

The “AnonymousKnowNothings” (An Anonymous Citizens Group)  
P. O. Box 364 Riverside, Ca. 92502  
(347) 478-4459 anonymousknownothings@gmail.com

October 14, 2021

Public Employment Relations Board  
425 W Broadway # 400,  
Glendale, CA 91204

Att: Cheryl Shelly

Re; Proposed revisions to PERB regulation 32147, related to Expedited Cases

**PUBLIC COMMENT**

In a very subtle, overt way the laws as it sits under the EERA do not allow employees to be heard on abusive violations immediately or adverse disciplinary actions. Employees are in desperate need of protection of employment rights when the violations are attached to a scheme that could take up to (10) *years* to adjudicate,<sup>1</sup> while taking minutes before your career is rendered obsolete by the suspension of pay, and placement on home reassignment.

At the same time there is an internal pressure to talk about our abuse history in public employment collective bargaining. We want to share important truths rather than hide behind a bland façade, we want to be visible. We need validation, acknowledgment, and support from PERB because of engagement in concerted protected activity under EERA section 3543 and section 7 rights. We hope the professionals of PERB will come through, listening sympathetically, speak kindly, and hold a space for our stories.

Our current unfair practice charges, which will all be on the PERB Board Docket by the second week of November are violations that fit within the expanded requirements to expedite unfair practice charges (LA-CE-6489-E, LA-CE-6445-E, LA-CO-1768-E, LA-CO-

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<sup>1</sup> The “Fraudulent Teacher Dismissal Process.”

1688-E & LA-CO-1782-E). These five cases combined or individually where the alleged conduct of the employer and the employee organization is irreparably harming the exercise of employee or employee organization rights continues to this very moment without your agency's assistance.

These cases have novel issues that include important and unresolved questions of law such as "Blacklisting" by employers, "Joint employment" between state agencies, "subordinate liability bias or the "Cats Paw", "Malicious Prosecution" by a joint employer, res judicata & collateral estoppel, backpay and economic liability, conflicts of law, "Reporting of Improper Governmental Activities", violations of FLSA and the falsification of unpaid-earned or unearned wages (overpayment), the irreparable harm in the failure for an employer and an employee organization to "meet and negotiate in good faith" abuse of power and "bad law", recognition disputes, the protection of concerted activity of "two or more" (section 7 rights), termination of employment in support of a competing employee organization, "domination" and interference and disestablishment, a districts "support and financial assistance of a union and a unions support and financial assistance of a district, totality of circumstances, forced union membership dues and CalSTRS collection, the union in the "operational structure" of the district by law, antitrust violations, fraud, collusion, and much, much more.

### Conclusion

Unfair practice charges involving complex issues or unusual circumstances need to be brought to the attention of investigators immediately with statutory timeframes for beginning investigations. Especially, in cases where adverse actions are being taken against union activists and the actions taken are treacherously harmful. We hope the General Counsel, Chief Administrative Law Judge, Director of State Mediation and Conciliation Services, or the Board itself expedite any of the above cases on its own motion or all of them based on a (5) year delay in the investigation. When PERB learned about our accusations by the filing of an unfair practice charge you took no action to end the violations. PERB is legally responsible to the employees in this group who have endured many injurious actions by both employers and employee organizations and failed to employ any protective measures (i.e. the right to be free from retaliation, discrimination, and harassment from the employee organization for reporting misconduct and violations of the EERA).

We ask that the PERB board consider the proposed changes that will immediately impact the filings currently in front of them from this group.

Respectfully Submitted,

Jefferey L. Norman  
Chairman of the AnonymousKnowNothings