

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

Michael G. Lutz Lodge No. 5 of the Fraternal Order of
Police

COMPLAINANT

v.

City of Philadelphia

RESPONDENT

DO NO WRITE IN THIS SPACE
Case No.
Date Filed

CHARGE OF UNFAIR LABOR PRACTICE

TO THE HONORABLE, THE MEMBERS OF THE PENNSYLVANIA LABOR RELATIONS BOARD:

The Complainant, Fraternal Order of Police Lodge No. 5
(name of employee, labor organization or employer)

by and through Marc L. Gelman, Esquire, Jennings Sigmond
Penn Mutual Towers, 16th Floor, 510 Walnut Street, Philadelphia, PA 19106-3683
(215) 351-0623
(address, zip code, telephone number of person filing charge)

HEREBY CHARGES

that Respondent, City of Philadelphia
(employer, labor organization or employe alleged to have committed unfair labor practices)

of One Parkway, 16th Floor, 1515 Arch Street, Philadelphia, PA 19102
(address, zip code, telephone number)

has engaged in unfair labor practices contrary to the provisions of the Pennsylvania Labor Relations Act, Section 6, subsection (1) or ~~(2)~~, clause(s) (a), ~~(b)~~, (c), ~~(d)~~, (e), ~~(f)~~. (Cross out subsection and clauses inapplicable prior to filing with the Board.)

If more than one Respondent, place X in block and list on separate sheet.

If a grievance relating to this issue has been filed, place X in block. If X is placed in block, please send a copy of the grievance and the contract to assist in review of this charge.

(over)

SPECIFICATION OF CHARGES

Set forth all of the events alleged to constitute the unfair labor practice(s). Include specific facts, dates, names, addresses, place of occurrence, and other relevant facts. If additional space is needed, please continue on additional sheet(s) (8 1/2" x 11").

SEE ATTACHED

WHEREFORE, the Complainant respectfully requests the Pennsylvania Labor Relations Board to enter the charge upon the Docket of the said Board and to issue and cause to be served upon the Respondent above named a Complaint stating the charge(s) of unfair labor practice(s).



Signature of Complainant or Representative

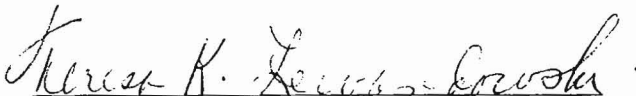

COMMONWEALTH OF PENNSYLVANIA :
: ss
:
COUNTY OF PHILADELPHIA :

On this 3rd day of June, 2011, before me, a
NOTARY PUBLIC, in and for said County and State, personally appeared

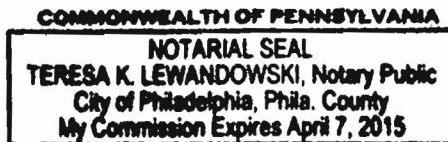
Marc L. Gelman, who being duly sworn according to law, deposes and says that

he/she is the person filing the foregoing CHARGE OF UNFAIR LABOR PRACTICES and is aware of the contents thereof and that the matters and facts set forth therein are true and correct to the best of his or her knowledge, information and belief.

SWORN AND SUBSCRIBED TO before me
the day and year first aforesaid.


Signature of Notary Public
Signature of Complainant or Representative

FAILURE TO FILE AN ORIGINAL AND 3 COPIES OF THE CHARGE
AND ALL ACCOMPANYING EXHIBITS MAY DELAY PROCESSING



**SPECIFICATIONS OF FACTS
ACCOMPANYING CHARGE OF UNFAIR PRACTICES
FILED BY LODGE NO. 5 OF THE FRATERNAL ORDER OF POLICE
AGAINST THE CITY OF PHILADELPHIA**

1. Fraternal Order of Police, Lodge No. 5 ("FOP") is, by virtue of Act 111, the exclusive collective bargaining representative for police officers who are employed the City of Philadelphia ("City").
2. For many years, police officers were responsible for the transporting of prisoners from police facilities throughout the City to the cell room at Traffic Court, located on Spring Garden Street.
3. This work had been done for many years by police officers, and was performed solely and exclusively by police officers
4. On or about May, 2011, the City began assigning the work of transporting prisoners to Traffic Court to members of the First Judicial Warrant Unit, who are not members of the bargaining unit.
5. The change in this long-standing practice was done without negotiating with the FOP.
6. Accordingly, by the above actions, the City has violated the Act.