



Mediation Fails Between CUEA and CUSD

Today the mediation process between your CUEA Bargaining Team and the District came to an end without a contract settlement. As required by state labor law, negotiations will proceed to the next step which is Factfinding. A snapshot of the Factfinding process is included below.

What is Factfinding?

If mediation fails, the mediator can certify the parties to the last and final step of the collective bargaining process called Factfinding. Mediation failed between CUEA and CUSD on October 17, 2017. The mediator will certify the parties to Factfinding.

In Factfinding, both CUEA and CUSD present their position regarding bargaining, along with accompanying evidence, to a three-person panel. The three-person panel consists of the following: one appointee of CUEA's choice, one appointee of CUSD's choice, and a neutral chairperson to be mutually agreed upon by CUEA and CUSD. At the conclusion of the Factfinding hearing, the neutral chairperson will meet with the panel members to confer on the facts that were presented. Sometimes the neutral, if the parties are willing, can help mediate a settlement. If not, the neutral will write a report on the panel's recommendation for a settlement. This report will be given to each of the parties within 30 days. The report can be shared with the public. At this point, no date has been scheduled for the Factfinding hearing.

Are the recommendations of the Factfinding panel binding?

No. The Factfinding report is advisory only and is not binding on either party. The parties can agree on what the report says and implement it or the parties could come to a settlement on different terms than what the report recommends. If there is no agreement after the report is released, the school board could impose their last, best and final offer. If the board were to impose, then legally the impasse procedure has been exhausted and the association has the ability to strike.

Where do we go from here as an association?

At this point bargaining leverage is far more important than a creative solution between the two parties. Discussions between the parties can and will continue. However, where we go from here depends on the support of our membership. If we remain committed, that will supply the necessary support to bring this to a reasonable end. As close as we seemed to get during this year-long process, the District still does not understand the importance and resolve of our members for a fair and equitable settlement. It is truly the collective voice of our membership that will decide.

Your Bargaining Support Team will be contacting the reps on your site with details about forthcoming organizing activities.

CUEA Bargaining Team

Joy Schnapper, Chair, Arroyo Vista Elementary
Mike Hulse, Dana Hills High
Carter Johnson, Ladera Ranch Middle
Angela Rinke, Dana Hills High

Jennifer Vega, Las Flores Middle
Fernanda Villalba, San Juan Hills High
Greg Young, San Clemente High
Chris Balentine, CUEA Executive Director

