



**PERB**  
California Public Employment  
Relations Board

Office of the General Counsel  
1031 18th Street  
Sacramento, CA, 95811-4124  
Telephone: (916) 297-1415



May 23, 2024

Timothy Yeung, Attorney  
Sloan Sakai Yeung & Wong LLP  
555 Capitol Mall, Suite 600  
Sacramento, CA 95814

Margo A. Feinberg, Attorney  
Amy Moolin Cu, Attorney  
Daniel Curry, Attorney  
Schwartz, Steinsapir, Dohrmann & Sommers, LLP  
6300 Wilshire Blvd Suite 2000  
Los Angeles, CA 90048

Re: *Regents of the University of California v. International Union, United  
Automobile, Aerospace and Agricultural Implement Workers of America  
(UAW), AFL-CIO and its Local Union 4811*  
Unfair Practice Charge No. SF-CO-246-H  
**COMPLAINT**

Dear Parties:

The Office of the General Counsel has issued the enclosed COMPLAINT in the above-entitled matter. The Respondent is required to file an **ANSWER** within 20 calendar days from the date of service of the COMPLAINT, pursuant to PERB Regulation 32644.<sup>1</sup> The required contents of the **ANSWER** are described in PERB Regulation 32644(b). If you have not filed a Notice of Appearance form, one should be completed and returned with your **ANSWER**.

Also enclosed is a Notice of Informal Conference informing you that an informal settlement conference has been scheduled. If you are unable to meet on the date specified, please follow the instructions in the second paragraph of the notice.

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<sup>1</sup> PERB's Regulations are codified at California Code of Regulations, title 8, section 31001 et seq. The text of PERB's Regulations may be found at [www.perb.ca.gov](http://www.perb.ca.gov).

Unfair Practice Charge No. SF-CO-246-H

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All inquiries, filings, and correspondence in this matter should be directed to me.

Sincerely,

A handwritten signature in black ink, appearing to read "Brendan P. White". The signature is stylized and somewhat cursive, with the first name "Brendan" being more prominent and the last name "White" following in a similar style.

Brendan P. White  
Senior Regional Attorney

BPW

Enclosures

STATE OF CALIFORNIA  
PUBLIC EMPLOYMENT RELATIONS BOARD



REGENTS OF THE UNIVERSITY OF  
CALIFORNIA,

Charging Party,

v.

INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT WORKERS OF  
AMERICA (UAW), AFL-CIO AND ITS LOCAL  
UNION 4811,

Respondent.

Case No. SF-CO-246-H

COMPLAINT

It having been charged by Charging Party that Respondent engaged in unfair practices in violation of Government Code section 3571.1, the General Counsel of the Public Employment Relations Board (PERB), pursuant to Government Code sections 3563(h) and 3563.2 and California Code of Regulations, title 8, section 32640, issues this COMPLAINT on behalf of PERB and ALLEGES:

1. Charging Party is an employer within the meaning of Government Code section 3562(g).
2. Respondent is an exclusive representative within the meaning of Government Code section 3562(i) of three appropriate units of employees: the BX/BR Bargaining Unit consisting of Academic Student Employees and Academic Graduate Student Researchers, the PX Bargaining Unit consisting of Postdoctoral Scholars, and the RA Bargaining Unit consisting of Academic Researchers.

## UNILATERAL CHANGE

3. Before May 17, 2024, Charging Party and Respondent agreed in four collective bargaining agreements (CBAs) covering each of the four bargaining units, respectively, that:

“During the term of this agreement or any written extension thereof, the University agrees that there shall be no lockouts by the University. The UAW, on behalf of its officers, agents, and members agrees that there shall be no strikes, including sympathy strikes, stoppages or interruptions of work, or other concerted activities which interfere directly or indirectly with University operations during the life of this agreement or any written extension thereof. The UAW, on behalf of its officers, agents, and members, agrees that it shall not in any way authorize, assist, encourage, participate in, sanction, ratify, condone, or lend support to any activities in violation of this article.”

4. On or about May 15, 2024, Respondent changed this policy by authorizing a strike, and, no later than May 17, 2024, by announcing that bargaining unit employees would strike at Charging Party’s Santa Cruz campus beginning on May 20, 2024.

5. Respondent engaged in the conduct described in paragraph 4 without prior notice to Charging Party and without having afforded Charging Party an opportunity to meet and confer over the decision to implement the change in policy and/or the effects of the change in policy.

6. By the acts and conduct described in paragraphs 4 and 5, Respondent failed and refused to meet and confer in good faith in violation of Government Code section 3571.1(c).

## DUTY TO BARGAIN IN GOOD FAITH

7. By the acts and conduct described in paragraph 4, Respondent failed to provide adequate advance notice of its work stoppage, and failed and refused to meet and confer in good faith in violation of Government Code section 3571.1(c).

Any amendment to the complaint shall be processed pursuant to California Code of Regulations, title 8, sections 32647 and 32648.

DATED: May 20, 2024

J. Felix De La Torre  
General Counsel

By  \_\_\_\_\_  
Mary Weiss  
Deputy General Counsel

STATE OF CALIFORNIA

PUBLIC EMPLOYMENT RELATIONS BOARD



REGENTS OF THE UNIVERSITY OF  
CALIFORNIA,

Charging Party,

v.

INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT WORKERS OF  
AMERICA (UAW), AFL-CIO AND ITS LOCAL  
UNION 4811,

Respondent.

Case No. SF-CO-246-H

**NOTICE OF INFORMAL  
CONFERENCE  
(VIDEOCONFERENCE)**

PLEASE TAKE NOTICE that on **May 24, 2024**, beginning at **10:00 a.m.**, an informal settlement conference will be held pursuant to California Code of Regulations, title 8, section 32650, concerning an unfair practice complaint issued by the Public Employment Relations Board (PERB or Board) against the above-named respondent. The conference will be conducted by the undersigned Board agent, at which time the parties should appear via remote videoconference. Instructions for joining the videoconference will be provided to the parties prior to the conference.

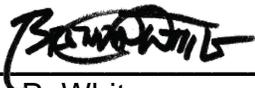
A request to reschedule the informal conference should be made to the undersigned Board agent at least five days before the date of the informal conference. The request should: be in writing, be copied to all other parties, specify the reasons for the request, and propose alternate dates for the informal conference.

PERB's informal conference proceedings are mediations and, therefore, enjoy absolute confidentiality pursuant to California Evidence Code, sections 703.5 and

1119. At the informal conference, the parties should be prepared to reach a full settlement agreement or reduce the number of outstanding issues. Any representative who is not authorized to settle the case should be accompanied by an individual who is so authorized. If no settlement is reached, a formal hearing may be scheduled by PERB. Parties should also be prepared to provide available dates for a formal hearing occurring approximately three to four months after the date of the informal conference.

All communications concerning the further processing of this case should be addressed to the undersigned Board agent at [Brendan.White@perb.ca.gov](mailto:Brendan.White@perb.ca.gov) or by telephone at (916) 297-1415.

DATED: May 23, 2024

By  \_\_\_\_\_  
Brendan P. White  
Senior Regional Attorney

## PARTICIPATING IN A PERB INFORMAL CONFERENCE

During an Informal Conference, an impartial PERB Regional Attorney meets with the parties in order to help them evaluate their respective positions and hopefully, create their own mutually satisfactory resolution of the matter. If the case is not resolved, it proceeds to a formal hearing before a PERB Administrative Law Judge.

- A Regional Attorney is assigned to conduct the Informal Conference pursuant to PERB's regulations.<sup>1</sup> The assigned Regional Attorney is *not* the same person who issued the Complaint, and is *not* the same person who will hear the case if it does not settle.
- Parties should be **fully prepared** to discuss: the relative strengths and weaknesses of the case; the potential outcomes at the formal hearing; the most likely outcome at hearing; and possible ideas for resolving the matter.
- The entirety of the Informal Conference is considered to be confidential, and consequently, no one can subpoena the PERB Regional Attorney for a subsequent administrative/legal hearing, obtain copies of their notes, or introduce other evidence of the discussions that occurred during the conference.
- During the course of the Informal Conference, the Regional Attorney may meet with the parties jointly, separately, or only with legal counsel present. The possibility exists that all three situations may occur.
- If a party has legal counsel of record, that counsel is expected to attend the Informal Conference, or at a minimum provide a written waiver to the party representative(s) acting in their place.
- Parties are expected to have full settlement authority before the Informal Conference commences, or at a minimum, have someone with settlement authority on stand-by to give immediate feedback for the entire duration of the Informal Conference.
- If a settlement agreement is reached, the Regional Attorney will assist the parties with memorializing their agreement in writing.
- If a settlement agreement is not reached, the parties will be asked to provide an estimated: number of required days of hearing, and number of witnesses they expect to present, as well as their available hearing dates. The parties will also have the opportunity to discuss and narrow the issues that will be addressed at the formal hearing.

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### <sup>1</sup> PERB Regulation 32650 - Informal Conference

(a) A Board agent may conduct an informal conference or conferences to clarify the issues and explore the possibility of voluntary settlement. No record shall be made at such a conference.

(b) A Board agent shall give reasonable notice of such conference to each party directed to attend.

## PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Sacramento, California. I am over the age of 18 years and not a party to the within entitled cause. The name and address of my residence or business is Public Employment Relations Board, Sacramento Regional Office, 1031 18th Street, Sacramento, CA, 95811-4124.

On May 23, 2024, I served the Complaint Cover Letter, Complaint, and Notice of Informal Conference regarding Case No. SF-CO-246-H on the parties listed below by

I am personally and readily familiar with the business practice of the Public Employment Relations Board for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Sacramento, California.

Personal delivery.

Electronic service (e-mail).

Timothy Yeung, Attorney  
Sloan Sakai Yeung & Wong LLP  
Email: tyeung@sloansakai.com

Daniel Curry, Attorney  
Amy Moolin Cu, Attorney  
Margo A. Feinberg, Attorney  
Schwartz, Steinsapir, Dohrmann & Sommers LLP  
Email: amc@ssdslaw.com  
Email: dec@ssdslaw.com  
Email: margo@ssdslaw.com  
Email: eah@ssdslaw.com  
Email: lz@ssdslaw.com

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 23, 2024, at Sacramento, California.

Nikoo Seirafi  
\_\_\_\_\_  
(Type or print name)

  
\_\_\_\_\_  
(Signature)