

1 Denise Williams Evans, Labor Relations Representative
 2 California School Employees Association
 3 10211 Trademark Street, Unit A
 4 Rancho Cucamonga, California 91730
 5 Telephone (909) 466-2986
 6 FAX (909) 466-1105

7 **BEFORE THE BOARD OF TRUSTEES**
 8 **SAN BERNARDINO COMMUNITY COLLEGE DISTRICT**

10 CALIFORNIA SCHOOL EMPLOYEES)	
11 ASSOCIATION AND ITS SAN BERNARDINO)	
12 COMMUNITY COLLEGE CHAPTER No. 291)	CLAIM AGAINST
)	PUBLIC ENTITY
13 Claimants)	[Gov. Code Section
)	905, 910]
14 Vs.)	
)	
15 BOARD OF TRUSTEES OF THE SAN)	
16 BERNARDINO COMMUNITY COLLEGE)	
DISTRICT)	
)	
17 Respondent	/	

18
 19 **TO: BOARD OF TRUSTEES OF THE SAN BERNARDINO COMMUNITY COLLEGE**
 20 **DISTRICT**

21 California School Employees Association (hereafter "CSEA."), and its Chapter No.
 22 291 make this claim against the Board of Trustees of the San Bernardino Community College
 23 District (hereafter the Board, or the District) and make the following statements in support of
 24 this claim.

25 1. The District has implemented a new document entitled "Classified Hiring
 26 Process." That process calls for a screening committee. That screening committee is made up
 27 of three members, one of which is a classified employee representative. The District procedure
 28 calls for the Classified Senate to appoint the classified employee representative. Under
 Education Code section 70901.2, CSEA, as the exclusive representative of the District's

1 classified employees, has the right to appoint the classified representative to District committees
 2 that call for a classified representative. CSEA brought this issue to the attention of the District
 3 on several occasions that most recent was in a letter dated May 27, 2009. Since May 27, 2009,
 4 the District has continued to utilize the new Classified Hiring Process calling for the classified
 5 employee representative to be appointed by the Classified Senate and has denied CSEA the right
 6 to appoint representatives to at least six different screening committees in violation of Education
 7 Code section 70901.2. CSEA is an employee organization, which represents employees in their
 8 labor relations with school districts. CSEA represents classified employees of the Board; CSEA
 9 Chapter No. 291 is the local chapter of CSEA.

10 2. Claimants' post office addresses are:

11 CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
 12 Denise Williams Evans, Labor Relations Representative
 13 10211 Trademark Street, Unit A
 14 Rancho Cucamonga, California 91730
 Telephone (909) 466-2986
 FAX (909) 466-1105

15 3. Notices concerning this claim should be sent to:

16 CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
 17 Sonja J. Woodward, Staff Attorney
 2045 Lundy Avenue
 18 San Jose, California 95127
 Telephone (408) 433-1259
 19 FAX (408) 954-0948

20 4. The date and place of the event giving rise to this claim are:

21 At the workplaces of the District, including the schools and the district office. The date
 22 of this claim arose is May 14, 2009 at the time the District implemented the new Classified
 23 Hiring Procedures, and is ongoing.

24 The circumstances giving rise to this claim are as follows:

25 The District implemented a new Classified Hiring Process which calls for a screening
 26 committee. That screening committee is made up of three members, one of which is a classified
 27 employee representative. The District procedure calls for the Classified Senate to appoint the
 28 classified employee representative. Under Education Code section 70901.2, CSEA, as the

1 exclusive representative of the District's classified employees, has the right to appoint the
 2 classified representative to District committees that call for a classified representative. The
 3 District continues to utilize the new Classified Hiring Process calling for the classified employee
 4 representative to be appointed by the Classified Senate and has denied CSEA the right to make
 5 appointments on at least six screening committees in violation of Education Code section
 6 70901.2.

7 5. The losses incurred by CSEA are:
 8 CSEA's ability to represent its members, and the perception of CSEA's ability to
 9 represent its members, has been diminished by the District's continued violation of Education
 10 Code section 70901.2.

11 6. The names of the public employees causing the injuries to CSEA are the District,
 12 the Board, Noelia Vela, Chancellor, Renee Brunelle, Vice Chancellor of Human Resources, and
 13 other public employees with authority to hire, fire, supervise, or assign work to classified
 14 employees and who are unknown to claimants.

15 7. The amount claimed exceeds ten thousand dollars (\$10,000). The claim would
 16 not be considered a limited civil case.

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 19 Dated: _____

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 21 DENISE WILLIAMS EVANS
 Labor Relations Representative
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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN BERNARDINO)

I am a resident of the County aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is:

10211 Trademark St., Unit A, Rancho Cucamonga, CA 91730

On July 23, 2009, I served the within Claim Against Public Entity (Government Code Sections 905, 910, 910.2) on the interested parties in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Rancho Cucamonga, California, address as follows:

Dr. Noelia Vela, Chancellor
San Bernardino Community College District
114 S. Del Rosa Drive
San Bernardino, CA 92408

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 23, 2009, at Rancho Cucamonga, California.


Myesha Kennedy