

Addendum to:

REQUEST FOR IMPASSE DETERMINATION/ APPOINTMENT OF MEDIATOR

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11. STATEMENT OF FACTS

Provide a clear and concise description of the negotiations which have occurred, including the extent to which the parties have made counter-proposals and have discussed the issues which remain in dispute. Identify the facts which indicate that future meetings without the assistance of a mediator would be futile.

After the bargaining partners began the 2023-24 negotiation cycle in April, 2023, several challenges have ensued:

- 1.) By the end of December, 2023, the District had unilaterally cancelled eleven (11) of fourteen (14) scheduled bargaining sessions; significantly delaying the bargaining process.
- 2.) In the middle of the bargaining cycle (January, 2024), the District announced it was re-composing its bargaining team. This resulted in further delay. The District's new team first offered availability during very limited non-business hours. Eventually, meeting dates were agreed upon, but not until March 2023; approximately 10 months after the bargaining cycle began.
- 3.) Both the CERTIFICATED and CLASSIFIED CBAs had not been properly updated since 2015-16; previous contract agreements had not been consistently included in the CBAs, nor had obsolete language been removed. Each year, the Union had requested the bargaining partners update the CBAs, acknowledging that both CBAs had become increasingly confusing. It was no longer clear what language was and was-not in force. The District's refusal to resolve these responsibilities earlier, resulted in further delay during the 23-24 bargaining cycle. Eventually, the partners were required to use both March (2024) and April (2024) collective bargaining sessions to resolve updating contracts before both parties had a mutual understanding of the CBAs.
- 4.) CAUSE began submitting proposals as early as June, 2023. However, although the District entirely rejected these proposals, CUSD failed to provide any explanation for their rejections; further delaying the process. The Union was left to modify its proposals in absence of said explanations. The District's only began providing brief formal explanations and supporting data on May 2, 2024; over 12 months into the 23-24 bargaining cycle. [*The same explanations were informally provided just days earlier, by email, on April, 30, 2024.*]
- 5.) Throughout the bargaining cycle, the Union has sought information pertinent to our negotiation decisions. The District's responses have been lethargic, incomplete, and/or non-existent. This has created significant delays and inefficiency when trying to reach decisions based on realistic and accurate data.

Since the outset of the 23-24 cycle, the Union has submitted several proposals and counter proposals; each dated and titled. The Union modified its positions several times throughout the 23-24 bargaining cycle, clearly identifying changes to proposed language in counter-proposals. Where proposals were not changed, the Union has relied on its last best offers to stand as submitted.

The District's positions, as expressed in CUSD's proposals, have been modified very little during the 23-24 bargaining cycle; generally responding with "status-quo" language. By June 24, 2024, after the District refused to modify its proposals and/or counter proposals, and would not share data clarifying its explanations why, CAUSE determined that an agreement or even further progress could not be made. CAUSE notified the District that the Union would request impasse, in hopes that PERB could assist the bargaining partners in reaching fair contract agreements for the 23-24 bargaining cycle.