



United Firefighters of Los Angeles City

Local 112, International Association of Fire Fighters

December 13, 2021

Fire Chief Ralph Terrazas
Los Angeles Fire Department

**RE: Class Action Grievance - violation of LAFD Rules & Regulations,
Section (17)(f) and past personnel practices.**

Dear Chief:

We are formally filing a class action grievance on behalf of all UFLAC bargaining unit members/classifications represented in MOU 23.

Respectfully,

Freddy Escobar

President

Attachment: F-226-B

cc: ERO

CITY OF LOS ANGELES FIRE DEPARTMENT
FORMAL STATEMENT OF GRIEVANCE



DATE: 12/13/2021

PART I

<p><u>GREIVANT:</u> Firefighter III, Aaron Brownell and all other affected UFLAC bargaining unit members/classifications represented in MOU 23.</p>	
<p><u>REPRESENTATIVE:</u> Freddy Escobar</p>	<p><u>TITLE:</u> President</p>
<p><u>ADDRESS:</u> 1571 Beverly Blvd. Suite 201, Los Angeles, CA 90026</p>	
<p>Fire Chief Level of Review (Group/Class Grievance)</p>	

PART II – GRIEVANCE

The Los Angeles City Fire Department (LAFD) has violated LAFD Rules & Regulations, Section (17)(f) which provides that the service of any notice or process required by reason of disciplinary action shall be made either by handing the member a copy thereof personally, or by forwarding such copy by registered mail to his or her last known address of the Department record.

The LAFD also violated the lawful past personnel practice by imposing disciplinary action and/or placing unit members on leave without pay and benefits.

PART III – GRIEVANT’S STATEMENT

Beginning on or about November 28, 2021, members from this bargaining unit were sent emails, with an attached letter stating that they were being placed off duty, Leave Without Pay (LW). The members’ immediate supervisors were also sent emails that directed them to place the members off duty in the Network Staffing System. The Department failed to serve these notices in compliance with the Rules and Regulations Section 17(f).


Further, the Department has violated past practice by placing unit members on LW. Specifically, the Department has failed and refused to provide bargaining unit members the well-established due process and has failed and refused to follow the well-established procedures that by practice have been afforded to unit members before being disciplined, before being deprived of wages and benefits and/or before selecting a Board of Rights. UFLAC bargaining unit members have lost wages and benefits due to the Department’s breach.

In addition, some members were erroneously placed on Leave Without Pay and were in fact compliant with the relevant requirements. In some instances these members had proof of compliance, yet were ordered to leave work locations because recordings from Personnel stated they were non-compliant.

UFLAC asserts that the Department's actions violated the Rules and Regulations and past personnel practices.

PART IV – REMEDY

- 1) All affected bargaining unit members shall either be:
 - a. placed back on duty and made whole for lost wages and benefits, including lost overtime and CTO; or,
 - b. properly placed on paid administrative leave and made whole for lost wages and benefits, including lost overtime and CTO.
- 2) All members placed on LW in error and since returned to duty shall be made whole, including lost overtime and CTO.
- 3) UFLAC shall be provided with a list of all members who were sent emails with said notice and proof they were made whole. UFLAC reserves the right to review and dispute the list if inaccurate.
- 4) The Department shall send written notice to all bargaining unit members notifying them of the violation and corrective actions taken by the Department.
- 5) The Department shall cease and desist from further unlawful actions.

<u>SIGNATURE:</u> 	<u>DATE:</u> 12/13/21
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Date/Time Received by Reviewer:
