



STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, Governor

## DEPARTMENT OF INDUSTRIAL RELATIONS

525 GOLDEN GATE AVENUE  
SAN FRANCISCO 94102ADDRESS REPLY TO:  
P.O. BOX 603  
San Francisco 94101

January 23, 1984

Earl Clark, General Chairman and  
Representative, U.T.U.,  
Los Angeles, Petitioner  
1125 W. 6th Street  
Los Angeles, CA 90017

Victor Thuessen, Esq.,  
Representing the Intervenor  
100 Bush Street, #440  
San Francisco, CA 94104

Sharon L. Smith, Assistant  
General Counsel, Labor,  
Representing the Employer  
S.C.R.T.D.  
425 So. Main Street  
Los Angeles, CA 90013

Re: Unit Clarification Involving Southern California  
Rapid Transit District, United Transportation Union  
and Brotherhood of Railway, Airlines and  
Steamship Clerks

Dear Parties:

I have reviewed the proposed decision by the Hearing Officer Julius Draznin in this matter, as well as the "exceptions" to that proposed decision filed by the Southern California Rapid Transit District and the response by the Intervenor Brotherhood of Railway, Airline and Steamship Clerks.

As to the Rapid Transit District exceptions, I find that RTD points 1 and 2 as to employee interest in representation are interrelated; B.R.A.C. had no obligation, at this time, to show any representative interest on their part. RTD points 3, 4, and 5 were spoken to at the hearing; in reviewing the transcript and the hearing officer's recommendation, I find no reason not to concur with the hearing officer. There was no new evidence presented subsequent to the hearing. Hence, in accordance with 8 California Administrative Code §15860 and §15865, I hereby adopt, as my own, the hearing officer's recommendation.

Letter

January 23, 1984

Re: Unit Clarification Involving Southern California  
Rapid Transit District, United Transportation Union  
and Brotherhood of Railway, Airlines and  
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Therefore, my decision is:

The Petition of the U.T.U. is dismissed and the Intervenor's motion for accretion be approved, and that all of the Data Technicians become part of the existing B.R.A.C. unit. The Data Technicians shall be incorporated into and covered for purposes of collective bargaining by the Intervenor B.R.A.C. as an accreted portion of the Intervenor's present bargaining unit. The Data Technicians' very substantial community of interest with the other employees in the B.R.A.C. unit clearly establishes this as the most appropriate resolution of this matter.

Very truly yours,

  
R.T. Rinaldi,  
Interim Director

RTR:srl