

To: Carpinteria Association of United School Employees (CAUSE) Union & Unit Members

From: CAUSE Executive BOARD & California Federation of Teachers (CFT)



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Sept. 1, 2022

Dear Union Members & CUSD Colleagues,

CAUSE / Union Leadership, with the support of the California Federation of Teachers (CFT), is compelled to share the following update.

CUSD continues campaign of retaliation against the Union (CAUSE) President:

For the second time in less than a year, CUSD has placed our Union President, J. Hotchner, on “Administrative Leave.” Once again, District Leadership has retaliated against Union leadership, District Union members, and specifically the CAUSE President, in hopes of minimizing the impact of employees’ voices at the outset of the instructional year and in the middle of a clearly challenging collective bargaining cycle.

Once again, the District fails to provide any detail regarding the basis for the Administrative Leave, which leaves Mr. Hotchner with no information to understand the action and defend himself. Once again, the District’s most recent notification letter served as an excessively broad “gag-order.” Specifically, prohibiting Mr. Hotchner from communicating with either District students, employees, administrators, Board Members, and/or District families; going so far as to threaten Mr. Hotchner with further disciplinary allegations if he failed to follow the directives in an effort to defend himself.

Mr. Hotchner responded to the orders by confirming his intent to comply, while also acknowledging the District’s efforts to unlawfully restrict the exercise of his rights guaranteed by California labor law. Although disappointed by the District’s behavior, Mr. Hotchner is not easily intimidated. He and CAUSE leadership have confirmed that the District may not prevent Mr. Hotchner from serving in his elected capacity as the Union President. Fortunately, the work and advocacy of the Union (A) will continue, and (B) will continue to be led by Mr. Hotchner.

Who is affected by the District's Actions (Beyond the CAUSE President)?

To be clear, the Union understands the District's action as obvious retaliation against Mr. Hotchner for serving in the role as the Union President; primarily for his advocacy on the behalf of District employees. By placing Mr. Hotchner on leave, Union leadership believes the District attempts to discredit our Union President's performance; not just in his role as CAUSE President and labor advocate, but in his roles as Middle School teacher of 20+ years, parent of District students, husband of a District employee, and engaged community member working with a variety of community organizations.

It also appears that CUSD employees are an intended audience of the District's retaliation. The District is likely well aware that such an action, pursued as it has been, sends waves of concern, fear, confusion, misinformation, and incendiary rumors around both the District and community.

CAUSE members, District administrators, and community members know the CAUSE leadership team (*led by Mr. Hotchner*) to be strong advocates for workers' rights, fair compensation, and the maintenance of safe and healthy workplace conditions. It was no secret that Senior District leadership have targeted Mr. Hotchner for his Union advocacy. *For example:*

- (A) During the rush to reopen schools amidst the then still surging and medically misunderstood COVID-19 pandemic, the Union provided oversight upon the variety of poorly-conceived and dangerous health conditions pursued by CUSD leadership.
- (B) Just last year, the District, led by *Human Resource Director Zapata and Superintendent Diane Rigby* was found to have violated the law associated with District retaliation against faculty and Union leaders (as determined by the California Public Employment Relations Board [PERB]). The CUSD spent no less than \$1,500,000 trying to defend the behavior of its most senior District administrators; and still thoroughly lost each legal action the Union was compelled to pursue in an effort to defend District employees and Union leadership.
- (C) In the last two years, the Union also held several junior District administrators accountable to a variety of violations related to CLASSIFIED and CERTIFICATED contract violations. All involved efforts by District administration to taint the personnel records of District faculty, support staff, and Union representatives, by including inaccurate, defamatory, and fabricated content in these employees' performance evaluations.

Similarly, CAUSE leadership does not believe it is a coincidence that Superintendent Rigby and the School Board chose to pursue this retaliatory action (*placing Mr. Hotchner on Administrative Leave for the second year in a row*) just before the bargaining partners were set to begin negotiations on **Article 6: Compensation and Benefit**. Apparently, the District still

appears determined to undermine, if not remove, the professional credibility, capacity, and participation of the Union's elected President and most experienced negotiator before CUSD's most recent and future proposals can be thoroughly vetted and bargained.

Moving forward:

Mr. Hotchner remains your hard-working and tenacious Union President & advocate. He will continue serving in the role of President, and remains available to the CAUSE bargaining unit in that role.

If you are called into a formal interview with the CUSD administration, you should participate and answer all questions honestly. Of course, in such an event, we encourage you to seek Union representation.

For those employees who have received informal requests for derogatory information, or who may possess information of ongoing District targeting or harassment of elected Union Leadership, we encourage you to contact our leadership team privately and directly at: cause.cusd@gmail.com [***Please note: We discourage the use of District email or use District computers for this purpose.***]

Finally, if CAUSE leadership can be of any support regarding routine workplace conditions, health & safety, and/or contractual matters of any kind, please contact us immediately. We remain committed to the same high-quality advocacy our members have come to rely upon.

In Unity,

~ CAUSE Leadership (& the CFT)