

STATE OF CALIFORNIA  
PUBLIC EMPLOYMENT RELATIONS BOARD



SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 1000,

Charging Party,

v.

STATE OF CALIFORNIA (DEPARTMENT OF  
HUMAN RESOURCES),

Respondent.

Case No. SA-CE-2339-S

COMPLAINT

**EXPEDITED CASE**

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 appropriate units of employees in State Bargaining Units 1, 3, 4, 11, 14, 15, 17, 20, and 21.
2. Respondent is the State employer within the meaning of Government Code section 3513(j).

**I. Unilateral Change**

3. On or about May 12, 2026, Respondent implemented a new policy by instructing State departments to institute a "Return to Office" (RTO) mandate requiring unit members to work in-office four (4) days per week, beginning on July 1, 2026.
4. Respondent engaged in the conduct described in paragraph 3 without having afforded Charging Party an opportunity to meet and confer over the decision to

implement this new policy and/or the effects of its decision to do so.

5. By the acts and conduct described in paragraphs 3 and 4, Respondent failed and refused to meet and confer in good faith in violation of Government Code section 3519(c).

6. 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).

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

## **II. Refusal to Bargain**

8. In or around March 2026, Charging Party demanded to bargain over the RTO mandate, and submitted proposals addressing both the decision and the impacts of any RTO policy.

9. In response, Respondent informed Charging Party that it would not bargain over the implementation of the RTO mandate.

10. By the acts and conduct described in paragraph 9, Respondent failed and refused to bargain in good faith with Charging Party in violation of Government Code section 3519(c).

11. 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).

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

## **III. Bad Faith Bargaining - Surface Bargaining**

13. In or around March 2026, Charging Party demanded to bargain with Respondent pursuant to Government Code section 3517, and submitted proposals

addressing both the decision and the impacts of any RTO mandate.

14. In response, Respondent engaged in a course of conduct, including but not limited to the following:

- a. Respondent contended that Charging Party's proposals were "out of scope" of bargaining;
  - b. Respondent contended that any proposal addressing the RTO mandate would be rejected as outside the scope of bargaining;
  - c. Respondent stated that bargaining would be limited to only the impacts of the RTO mandate;
  - d. Respondent stated that it was not prepared to engage in impacts bargaining because departments had not finalized implementation, and that impacts would be addressed later at the departmental level;
  - e. Respondent stated that it had "no movement" from the four-day in-office requirement;
  - f. Respondent took the position that the June 28, 2025 Side Letter waived Charging Party's right to bargain over the RTO mandate;
  - g. On or about May 4, 2026, Respondent formally rejected Charging Party's proposal and stated that the four-day in-office requirement will be implemented on July 1, 2026;
  - h. On or about May 12, 2026, Respondent unilaterally abandoned bargaining;
  - i. Respondent engaged in the conduct outlined in paragraphs 3 and 4; and
  - j. Respondent engaged in the conduct outlined in paragraph 9.
15. Under the totality of circumstances, including but not limited to the specific

acts described in paragraph 14 and its subsections, Respondent failed and refused to meet and confer in good faith with Charging Party in violation of Government Code section 3519(c).

16. 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).

17. 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: June 24, 2026

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