PERB
California Public Employment Relations Board

Sacramento Regional Office
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Sacramento, CA, 95811-4124
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Sheena.Farro@perb.ca.gov

August 27, 2026

Rafael Garcia, Union Representative
AFSCME Council 57/Local 2620
2295 Gateway Oaks Dr. Suite 140
Sacramento, CA 95833

Frolan Aguiling, Chief Counsel
Victoria Gillen, Labor Relations Counsel
California Department of Human Resources
1515 S Street, North Bldg., Suite 500
Sacramento, CA 95811-7258

Re: *American Federation of State, County & Municipal Employees Council 57 Local 2620 v. State of California (Department of Rehabilitation)*
Unfair Practice Charge No. SA-CE-2315-S
**COMPLAINT**

Dear Parties:

The Office of the General Counsel has issued the enclosed COMPLAINT in the above-entitled matter. The Respondent is required to file an **ANSWER** within twenty (20) calendar days from the date of service of the COMPLAINT, pursuant to PERB Regulation 32644.[1] The required contents of the **ANSWER** are described in PERB Regulation 32644(b).

If you have not filed a Notice of Appearance form, one should be completed and returned with your **ANSWER**. Please be aware that once legal counsel is designated, PERB will only correspond with that individual(s).

An informal settlement conference will be scheduled shortly. Please direct all inquiries, filings and correspondence to the undersigned. Designated legal counsel

[1] PERB's Regulations are codified at California Code of Regulations, title 8, section 31001 et seq. The text of PERB's Regulations may be found at www.perb.ca.gov.

who do not attend the Informal Conference for any reason, must designate in writing consent that the meeting go forward in their absence, including, but not limited to the execution of a settlement agreement.

Sincerely,

/s/ Sheena J. Farro

Sheena J. Farro
Senior Regional Attorney

SJF

Enclosure

STATE OF CALIFORNIA

PUBLIC EMPLOYMENT RELATIONS BOARD

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| AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES COUNCIL 57,<br><br>Charging Party,<br><br>v.<br><br>STATE OF CALIFORNIA,<br><br>Respondent. | Case No. SA-CE-2315-S<br><br>COMPLAINT |

It having been charged by Charging Party that Respondent engaged in unfair practices in violation of Government Code section 3519, the General Counsel of the Public Employment Relations Board (PERB), pursuant to Government Code sections 3513(h), 3514.5 and 3541.3(i) and California Code of Regulations, title 8, section 32640, issues this COMPLAINT on behalf of PERB and ALLEGES:

1. Charging Party is a recognized employee organization within the meaning of Government Code section 3513(b) of Bargaining Unit 19 (Health and Social Services Employees/Professional Unit), an appropriate unit of employees.

2. Respondent is the State employer within the meaning of Government Code section 3513(j), and it includes the Department of Rehabilitation (DOR).

**Request for Information**

3. At all relevant times, Respondent and Charging Party were meeting and conferring about telework pursuant to Government Code section 3517.

4. On or about November 12, 2025, Charging Party requested that Respondent provide in writing certain information that is relevant and necessary to

Charging Party's discharge of its duty to represent employees, including: [Req. No. 4] How is the department quantifying the necessary counselor allocation based on the increased walk-ins?; [Req. No. 13] What are the operational capacity deficiencies for the affected district offices?; [Req. No. 14] What are the operational capacity goals of the department?; and [Req. No. 15] What are the affected office deficiencies in the ability to meet the needs of the community?

5. On or about November 17, 2025, Respondent failed and/or refused to provide responses to these requests for information.

6. By the conduct described in paragraph 5, Respondent failed and refused to meet and confer in good faith with Charging Party in violation of Government Code section 3519(c).

7. This conduct also interfered with the rights of bargaining unit employees to be represented by Charging Party in violation of Government Code section 3519(a).

8. This conduct also denied Charging Party its right to represent bargaining unit employees in violation of Government Code section 3519(b).

**Unilateral Change to Telework Schedules**

9. On or about June 29, 2025, the parties entered into a side-letter entitled "Return to Office Suspension," that required Respondent, inter alia, to revert to the telework schedules in effect at DOR as of March 2, 2025.

10. On or about November 17, 2025, Respondent changed the parties' side-letter by imposing new telework schedules at DOR.

11. Respondent engaged in the conduct described in paragraph 10 without prior notice to Charging Party and/or without having afforded Charging Party an opportunity to meet and confer over the decision to change the side-letter and/or the effects of its

decision to do so.

12. By the acts and conduct described in paragraphs 10 and 11, Respondent failed and refused to meet and confer in good faith in violation of Government Code section 3519(c).

13. This conduct also interfered with the rights of bargaining unit employees to be represented by Charging Party in violation of Government Code section 3519(a).

14. This conduct also denied Charging Party its right to represent bargaining unit employees in violation of Government Code section 3519(b).

Any amendment to the complaint shall be processed pursuant to California Code of Regulations, title 8, sections 32647 and 32648.

DATED: August 27, 2026

Joseph Eckhart
Interim General Counsel

By /s/ Brendan P. White
Brendan P. White
Senior Regional Attorney

**PROOF OF SERVICE**

I declare that I am a resident of or employed in the County of Sacramento, California. I am over the age of 18 years and not a party to the within entitled cause. The name and address of my residence or business is Public Employment Relations Board, Sacramento Regional Office, 1031 18th Street, Sacramento, CA, 95811-4124.

On August 27, 2026, I served the Cover Letter and Complaint regarding Case No. SA-CE-2315-S on the parties listed below by

____ I am personally and readily familiar with the business practice of the Public Employment Relations Board for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Sacramento, California.
____Personal delivery.
_X_Electronic service (e-mail).

Rafael Garcia, Union Representative
AFSCME Council 57/Local 2620
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Sacramento, CA 95833
Email: rafael.garcia@ca.afscme57.org

Frolan Aguiling, Chief Counsel
Victoria Gillen, Labor Relations Counsel
California Department of Human Resources
1515 S Street, North Bldg., Suite 500
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Email: carla.caesar@calhr.ca.gov

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 27, 2026, at Sacramento, California.

| Victoria Chernioglo | /s/ Victoria Chernioglo |
|---|---|
| (Type or print name) | (Signature) |