

# Chabot-Las Positas Faculty Association (CLPFA)

## FACULTY FOCUS

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### MEMORANDUM

To: Chabot-Las Positas Faculty Association  
From: Bob Bezemek  
Date: January 8, 2012  
Re: PERB Issues Complaint Against District

I am pleased to report that on December 19, 2011, the California Public Employment Relations Board (“PERB”) issued a Complaint charging the Chabot-Las Positas Community College District with violating the California law governing collective bargaining. This law, the Educational Employment Relations Act, or EERA, is based on the Federal National Labor Relations Act.

PERB’s complaint alleges that the District committed unfair labor practices when it denied the Faculty Association its rights to receive information which it reasonably needs to represent faculty. This matter arose when the District decided that it would investigate a faculty member based on “complaints.” The Association requested copies of the complaints in order to represent the faculty employee, but the District refused to provide them. The Complaint alleges that the District’s action denied the Association its rights to represent the faculty member, and interfered with the faculty member’s rights to be represented by the Association. The District had also directed the faculty employee to not speak with students or enter the college campus, and denied the faculty member access to District e-mail or other professional tools such as Blackboard. PERB’s complaint alleges that these restrictions interfered with employee rights under the EERA.

PERB has ordered the District and Association to attend a mandatory settlement conference at the end of January. If the matter is not settled, PERB will order a hearing before an administrative law judge, who is empowered to decide if the Complaint should be sustained and if so, to order the District to satisfy its legal obligations under the law. A hearing before PERB proceeds like a trial, with witnesses and evidence. Thus, the Complaint is similar to an indictment, and the administrative law judge determines whether the evidence introduced at hearing proves a violation of the EERA.

We are very pleased PERB has issued a Complaint in this matter.

### 2011-2012 CLPFA Officers

President

**Charlotte Lofft**  
510.723.6873

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Chabot: **Dave Fouquet**  
510.723.6868  
LPC: **Jane McCoy**  
925.424.1237

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**Tom deWit**  
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925.424.1000 ext 2360

Membership

Chabot: **Shari Jacobsen**  
510.723.7696  
LPC: **Debbie Fields** 925.424.1113

Grievance Officer

Chabot: **Diane Zuliani**  
510.723.6838  
LPC: **LaVaughn Hart**  
925.424.1194



## **Message from President**

From Charlotte Lofft, FA President  
RE: Unfair Labor Practice (ULP) Charge Filed  
Against the District by Faculty Association

I am delighted to inform you that the FA has prevailed in the initial phase of the ULP we filed against the District a year ago. Please read the attached memo from the FA attorney for details. We will keep you informed as events unfold.

This is the first of two ULPs that the FA has filed against the District. The second one was filed last Fall and relates to the FA's right to negotiate a Free Speech policy with the District. It is too early to know the results in that case. We will, of course, keep you informed.

We are jubilant about how this first ULP has evolved to date, and as I said, we will keep you informed. It is our pleasure to serve you.

All the best for 2012!!

Sincerely,  
Charlotte Lofft

## **Membership and Dues - FA Membership ONLINE!!**

*Debbie Fields*

Our Faculty Association (CLPFA) has an Agency Fee, which means that all faculty pay dues into the FA treasury even if they are NOT members of the Faculty Association. Only current FA members can vote on ballot measures, but everyone pays. Membership in the CLP Faculty Association is open to all current full-time and adjunct faculty of Chabot and Las Positas Colleges.

You can check your membership status online, via the [www.clpfa.com](http://www.clpfa.com) website, click on the Membership/Dues link, click on the [Check CLPFA Membership Status](#) link. You can apply for membership or update your membership information with the [Online CLPFA Membership form](#)



## **FA Spring Meetings:**

The Faculty Association has scheduled several general faculty meetings for Spring 2012. Come meet with the FA board members, negotiators, and other faculty to discuss issues. All adjunct, full-time faculty are invited.

- Chabot: Tuesday, February 21, 12:00-1:00pm, Room 405
- Chabot: Tuesday, March 20, 12:00-1:00pm, Room 405
- Chabot: Tuesday, April 17, 12:00-1:00pm, Room 405
- LPC: Wednesday, Feb 29, 3:00-5:00pm, Faculty Lounge

Any faculty member is welcome to attend the public comment portion of the FA Board meeting. Please email FA President Charlotte Lofft ([cehlofft@comcast.net](mailto:cehlofft@comcast.net)) before attending so we can list on the agenda. Meetings are held monthly at Frankie, Johnnie & Luigi Too! – Dublin at 11891 Dublin Blvd, Dublin

### **Spring 2012 Meeting Dates:**

- January 20, 2012 (Friday)
- February 24 2012 (Friday)
- March 23, 2012 (Friday)
- April 27, 2012 (Friday)
- May 31, 2012 (Thursday)