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March 28, 2022

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VIA E-MAIL

Stephanie O'Hara
Regional Attorney
Public Employment Relations Board
Los Angeles Regional Office
425 West Broadway, Suite 400
Glendale, CA 91204
Email: stephanie.ohara@perb.ca.gov

Re: *Lompoc Unified School District v. Lompoc Federation of Teachers*, No. LA-CO-1814E
Addendum to Lompoc Federation of Teacher's Response to Amended Charge Filed
March 1, 2022.

Dear Regional Attorney O'Hara:

On March 10, 2022, Charging Party submitted an Amended Summary of Allegations adding two more instances of alleged direct dealing by the Lompoc Federation of Teachers ("LFT"). In response to Charging Party's March 10 filing, LFT submits the instant letter addressing the two additional instances of alleged direct dealing and incorporates by reference its previous argument filed on March 1, 2022.

I. Charging Party Still Fails to State a Prima Facie Case of Direct Dealing

Similar to the previous six alleged instances of direct dealing, the two additional instances alleged by Charging Party still fail to state a prima facie case of direct dealing.

(7) In a Facebook post to a group called "Lompoc Valley Forum" Margaret Tennant shares a personal opinion regarding parents showing appreciation to teachers volunteering to attend the 6th grade multi-day Catalina trip since the District had refused to provide stipends for volunteer teachers. At no point does Ms. Tennant make a plea for anyone to ask anything of the Board. Contrary to Charging Party's allegations, Ms. Tennant is not taking

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her desire for additional stipends to the Board directly because Ms. Tennant is not even communicating to the Board. Instead, Ms. Tennant exercises her constitutional and statutory rights to provide her opinion in a large online public forum.

(8) In the email dated March 9, 2022, Skyler Petersen inquires as to why, after asking for multiple updates, CSEA was given information regarding a potential candidate for negotiations facilitator yet LFT was left out and not given the same information. Ms. Petersen expresses concern over the disparate treatment between the two organizations. Expressing concern, however, is within Ms. Petersen's right and that expression alone does not constitute negotiation with the Board—in particular, Ms. Petersen makes no proposal regarding subjects of bargaining to the Board. Ms. Petersen's actions cannot even remotely be considered negotiating.

II. Conclusion

Charging Party still fails to state a *prima facie* case of direct dealing. The two additional alleged instances do nothing to advance Charging Party's argument and instead once again demonstrate Charging Party's attempts to chill constitutionally and statutorily protected political advocacy. LFT respectfully requests that PERB dismiss the charge with prejudice, and specifically state that the dismissal is because the activities complained of are not only not unlawful, they are protected.

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 letter was executed on March 28, 2022.

Very truly yours,

Bush Gottlieb
A Law Corporation



Jason Wojciechowski

cc: Skyler Petersen
Jason Wojciechowski
Bree Valla

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 Bush Gottlieb, a Law Corporation
801 North Brand Boulevard, Suite 950, Glendale, CA 91203

On 03/28/2022, I served the Respondent's Response to Amended Charge
(Date) (Description of document(s))

(Description of document(s) continued) in Case No. LA-CO-1814E
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.)

Skyler Petersen Email: skyler.petersen@gmail.com Bree Valla Email: valla.bree@lud.org	Stephanie O'Hara Regional Attorney Public Employment Relations Board Los Angeles Regional Office 425 West Broadway, Suite 400 Glendale, CA 91204 Email: stephanie.ohara@perb.ca.gov
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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 03/28/2022,
(Date)

at Tulare California
(City) (State)

Nelly Guzman
(Type or print name)


(Signature)