

With the passage of legislation permitting the County of Los Angeles (“County”) to provide an enhanced retirement plan to deputy district attorneys, deputy public defenders, and deputy alternate public defenders (AB 2023), your ADDA established an exploratory committee with the Public Defenders Association and representative from the alternate public defenders office. This committee eventually took on the name the Coalition for Pension Reform (“CPR”). The goal was to obtain Board of Supervisors authorization for 3% at 55 as permitted by the legislation. The first step was to determine the cost of such an enhanced retirement plan.

In pursuing the cost determination, CPR consulted with a financial economist and an actuarial firm. In addition, we accepted donations from our members to help pay for the actuarial study. That money had been deposited in a separate account, where it remains. Historically, the County’s Chief Administrative Officer (“CAO”) routinely authorized LACERA (our retirement association) to provide retirement data to unions requesting it. As a registered employee organization, but not a union, we believed the CAO would disclose this data, but regrettably we were wrong. Members of CPR who were discussing this with the CAO soon discovered that the County refused to provide this information. Without this data, our actuarial firm could not complete its cost analysis, and we were unable to make any recommendations to the CAO about how to implement 3% at 55.

Since the County and the CAO refused to provide us with even the basic information, the representatives of CPR and many on the ADDA believed that our only other option to pursue 3% at 55 was to unionize. As a represented group, the CAO would provide us with the information we needed, and would be obligated to discuss the issue in good faith with our union during bargaining. In addition, a union would permit us to bargain for better wages, and changes to unfair work place conditions. The first step was completed over a year ago when we turned in blue cards for a determination. Once again, the CAO has been an obstacle, and challenged a DDA only bargaining group. The matter was heard by the Employee Relations Commission (“ERCOM”), and referred to a hearing officer for an administrative hearing, fact finding and recommendation. The CAO’s representative then delayed the hearing for almost a year, claiming unavailability. The hearing finally concluded in May, with final briefs to be filed by County Counsel and the ADDA’s attorneys by June 1st.

The “Safety Retirement Fund” remains intact. Certain expenses for services previously provided by the economist and the actuary have been paid, but the majority of the funds remain in a separate account to pursue our 3% at 55 efforts. Recently the ADDA board passed a resolution authorizing expenses from the fund for union related activities as necessary in our efforts to obtain 3% at 55. With the necessary course leading to possible unionization, the ADDA also authorized a return of funds to any contributor who has decided to abandon support for our efforts to obtain 3% at 55. It is important to remember much has been done in our fight for a meaningful pension plan, but each DDA will have an ultimate opportunity to vote on whether we become a union. Should ERCOM rule in our favor, that does not automatically result in a union. A vote of our members will generally be required to implement any favorable ERCOM ruling (although the CAO may use an expedited option not requiring a vote if they find a

sufficient number of interest cards were filed and are valid. That discretion lies with the CAO, and is not being pursued by the ADDA).

As always, your ADDA's officers and directors are available to answer any of your questions and address any concerns as we navigate this challenging process. As other Counties are providing an enhanced retirements for its prosecutors (most recently Orange County authorized 2.7% at 55), your ADDA will continue our efforts.