



**STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD
UNFAIR PRACTICE CHARGE**

DO NOT WRITE IN THIS SPACE:

Case No:

Date Filed:

INSTRUCTIONS: File this charge form via the e-PERB Portal, with proof of service. Parties exempt from using the e-PERB Portal may file the original charge in the appropriate PERB regional office (see PERB Regulation 32075), with proof of service attached. Proper filing includes concurrent service and proof of service of the charge as required by PERB Regulation 32615(c). All forms are available from the regional offices or PERB's website at www.perb.ca.gov. If more space is needed for any item on this form, attach additional sheets and number items.

IS THIS AN AMENDED CHARGE?

YES

If so, Case No.

NO

1. CHARGING PARTY:

EMPLOYEE

EMPLOYEE ORGANIZATION

EMPLOYER

PUBLIC¹

a. Full name:

California Faculty Association

b. Mailing address:

1110 K Street, Sacramento, CA 95814, Sacramento, CA 95814

c. Telephone number:

(916) 441-4848

d. Name and title of person
filing charge: Telephone

Jenna Narahara, Attorney

number:

(626) 796-7555

E-mail Address:

jnarahara@rsglabor.com

e. Bargaining unit(s)
involved:

Unit 3

2. CHARGE FILED AGAINST: (mark one only)

EMPLOYEE ORGANIZATION

EMPLOYER

a. Full name:

Trustees of the California State University

b. Mailing address:

401 Golden Shore Long Beach, CA 90802

c. Telephone number:

(562) 951-4500

d. Name and title of agent
to contact: Telephone

Marc Mootchnik, University Counsel

number:

(562) 951-4500

E-mail Address:

mmootchnik@calstate.edu

3. NAME OF EMPLOYER (Complete this section only if the charge is filed against an employee organization.)

a. Full name:

b. Mailing address:

4. APPOINTING POWER: (Complete this section only if the employer is the State of California. See Gov. Code, § 18524.)

a. Full name:

b. Mailing address:

c. Agent:

¹ An affected member of the public may only file a charge relating to an alleged public notice violation, pursuant to Government Code section 3523, 3547, 3547.5, or 3595, or Public Utilities Code section 99569. PERB-61 (08/2022) SEE REVERSE SIDE

5. GRIEVANCE PROCEDURE

Are the parties covered by an agreement containing a grievance procedure which ends in binding arbitration?

Yes No Unknown

6. STATEMENT OF CHARGE

- a. The charging party hereby alleges that the above-named respondent is under the jurisdiction of: (check one)
 - Educational Employment Relations Act (EERA) (Gov. Code, § 3540 et seq.)
 - Ralph C. Dills Act (Gov. Code, § 3512 et seq.)
 - Higher Education Employer-Employee Relations Act (HEERA) (Gov. Code, § 3560 et seq.)
 - Meyers-Milias-Brown Act (MMBA) (Gov. Code, § 3500 et seq.)
 - One of the following Public Utilities Code Transit District Acts: San Francisco Bay Area Rapid Transit District Act (SFBART Act) (Pub. Util. Code, § 28848 et seq.), Orange County Transit District Act (OCTDA) (Pub. Util. Code, § 40000 et seq.), Sacramento Regional Transit District Act (Sac RTD Act) (Pub. Util. Code, § 102398 et seq.), Santa Clara VTA, (Pub. Util. Code, § 100300 et seq.), and Santa Cruz Metro (Pub. Util. Code., § 98160 et seq.)
 - The Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA) (Supervisory Employees of the Los Angeles County Metropolitan Authority (Pub. Util. Code, § 99560 et seq.)
 - Trial Court Employment Protection and Governance Act (Trial Court Act) (Article 3; Gov. Code, § 71630 – 71639.5)
 - Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act) (Gov. Code, § 71800 et seq.)
- b. The specific Government or Public Utilities Code section(s), or PERB regulation section(s) alleged to have been violated is/are: Unknown Government Code sections 3550 and 3571.
- c. For MMBA, Trial Court Act and Court Interpreter Act cases, if applicable, the specific local rule(s) alleged to have been violated is/are (a copy of the applicable local rule(s) MUST be attached to the charge):
- d. Provide a clear and concise statement of the conduct alleged to constitute an unfair practice including, where known, the time and place of each instance of respondent’s conduct, and the name and capacity of each person involved. This must be a statement of the facts that support your claim and not conclusions of law. A statement of the remedy sought must also be provided. (Use and attach additional sheets of paper if necessary.) See attached

DECLARATION

I declare under penalty of perjury that I have read the above charge and that the statements herein are true and complete to the best of my knowledge and belief and that this declaration was executed on 04/15/2026
(Date)

at Pasadena, CA
(City and State)

Jenna Narahara, Attorney
(Type or Print Name and Title, if any)

/s/ Jenna Narahara
(Signature)

Mailing Address: 510 S. Marengo Ave., Pasadena, CA 91101

E-Mail Address: jnarahara@rsglabor.com

Telephone Number: (626) 796-7555

STATEMENT OF CHARGE

California Faculty Association v. California State University

1. Respondent California State University (“CSU”), an employer within the meaning of Government Code § 3562(g).

2. Charging Party California Faculty Association (“CFA”) is the “exclusive representative” within the meaning of Government Code § 3562(i) of a bargaining unit of approximately 29,000 faculty employees employed by CSU at its 23 campuses. The CFA-represented CSU employees include Lecturers, Assistant Professors, Associate Professors, Full Professors, Coaches, Counselors, and Librarians who are part of bargaining unit 3 (“Unit 3”).

3. At all relevant times, CFA and CSU have been parties to a collective bargaining agreement (“CBA”) covering the terms and conditions of employment for employees in Unit 3. The CBA includes a grievance process that ends in binding arbitration.

4. On June 27, 2025, Governor Gavin Newsom signed the Budget Act of 2025, making available to CSU a short-term zero-interest loan of up to \$144 million.

5. On October 15, 2025, at 5:24 p.m., CSU, through Associate Vice Chancellor of Labor Relations & Collective Bargaining Joseph Jelincic III, sent an e-mail to CFA, notifying the union of its decision to accept the zero-interest loan offered by the Budget Act of 2025. CSU explained that it intended to use the loan to create one-time employee compensation pools and looked forward to discussing “this concept” at the next bargaining table. A copy of CSU’s October 15, 2025, e-mail is attached hereto as Exhibit A.

6. On October 16, 2025, CSU, through Chancellor Mildred Garcia, wrote to all CSU employees, announcing that CSU had accepted the \$144 million loan, which she said will be used to create one-time compensation pools for all employee groups. She noted that the structure and the distribution of the compensation were subject to the collective bargaining process and that CSU hoped “to reach timely agreements so that [it] can then distribute this additional compensation to all of the CSU’s employees.” A copy of CSU’s October 16, 2025, e-mail is attached hereto as Exhibit B.

7. On January 5, 2026, in an e-mail titled “Welcome Back - and an Important Announcement from the Chancellor,” CSU, through Chancellor Garcia, sent an e-mail to all employees, including represented employees, deterring or discouraging employees from becoming or remaining members of an employee organization and interfering with employees’ right to join an employee organization and participate in protected activity by announcing that non-represented employees will be receiving their one-time compensation pools before

represented employees. According to Chancellor Garcia, this is to ensure that non-represented employees' bonuses are not delayed by the collective bargaining process for represented employees. A copy of CSU's January 5, 2026, e-mail is attached hereto as Exhibit C.

8. PERB has held that communications like CSU's January 5, 2026 e-mail were in violation of Government Code section 3550 because they tended "to influence an employee's free choice regarding whether or not to [...] become or remain a union member, or commence or continue paying union dues or fees." *Regents of the University of California* (2021) PERB Decision No. 2755-H, p. 21; *See also Regents of the University of California* (2021) PERB Decision No.2756-H.

9. By the above-described conduct, CSU violated Government Code sections 3550 and 3571.

10. As a remedy, CFA seeks an order requiring CSU to: (1) cease and desist from the above-described unlawful conduct; (2) post a notice in conspicuous places concerning its violations of the Government Code; (3) e-mail a notice to employees concerning its violations of the Government Code; and (4) provide such other relief deemed just and proper.

Exhibit A

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Jelincic, Joseph J. <jjelincic@calstate.edu>
Sent: Wednesday, October 15, 2025 5:24 PM
To: Margarita Berta-Avila <mbertaavila@calfac.org>; Kevin Wehr <kevin_wehr@calfac.org>;
Kathy Sheffield <KSheffield@calfac.org>
Cc: James, Steve <sjames@calstate.edu>; Gusha, Stefanie <sgusha@calstate.edu>
Subject: CSU Loan and One-Time Compensation Pools

Dear Margarita, Kevin & Kathy,

I wanted to let you know that the CSU has decided to take the no-interest loan offered by the State and will begin the process to do so. The Chancellor has also authorized the creation of one-time employee compensation pools using these funds. We look forward to discussing this concept with the union when we are next at the bargaining table.

Please let me know if you have any questions, or if you would like to talk offline.

Best,
J

Joseph J. Jelincic III

Associate Vice Chancellor, Labor Relations & Collective Bargaining
Direct: 562-951-4344 | Main: 562-951-4400 401 Golden Shore, Long Beach CA
90802 www.calstate.edu



Exhibit B

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Chancellor Mildred García < csu-chancellor@calstate.edu >
Sent: Thursday, October 16, 2025 9:07:17 AM
To: All CSU Employees < all-csu-employees@lists.calstate.edu >
Subject: Special Edition - The CSU Connection

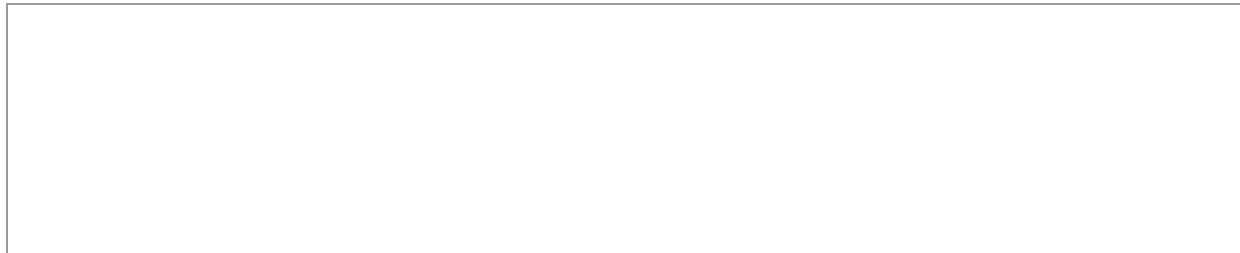


Image removed by sender. The CSU Connection: Chancellor Garcia's News and Views



Dear CSU Colleagues,

I am sending you this special edition of The CSU Connection to personally update you and ensure that our community remains informed on two critically important matters: recent federal allegations against the CSU and a decision regarding the 2025-26 state budget that will be of interest to every Cal State employee.

Federal Allegations

On September 26, I sent a communication to the entire CSU community, making you aware of two significant federal actions impacting our university system.

First, on September 23, the federal Equal Employment Opportunity Commission (EEOC) initiated a systemwide antisemitism complaint against the CSU. As I noted in my email, the EEOC has begun direct outreach to some faculty and staff members across the system to review allegations of antisemitism and to speak with them about their experiences on campus.

Second, the U.S. Department of Education's Office for Civil Rights has notified the CSU – along with dozens of other universities across the country – of alleged racial discrimination due to interactions with The PhD Project, a private, non-profit organization with the goal of diversifying business education and the corporate workforce. The CSU was a member of The PhD Project and used that membership primarily to post faculty openings on their job board and to increase awareness of other career opportunities at CSU campuses.

There is relatively little to report at this time, primarily due to the current federal government shutdown. However, while most agency operations are paused, we continue to meet all applicable deadlines and requests to ensure that we are in full compliance with applicable laws. But please do not interpret our engagement in these processes as agreement that the CSU has failed to meet its legal obligations or as a form of concession, but rather as part of our ongoing responsibility to uphold institutional integrity. Our cooperation reflects our commitment to procedural compliance and transparency, not agreement with any underlying allegations or assumptions.

As I mentioned, there is little movement in these matters due to the shutdown. However, I want to take a moment to clarify a few misconceptions and correct some misinformation – because you need and deserve

accurate and timely information about matters that affect our community.

Disclosure of CSU Employees' Personal Information

First, it has been incorrectly reported – including by some of our own constituent groups – that the CSU had agreed to provide the EEOC with personal contact information for all CSU employees systemwide. That is simply untrue. There has been no such request related to the systemwide EEOC complaint, and we would not release personal contact information unless legally required to do so pursuant to a subpoena.

The EEOC has, however, served Cal State LA with a subpoena for the personal email addresses and telephone numbers of Cal State LA employees only. This is related to an earlier EEOC antisemitism complaint brought against CSULA in January 2025. Cal State LA released this information because it was required to do so by the subpoena. And the university did so in a manner fully consistent with federal law and confidentiality protections.

The EEOC sought this information solely to reach out to CSULA employees to interview them about their experiences on campus. They subpoenaed personal – and not work – email addresses and phone numbers consistent with their standard practice. That practice is intended to protect employees – preserving their privacy and providing a safeguard against potential employer monitoring or interference.

I understand this may be unsettling to you. That's only natural, and I fully empathize with what you are experiencing. But please know that seeking this sort of information is very common to this type of investigation – and be assured that we will respect and protect our employees' rights as we meet our legal obligations. I should also emphasize that, should you be contacted by an EEOC investigator, your participation is voluntary. You are not required to participate. The choice is entirely up to you. And if you do agree to participate, you can rest assured that there will be no interference or negative workplace consequences of any kind for doing so.

“Compliance” Versus “Cooperation”

Second, in the days following my September 26 communication to you, it was reported in the media that the CSU had announced that it was “fully complying” with federal agencies regarding these matters. That was both sloppy reporting and an unfortunate choice of words. As we all know, “fully complying” can be interpreted as not defending one's actions or giving up, i.e., “capitulating.” Both are completely inaccurate.

The CSU is fully cooperating in these matters. In other words, we are being transparent, collaborative and professional – while also standing firm in our values and in defense of our lawful actions. We are preserving all our legal rights and are resolute in our position that we have acted within the law. We will vigorously defend that position, just as we will vigorously defend the rights of our employees and the integrity of our institution.

And as I wrote in my September 26 message, the CSU is – and always has been – committed to maintaining a welcoming and non-discriminatory environment for all students, employees and campus guests. In strict accordance with our mission, the CSU does not discriminate against or give preference to any individual or group based on race, ethnicity, nationality, shared ancestry, religion or any other protected status. The CSU's programs and services are open to all – we are an inclusive institution. These principles are at our very foundation and we will continue to take prompt action to address any conduct that violates them.

We remain deeply grateful for your professionalism, your commitment to our mission and the care you bring to your work and to the communities you serve across the CSU. As we navigate these complex issues together, my team and I will continue to keep you informed with accurate and timely information. In the

meantime, you can find answers to frequently asked questions [here](#).

An Important Budget Update Impacting All CSU Employees

In the last edition of The CSU Connection, I indicated that the California Budget Act of 2025 – among other things – reduced the CSU's ongoing base budget by \$144 million by deferring this funding until 2026-27. I also noted that the state budget made available to us a short-term zero-interest loan of up to \$144 million in one-time dollars to cover the amount of the base budget reduction.

Since that time, we have met regularly with California's Department of Finance to clarify the terms and conditions of the loan, and to determine the best path forward. After careful deliberation with my team and consultation with the CSU Board of Trustees, I have decided that the CSU will accept the loan which, again, is of one-time – as opposed to ongoing – funds and must be paid back in full no later than July 1, 2026.

The next obvious question is, “What do we do with the funds?” It's an exceedingly difficult question when you consider that the CSU continues to be chronically underfunded. Each of our 22 universities has urgent fiscal needs across all operations. However, at its very core, the CSU is an institution whose mission is entirely dependent on its people. Our North Star is student success, and our students succeed because of the skilled and dedicated work of our faculty and staff.

For this reason, I have decided to authorize that the \$144 million be used to create one-time compensation pools for all CSU employee groups. This is more than a financial decision – it is well-deserved recognition for the extraordinary skill and dedication you demonstrate across our campuses every day. And it advances our priority of becoming the employer of choice in higher education, a pillar of the CSU's new systemwide strategic plan, CSU Forward.

The details regarding how this compensation is structured and distributed are subject to the collective bargaining process, and it is important to remember that these one-time funds cannot sustain ongoing expenses. The CSU fully respects our employee unions and their right to collectively bargain these matters. We look forward to discussions with our union leadership at the bargaining table, and hope to reach timely agreements so that we can then distribute this additional compensation to all of the CSU's employees.

You can find answers to commonly asked questions [here](#). In addition, we will provide an update on this important development as soon as additional information is available. Until then, please know that your work uplifts our students, transforms communities, and fulfills the CSU's mission in myriad ways. And it is deeply appreciated. I am grateful – and proud – to stand alongside you as we move the CSU forward, together.

Warmly,



Chancellor Mildred García

Exhibit C

[Redacted]

[Redacted]

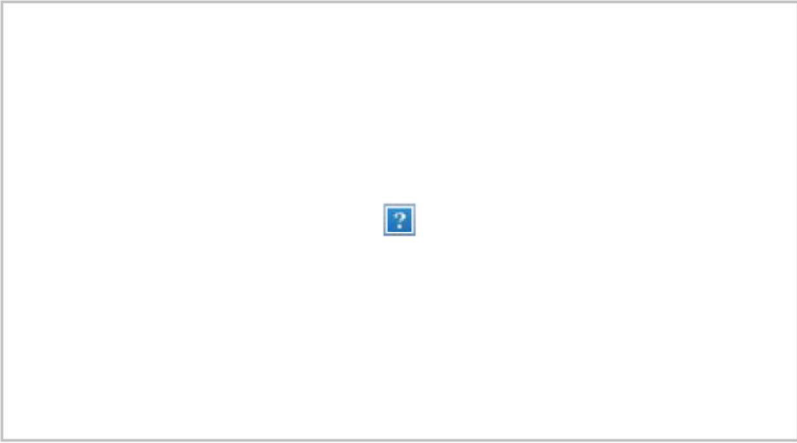
[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Chancellor Mildred García <csu-chancellor@calstate.edu>
Date: January 5, 2026 at 10:39:33 AM PST
To: All CSU Employees <all-csu-employees@lists.calstate.edu>
Subject: **Welcome Back - and an Important Announcement from the Chancellor**
Reply-To: no-reply@calstate.edu



January 5, 2026

Dear Colleagues,

Happy New Year and welcome back! I hope that all of you had a wonderful and restful holiday season with the ones you love.

I also hope that you are as excited and optimistic as I am about the work that lies before us in 2026 and beyond. Of course, I am certain that we will continue to face challenges and headwinds – some expected, some unexpected. But I am equally certain that the CSU is ready to meet those challenges, and that we will continue to advance our mission undaunted and undeterred.

The source of my optimism? The CSU is prepared. And we are aligned like never before.

The past year was perhaps the most intensive, comprehensive and collaborative year of planning in the CSU's history. Now, in 2026, we will build on that momentum and execute on those plans – to realize the CSU's, our students' and our state's brightest future.

[CSU Forward](#), our first systemwide strategic plan in more than a decade, illuminates our path forward. If you haven't done so already, I strongly encourage you to familiarize yourself with the plan's performance objectives and the milestones we will use to measure our success. More granular systemwide planning is also being developed in areas such as student success, strategic enrollment and information technology, which will all support CSU Forward's objectives. In addition, our universities' own strategic initiatives will complement and align with the systemwide plan's priorities and objectives moving forward.

Future-focused, coordinated and aligned, the CSU is poised not only to advance our mission despite the challenges we face, but also to serve as a national model for a new era in public higher education.

CSU Forward also calls for us to become the employer of choice in public higher education. One of the first steps we have taken in this regard – and as I announced to you in October – is to accept the short-term zero-interest loan of \$144 million in one-time dollars made available to us by the state to cover the amount of our 2025-26 base budget reduction, and to use these funds to create one-time compensation pools for all CSU employee groups. We do this in recognition of the extraordinary skill, dedication and heart for our student-centered mission that all of you demonstrate each and every day. And we do so with an understanding that our North Star is student success – and that our students succeed because of the skilled and dedicated work of our faculty and staff.

I also indicated in October that the details regarding how these one-time compensation pools are structured and distributed are subject to the collective bargaining process. The CSU fully respects our employee unions and their right to collectively bargain these issues. And we continue to look forward to resolving this matter with union leadership so that we can reach agreement and distribute this much-deserved and well-earned compensation to all employee groups as quickly as possible. To avoid further delay in distributing these funds to our non-union-represented employees, in mid-February we will be issuing a one-time amount to this employee group equal to three percent of each of these employees' base pay. We look forward to distributing the remainder of the one-time compensation pools to all other employee groups as soon as possible.

As always, thank you for everything you do for the CSU, our students and our state. Your work is seen – and it is deeply and sincerely appreciated. And, once again, welcome back – 2026 is going to be a great year!

Warmly,



Mildred García, Ed.D.
Chancellor

||

PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Los Angeles,
State of California. I am over the age of 18 years. The name and address of my
Residence or business is Rothner, Segall & Greenstone, 510 South Marengo Avenue,
Pasadena, California 91101

On 4/15/2026, I served the UNFAIR PRACTICE CHARGE
(Date) (Description of document(s))

_____ in Case No. _____
(Description of document(s) continued) PERB Case No., if known)

on the parties listed below by (check the applicable method(s)):

- placing a true copy thereof enclosed in a sealed envelope for collection and delivery by the United States Postal Service or private delivery service following ordinary business practices with postage or other costs prepaid;
- personal delivery;
- electronic service - I served a copy of the above-listed document(s) by transmitting via electronic mail (e-mail) or via e-PERB to the electronic service address(es) listed below on the date indicated. *(May be used only if the party being served has filed and served a notice consenting to electronic service or has electronically filed a document with the Board. See PERB Regulation 32140(b).)*

(Include here the name, address and/or e-mail address of the Respondent and/or any other parties served.)

Marc Mootchnik, University Counsel
Trustees of the California State University
401 Golden Shore
Long Beach, CA 90802
mmootchnik@calstate.edu

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on 4/15/2026,
(Date)
at Pasadena CA
(City) (State)

Blanca Martinez

/s/ Blanca Martinez

(Type or print name)

(Signature)