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VIA EMAIL & U.S. MAIL

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Chair Eric Banks
Public Employment Relations Board
1031 18th Street
Sacramento, CA 95811

ANICA WALLS
President

DAVID JIMENEZ
Vice President/
Secretary-Treasurer

DELONNE JOHNSON
Board Chair

SUSAN RODRIGUEZ
Chief Negotiator

Re: Request for Recusal of PERB Member Eraina Ortega from Matters
Involving SEIU Local 1000 Bargaining Units

Dear Chair Banks:

On behalf of SEIU Local 1000, we write to respectfully request that PERB Member Eraina Ortega be recused from any matters involving SEIU Local 1000 bargaining units, including the Union's nine bargaining units covered by the Ralph C. Dills Act and its two bargaining units covered by the Meyers-Milias-Brown Act (MMBA) at the State Bar of California, based on her former role as Director of the California Department of Human Resources (CalHR) from 2019 to 2025.

As Director of CalHR, Ms. Ortega served as the State's chief labor representative for Dills Act bargaining units, with direct responsibility for developing and approving bargaining strategies, overseeing grievance responses, and shaping management positions in labor relations matters that now come before PERB for adjudication. In that capacity, she exercised substantial authority over labor relations affecting every Dills Act-covered bargaining unit represented by SEIU Local 1000 and was integral to all decision-making.

Under Government Code sections 19815.3 and 19815.4, the CalHR Director serves at the Governor's pleasure and acts as the Governor's designated representative in collective bargaining pursuant to Government Code section 3517. The position is expressly political, strategic and managerial in nature, charged with administering and enforcing personnel laws, adopting regulations governing employment relations, and formulating the State's positions in labor negotiations. These statutory duties confirm that the Director's role is inherently partisan and not quasi-judicial, rendering subsequent participation in PERB decisions involving those same bargaining relationships inconsistent with the impartiality expected of a Board Member.

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SOC, CLC**

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Given this history, participation in Board deliberations or decisions involving SEIU Local 1000's bargaining units—whether in unfair practice proceedings, unit determinations, or other matters within PERB's jurisdiction—creates, at minimum, an appearance of conflict that could undermine public confidence in PERB's neutrality. PERB's effectiveness depends upon both actual impartiality and the perception of fairness among the parties subject to its jurisdiction.

Accordingly, SEIU Local 1000 respectfully requests that:

1. Member Ortega be formally recused from participation in any PERB matters involving SEIU Local 1000's eleven bargaining units; and
2. PERB adopt or confirm an internal screening mechanism to ensure such matters are appropriately identified and reassigned, preserving both fairness and the appearance of fairness in the Board's proceedings.

This request is made in the interest of maintaining confidence in PERB's impartial administration of California's collective bargaining laws. We acknowledge Ms. Ortega's long record of public service and believe that recusal in these circumstances will best safeguard the integrity of the Board and its mission.

Respectfully,



ANICA WALLS

President, SEIU Local 1000

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