

INSTRUCTIONS: File the original and three copies of the complaint and all attachments and the \$300 filing fee with the Board at:

528 Cottage St NE, Suite 400
Salem, Oregon 97301-3807
Phone 503-378-3807

**STATE OF OREGON
EMPLOYMENT RELATIONS BOARD**

**UNFAIR LABOR PRACTICE COMPLAINT
Public Employment**

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Case No. JUN 17 2016

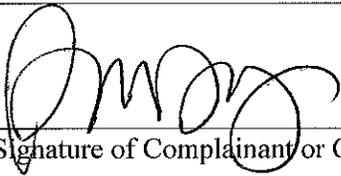
EMPLOYMENT
RELATIONS BOARD
Date Filed
UP-016-16

<p>COMPLAINANT Name, address, phone number, and e-mail address</p> <p>SWOCCFT 3190 c/o Bernadette Kapocias 2225 Madrona Ct North Bend OR 97459 541-290-9581 Bernadette000@gmail.com</p>	<p>COMPLAINANT'S REPRESENTATIVE Name, address, phone number, and e-mail address, if applicable</p> <p>Rodolfo Palma c/o AFT Oregon 872 E 13th Ave Eugene OR 97403 rodolfo@aft-oregon.org</p>
<p>RESPONDENT Name, address, phone number, and e-mail address</p> <p>SWOCC c/o Patty Scott 1988 Newmark Ave Coos Bay OR 97459 541-888-7401 pscott@socc.edu</p>	<p>RESPONDENT'S REPRESENTATIVE Name, address, phone number, and e-mail address, if applicable</p> <p>Rebekah Jacobson Garrett Hermann Robertson P.C. 1011 Commercial St NE Salem OR 97301 rjacobson@ghrlawyers.com</p>

Complainant alleges that Respondent has committed an unfair labor practice under ORS 243.672(1) (x), ORS 243.672(2) (x), or ORS 243.752 of the Public Employee Collective Bargaining Act. The following is a clear and concise statement of the facts involved in each alleged violation, followed by a specific reference to the section and subsection of the law allegedly violated. (For each claim, specific dates, names, places, and actions. Attach copies of main supporting documents referred to in the statement of claims.)

- On March 2, 2016, an information request pertaining to contract negotiations as sent to the administration of SWOCC (attached).
- On March 17, 2016, we heard back from administration when they asked us for more time to fulfill the information request (attached).
- On April 4, 2016, we received part of the information in paper form (attached).
- On April 11, 2016, during a meeting between Bernadette Kapocias, Mark Wilson, Eric Stasak, and Ross Tomlin, an oral request for the information was again made. The response was that it wasn't done yet because administration was "stretched thin" and they were working on the budget.
- On April 19, 2016, during a meeting between Bernadette Kapocias and Ross Tomlin, another oral request was made for that information.
- On May 3 and 4, 2016, Eric Stasak emailed several responses to the information request to Bernadette Kapocias (attached).
- On May 25, 2016, Bernadette Kapocias received an email from Eric Stasak, claiming to fulfill an item on the information request ("What are the records of business plans for the enterprises at SWOCC"), but his email contained only a copy of the recent SWOCC board meeting packet (which didn't contain the answer to the information request) and directions to look in the library for the answers to our question. We went to the library and saw binders of meeting minutes that are not searchable electronically, and the records from the past several years do not exist in the library.

I certify that the statements in this complaint are true to the best of my knowledge and information.

By: 
Signature of Complainant or Complainant's Representative

President, SWOCCFT3190 6-15-16
Title Date