS BOARD



JUN 13 2007

UNITED PUBLIC EMPLOYEES, LOCAL 1,

Charging Party,

v.

COUNTY OF SACRAMENTO,

Respondent.

Case No. SA-CE-477-M

**NOTICE OF INFORMAL  
CONFERENCE**

PLEASE TAKE NOTICE that on **Tuesday, July 3, 2007**, at the **Public Employment Relations Board, 1031 18th Street, Suite 214, Sacramento, California**, beginning at **10:00 a.m.**, an informal conference will be held pursuant to California Code of Regulations, title 8, section 32650 on an unfair practice complaint issued by the Public Employment Relations Board (PERB) against the above-named respondent. The conference will be held before the undersigned representative of PERB, at which time the parties should appear in person or by representative.

PLEASE TAKE FURTHER NOTICE that requests to change the date of the informal conference will not be entertained unless a written request meeting the following conditions is filed in the Division of Administrative Law not less than five (5) working days before the date set for the conference.

1. The request must be served on the opposing party;
2. The reasons for the request must be specified;
3. The request must include the opposing party's position on the request;
4. Alternate dates proposed by the requesting party and submitted by the opposing party must be stated. (Reasonable attempts should have been previously made to coordinate those dates with the calendar of the undersigned; and

5. The alternate dates must fall within 20 calendar days of the date the conference was originally scheduled.

If all of the above-listed conditions are not met, the written request must set forth good cause for the failure to comply with this directive.

At the conference, the parties should be prepared to reach a settlement agreement or reduce the number of outstanding issues. If no settlement is reached, a formal hearing will be scheduled by the PERB. Parties should be prepared at the conference to submit at least three sets of proposed dates for formal hearing.

The parties should also be prepared to discuss whether they want to expedite processing the case by having a proposed decision issue without preparation of hearing transcripts.

All communications concerning the further processing of this case should be addressed to the undersigned at PERB, 1031 18th Street, Sacramento, CA 95814-4174; (916) 324-0141.

DATED: June 12, 2007

By Christine A. Bologna  
Christine Bologna  
Administrative Law Judge

ATTACHMENT

Expedited Decision Program

This program enables parties to obtain an expedited proposed decision without production of a transcript. Based upon his or her own notations of testimonial evidence and the record as a whole, the ALJ will endeavor to issue a proposed decision within thirty days of submission of the case. The following conditions apply to this program.

- - Post-hearing briefs will be at the discretion of the presiding ALJ.
- - The program is discretionary with the agency on a case by case basis.
- - Expedited Decisions are subject to review as in any other proposed decision.
- - Questions concerning this program should be directed to the ALJ assigned to the case

## PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Sacramento, California. I am over the age of 18 years and not a party to the within entitled cause. The name and address of my residence or business is Public Employment Relations Board, 1031 18th Street, Sacramento, CA 95814-4174.

On June 12, 2007, I served the Notice of Informal Conference and Cover Letter with Complaint regarding Case No. SA-CE-477-M on the parties listed below by

placing a true copy thereof enclosed in a sealed envelope for collection and delivery by the United States Postal Service or private delivery service following ordinary business practices with postage or other costs prepaid.

personal delivery.

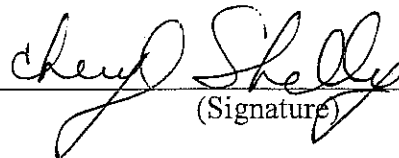
facsimile transmission in accordance with the requirements of PERB Regulations 32090 and 32135(d).

Margot Rosenberg, Attorney  
Leonard Carder  
1330 Broadway, Suite 1450  
Oakland, CA 94612-2513

Steve Lakich, Director, Labor Relations  
County of Sacramento  
700 H Street, Suite 7650  
Sacramento, CA 95814

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on June 12, 2007, at Sacramento, California.

Cheryl Shelly  
\_\_\_\_\_  
(Type or print name)

  
\_\_\_\_\_  
(Signature)