

Media Alert - August 1, 2018

Judge Rules in Favor of Palo Alto Utilities Labor Association

Submitted by Utilities Management Professionals Association of Palo Alto

An Administrative Law Judge for the Public Employee Relations Board (PERB) issued a proposed decision on Friday, July 27, declaring that the City of Palo Alto has failed to negotiate in good faith with the labor association representing managers of the City's Utilities Department. The Utilities Management Professional Association of Palo Alto (UMPAPA) is an employee labor association formed in 2011 by managers of the City of Palo Alto Utilities in an effort to participate in negotiations with city management.

From a statement on the website (www.umpapa.org), "UMPAPA is dedicated to the protection of our members and continued delivery of quality utility services for the City of Palo Alto. We are motivated by the need to attract and retain a qualified workforce to ensure the safety and reliability of our utility services, employees and community members."

The group's original 2009 [petition](#) to form a bargaining unit states that the Utilities group "functions as a utilities business unit separate and distinct from other city business." In 2011, the group's formation was enabled following an [arbitrator's ruling](#) that the City's Utilities Department is "unique compared to all other municipalities in the state." The association includes roughly 45 members.

In the [proposed decision](#) before PERB, Administrative Law Judge Alicia Clement found "that the City of Palo Alto violated the Meyers-Milias-Brown Act (Act), Government Code section 3500...by failing to provide relevant and necessary information in response to valid requests; and failing to meet and confer in good faith with the exclusive representative of an appropriate bargaining unit, pursuant to MMBA section 3505."

The judge continues that, "By this conduct, the City also interfered with the right of unit employees to participate in the activities of an employee organization of their own choosing, in violation of Government code section 3506 and PERB Regulation 32603, subdivision (a), and denied UMPAPA the right to represent employees in their employment relations with a public agency in violation of Government Code section 3503 and PERB Regulation 32603, subdivision (b)."

Both parties involved in the PERB case are currently reviewing the decision for determination of next steps in seeking remedies to the charges of unfair labor practices by the City. The [full decision brief](#) from Administrative Law Judge Alicia Clement is available on the www.umpapa.org website.

Questions about current contract negotiations can be directed to UMPAPA Chair, Jim Bujtor, at jsbujtor@gmail.com For information on past negotiations, please contact former UMPAPA Chair, Debbie Lloyd, at debralloyd66@yahoo.com

More details on UMPAPA are available at www.umpapa.org

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