



Board Executive Summary

By: Harry Weis

DATE: 01/22/2018

ISSUE:

Petition by the EA and the EAP to affiliate with the American Federation of State, Federal, County and Municipal Employees.

BACKGROUND:

There currently are two Employee Organizations representing Tahoe Forest Hospital District employees under the state Meyers-Milias-Brown Act and the District's Employer-Employee Relations Ordinance, Ordinance 85-4 ("EERO"). These organizations, the Tahoe Forest Hospital District Employees' Association ("EA") and Tahoe Forest Hospital District Employees' Association of Professionals ("EAP"), represent most non-management District employees.

The EERO is attached as Item A.

Section 11 of the EERO states that, when an Employee Organization currently representing District employees merges with any other Employee Organization, it must notify the District under procedures set out in EERO Section 6 and a secret ballot election must be conducted under procedures set out in EERO Section 9.

Both the EA and the EAP have notified District management that they recently affiliated with the American Federation of State, Federal, County and Municipal Employees. On December 20, 2017, each filed a petition requesting a secret ballot election as called for by EERO Section 11. Copies of the petitions are attached as Items B and C.

Management has reviewed the petitions and believes that they comply with the requirements of EERO Section 11. The petitions contain all information required under EERO Section 6 except for a separate showing of interest by thirty percent of employees, which management believes is satisfied by the organizations' existing representative certification.

EERO Section 6(D) states that, upon receipt of a petition, management must review the petitions and determine whether the EERO's basic requirements have been met. Management then makes a recommendation to the Board, which in turn takes an up-or-down vote "regarding the validity of the petition."

Management recommends that the Board pass two motions finding (1) that the December 20, 2017, EA affiliation petition is valid under the EERO, Ordinance 85-4, and (2) that the December 20, 2017, EAP affiliation petition is valid under the EERO, Ordinance 85-4.

There are no additional issues to be determined by the Board at this time. If the petitions are deemed valid by the Board, there will be a secret-ballot election conducted by the State Mediation and Conciliation Service. Most non-temporary represented employees who are employed at the time of the election will be eligible to vote; employees unable to be present will receive absentee ballots. Both management and the EA/EAP may contest the eligibility of any voter, with the Board making a final determination on such issues. These procedures are described in EERO Section 9(B) through 9(F).

We hope to schedule an election in the next month to six weeks, though this will ultimately be determined in coordination with the State Mediation and Conciliation Service.

ACTION REQUESTED:

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