

**PHOENIX EMPLOYMENT RELATIONS BOARD  
CITY OF PHOENIX  
STATE OF ARIZONA**

**UNFAIR EMPLOYEE RELATIONS PRACTICE CHARGE**

**INSTRUCTIONS:** Complete an original and provide four (4) copies of this charge and an additional copy for each organization and/or individual named in Item 7. File this charge with the Board within six (6) months after the occurrence of the act or conduct upon which this charge is founded.

**DO NOT WRITE IN THIS SPACE**

CASE NUMBER

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DATE FILED

1. Name of Charging Party Officer David Dager and PLEA		3. Telephone No. (602) 246-7869	
2. Address of Charging Party (Street, City, State, and ZIP) 1102 W. Adams Street, Phoenix, AZ 85003		5. Telephone No. (602) 248-8107	
4. Representative of Charging Party, if any Michael Neplet, P.O.		6. Address of Representative (Street, City, State, and ZIP) 2625 E. Arizona Billmore Circle, Suite 135, Phoenix, AZ 85015	
7. Name of Party against whom the Charge is brought (Charged Party) City of Phoenix, Lt. Mark Spenser and Lt. Dave Adams		8. Telephone No.	
9. Address of Charged Party (Street, City, State, and ZIP) 620 W. Washington, Phoenix, AZ 85003			

10. State the provisions of Phoenix City Code Section 2-220 alleged to have been violated. Support each alleged violation with a statement of facts that includes the dates, times, and places of the occurrence of each particular act.

Section violated: 2-220 A (1) & (2). On or about December 2, 2008 the Charged Parties, acting at all times for and on behalf of the City of Phoenix and as supervisors for the City of Phoenix Police Department attempted to influence the internal elections of the Phoenix Law Enforcement Association by offering to David Dager financial assistance, staff support and public relations assistance in the event that Officer Dager would agree to run for the office of President of PLEA against Officer Mark Spenser, current PLEA President. Such conduct constitutes interference with the exercise of rights of all unit members of the unit represented by the certified representative for the rank and file officers, the Phoenix Law Enforcement Association, to elect their own representatives without undue or external influence by management or supervisors within the same department. Such conduct interfering in the internal elections of the Phoenix Law Enforcement Association, attempting to influence that election, constitutes blatant interference and constitutes, as well, an attempt to dominate the meet and confer unit representative for the police unit.

(Use additional pages if necessary)

11. Statement of relief sought by Charging Party for each alleged violation of Phoenix City Code, Section 2-220.  
Cease and desist order prohibiting the Charged Parties and their agents from engaging in acts, as above described, of interference and domination.

(Use additional pages of necessary)

12. Attach Affidavit of Charging Party in accordance with Rule 3.3(F), PERB's Rules and Regulations.

**DECLARATION**

I do declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. I further declare that this charge does not involve employee discipline where an appeal of such discipline has been timely filed by the Charging Party under the City's Civil Service System.

By [Signature] Date 01/08/09  
Signature of Charging Party

By [Signature] [Title]  
Signature of Representative of Charging Party Title or Office, if any

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