

PERB COMPLAINT AGAINST EMPLOYER, EMPLOYEE ORGANIZATION OR EMPLOYEE(S)

K-PERB 006 (Rev. 6-12)

FILED BY: Employer
 Employee organization
 Employee(s)

Do Not Write In This Space

CASE NO: _____

DATE FILED: _____

INSTRUCTIONS: File an original and five copies of this complaint by Certified Mail™ with the Public Employee Relations Board at the address below. Questions regarding this form may be directed to Labor Relations at (785) 296-5000. If more space is required for any item, attach additional sheets and identify each item by number.

1. Employer, employee organization or employee(s) against whom complaint is brought:
 - a. Name: University of Kansas
 - b. Number of workers employed: 10,000+
 - c. Address: Dept. of HR Mgt., O'Leary Hall, Room 103, 1246 West Campus Road, Lawrence, KS 66045
 - d. Representative: Ola Faucher, Director of Human Resources Phone: 785-864-4946
 - e. Type of establishment: Educational Institution
 - f. The above named has engaged in prohibited practices within the meaning of K.S.A. 75-4333 subsection(s) 1, 2, 3, 4, 5, and 6 of the Public Employer-Employee Relations Act.

2. Basis of the complaint (be specific as to facts, names, addresses, locations involved, dates, etc.):

Please see attached "Basis of the Complaint"

3. Name and address of party filing complaint: Graduate Teaching Assistants Coalition, Local 6403, AFT-KS
Patrick John Gauding, 428 Wisconsin St.; Apt. A, Lawrence, KS 66044 Phone: 216-870-9450

4. Relief sought by petitioner: Petitioner seeks a complete remedy for all violations including restoration of BCBA supervised hours during applicable GTA hours, an order prohibiting future retaliation, direct-dealing and coercion, and an order requiring employer to post notice of its violations and assurances of compliance

PERB Complaint against employer, employee organization or employee(s)
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DECLARATION: I declare that I have read the complaint and that the statements contained herein are true and correct to the best of my knowledge and belief.

PATRICK JOHN GAUDING
Petitioner

GTAE
Affiliation, if any

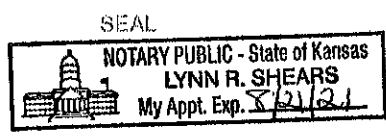
By: [Signature]
Signature of representative or person filing petition

LEGISLATIVE / NEGOTIATIONS CHAIR
Title

Date: 2018-10-19

Subscribed and sworn to before me this 19th day of October, 2018.

[Signature]
Notary Public



My Commission Expires: 8/21/2021

Original and five copies must be mailed to the address below.

Basis of the Complaint

PERB Complaint Against Employer (GTAC, Local 6403 v. University of Kansas)

Supplement to Question 2.

The basis of the complaint is as follows:

1. Petitioner, GTAC, Local 6403, AFT-Kansas is the duly recognized employee organization for the unit found appropriate and certified by PERB in case no. 75-UC-1-1992.
2. Petitioner, GTAC Local 6403, filed two complaints with the employer regarding wages and working conditions, one with the KU Department of Applied Behavioral Science (ABS) on or about September 8, 2018, and one with the KU Department of Curriculum and Instruction (C&I) on or about October 3, 2018.
3. In response to the complaints, the employer:
 - a. Engaged in direct-dealing with unit members by interrogating them regarding the complaint;
 - b. Coerced unit members by interrogating them regarding their role in formulating the complaint and their level of support or opposition for the complaint;
 - c. Retaliated against unit members for filing the complaint by unilaterally changing a long-standing policy regarding BCBA hours making it “take years longer for students to accrue their BCBA hours”;
 - d. Threatened that GTA job classifications could be changed to a less desirable, non-union job classification;
 - e. Threatened that funding essential to support job positions could be cut or lost;
 - f. Threatened job layoffs, including the jobs of specific persons known to work closely with those associated with filing the complaint;
 - g. Published statements suggesting that the employee organization does not represent the KU GTAs’
 - h. Published a list of students/GTAs the employer believed to be associated with GTAC/filing the complaint;
 - i. Encouraged GTAs to have their names removed from the published GTAC “roster” because “rumors started” after the complaints and associated policy changes and the department head stated, “I suspect there are assumptions about your role in the process.”
4. The employer’s actions were coercive and intimidating to unit members.
5. The employer’s actions interfere with GTAC, Local 6403’s status and responsibilities as the formally recognized representative and discourages employee participation in the organization and statutorily protected labor-management functions such as good faith negotiations and the orderly resolution of employee grievances and complaints.