

**NOTICE TO EMPLOYEES  
POSTED BY ORDER OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD  
An Agency of the State of California**



After a hearing in Unfair Practice Case No. SF-CE-3635-E, *Berkeley Council of Classified Employees v. Berkeley Unified School District*, in which all parties had the right to participate, it has been found that the Berkeley Unified School District violated the Educational Employment Relations Act (EERA), Government Code section 3540 et seq., by failing or refusing to respond fully to two requests for information from Berkeley Council of Classified Employees (BCCE).

As a result of this conduct, we have been ordered to post this Notice and we will:

**A. CEASE AND DESIST FROM:**

1. Failing or refusing to promptly provide BCCE with information necessary and relevant to its representational duties.
2. Interfering with bargaining unit employees' right to be represented by BCCE.
3. Interfering with BCCE's right to represent bargaining unit employees.

**B. TAKE THE FOLLOWING AFFIRMATIVE ACTIONS DESIGNED TO EFFECTUATE THE POLICIES OF THE ACT:**

1. Upon BCCE's request, diligently seek and provide, or adequately explain why it is unable to do so: 1. A list of all positions within the BCCE Unit that are not permanently filled; 2. A list of all positions within the BCCE Unit that are temporarily vacant; 3. For the positions identified in response to Request I, please identify: a. Which classification(s) is(are) currently performing the duties of the open position and the individual employee(s) performing those functions; b. whether there is currently a job posting; c. when the job posting was released; d. whether there is a certified list of candidates for the position; e. If there is no list, please explain why there is no such list and provide the date the District will start to compile the list; f. If there is a list, please provide the date the District will fill the position based on the certified list. 4. For the positions identified in response to Request II, please identify: a. Who is currently filling in and performing the duties of the position; b. if there is presently a certified list of candidates for the position; c. if there is a list, when will the District fill the position based on the list; d. If there is no list, explain why there is no list and provide the date the District will start to compile a list. 5. A list of all positions within the BCCE Unit that are currently filled by temporary contract employees. 6. For the positions identified in response to Request V, please identify: a. whether there is



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currently a job posting; b. when the job posting was released; c. whether there is a certified list of candidates for the position; d. when the position will be filled based on the list; e. if there is no list, explain why there is no list and provide the date the District will start to compile the list; f. Why an outside contract employee is being used to fill the position.

2. Upon BCCE's request, diligently seek and provide, or adequately explain why it is unable to do so, the following information for academic years 2021-2022 through 2024-2025 that is relevant and necessary to Charging Party's discharge of its duty to represent employees: A. all District campuses where contractors are being used; B. the names of the subcontractors at each campus; C. the tasks performed by each subcontractor; D. the services agreement/subcontracting agreements with each identified subcontractor; and E. the full-time equivalency worked by each identified subcontractor. If requested by BCCE, the District shall also promptly provide updated information for the 2025-2026 academic year.

Dated: 10/27/2025

Berkeley Unified School District

By: *Samantha Tobias-Espinosa*  
Authorized Agent

THIS IS AN OFFICIAL NOTICE. IT MUST REMAIN POSTED FOR AT LEAST 30 CONSECUTIVE WORKDAYS FROM THE DATE OF POSTING AND MUST NOT BE REDUCED IN SIZE, DEFACED, ALTERED OR COVERED WITH ANY OTHER MATERIAL.