STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD

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| UNITED PUBLIC EMPLOYEES, LOCAL 390, SEIU, AFL-CIO, | ) | |
| Charging Party, | ) | Case No. SF-CE-324 |
| v. | ) | PERB Decision No. 254 |
| SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT, | ) | October 29, 1982 |
| Respondent. | ) | |

Appearances: Diana K. Smith, Attorney (Breon, Galgani & Godino) for San Ramon Unified School District; Stewart Weinberg (Van Bourg, Allen, Weinberg & Roger) for United Public Employees Local 390, SEIU, AFL-CIO.

Before Tovar, Jaeger and Morgenstern, Members.

## DECISION

JAEGER, Member: This case is before the Public Employment Relations Board (PERB or Board) on exceptions filed by the San Ramon Valley Unified School District (District) to the attached proposed decision finding that it violated subsections 3543.5(a) and (b) of the Educational Employment Relations Act (EERA or Act)[1] by refusing to distribute copies of the

[1]EERA is codified at Government Code section 3540, et seq.. All references are to the Government Code unless otherwise indicated. Section 3543.5 provides:

> It shall be unlawful for a public school employer to:
>
> (a) Impose or threaten to impose reprisals

Union's[2] newspaper through the district mail system.

The Board has reviewed the hearing officer's findings of fact, and finding them free from prejudicial error, adopts them as the findings of the Board itself. We affirm the hearing officer's conclusions of law consistent with the discussion below.

DISCUSSION

In its exceptions, the District raises substantially the same arguments on appeal which it raised before the hearing officer. Of those exceptions, all but one were fully considered in the proposed decision, and we affirm those findings. The only exception raised on appeal which was not dealt with by the hearing officer concerns the District's contention that Education Code section 7054[3] required it to deny the Union access to its internal mail system.

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> on employees, to discriminate or threaten to discriminate against employees, or otherwise to interfere with, restrain, or coerce employee because of their exercise of rights guaranteed by this chapter.
>
> (b) Deny to employee organizations rights guaranteed to them by this chapter.

[2]United Public Employees, Local 390, SEIU, AFL-CIO (Union or SEIU, Local 390) .

[3]Education Code section 7054 provides:

> Except as provided in Sections 7056, 35174 and 72632, no school district or community college district funds, services, supplies, or equipment shall be used for the purpose

The District argues that distribution of the October 1978 issue of its newspaper featuring the headline, "Vote No on Proposition 6,"[4] would have constituted the use of District ". . . funds, services, supplies or equipment . . . for the purpose of urging the passage or defeat of [a] school measure of the District," contrary to Education Code section 7054.

In Richmond Unified School District/Simi Valley Unified School District (8/1/79) PERB Decision No. 99, the Board found that subsection 3543.1(b)[5] grants organizations the right to use employer mail facilities, subject to reasonable regulation, and that interference with this right constitutes violations of subsections 3543.5(a) and (b). See also Long Beach Unified School District (5/28/80) PERB Decision No. 130; San Ramon Valley Unified School District (8/9/82) PERB Decision No. 230.

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> of urging the passage or defeat of any school measure of the district, including, but not limited to, the candidacy of any person for election to the governing board of the district.

[4]Proposition 6 was a statewide ballot measure regulating the employment of homosexuals in the public schools.

[5]Subsection 3543.1(b) provides:

> Employee organizations shall have the right of access at reasonable times to areas in which employees work, the right to use institutional bulletin boards, mailboxes, and other means of communication, subject to reasonable regulation, and the right to use institutional facilities at reasonable times for the purpose of meetings concerned with the exercise of the rights guaranteed by this chapter.

We find Education Code section 7054 did not require the District to refuse to distribute the October 1978 issue of United Action, since the article in question did not concern a "school measure of the district." Although the term "school measure of the district" is not defined in Education Code sections 7050-7057, it is defined in Education Code section 35174[6], which is incorporated by reference in section 7054.

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[6]Education Code section 35174 states in full:

> The governing board of any school district or any member of the governing board of a school district may prepare or disseminate information or may make public or private appearances or statements for the purpose of urging the passage or defeat of any school measure of the district. As used in the section, "school measure" includes any proposition for the issuance of bonds of the school district, an increase in the maximum tax rate of the school district, the acceptance, expenditure, and repayment of state funds by the school district to enable the school district to construct buildings and other facilities, or the candidacy of any person for election to the governing board of the school district. Nothing in this code shall be construed as prohibiting any administrative officer of a school district from appearing at any time before a citizens group, which requests his appearance, to discuss the reasons why the governing board of the school district called an election to submit to the voters of the district a proposition for the issuance of bonds or for an increase in the maximum tax rate of the district and to answer questions put to him by any taxpayer concerning the cost of such proposals.

Education Code section 35174 defines "school measure of the district" as:

> . . . any proposition for the issuance of bonds of the school district, an increase in the maximum tax rate of the school district, the acceptance, expenditure, and repayment of state funds by the school district to enable the school district to construct buildings and other facilities, or the candidacy of any person for election to the governing board of the school district.

Since Proposition 6 was a statewide ballot measure and not a "school measure of the district," Education Code section 7054 did not preclude the District from distributing the October 1978 issue of United Action. Consequently, the District's refusal to distribute the Union newspaper denied SEIU Local 390 access and organizational rights guaranteed to it by subsections 3543.1 (a)[7] and (b) of the Act, in violation of subsection 3543.5(b). In addition, it is found that the

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[7]Subsection 3543.1(a) provides:

> (a) Employee organizations shall have the right to represent their members in their employment relations with public school employers, except that once an employee organization is recognized or certified as the exclusive representative of an appropriate unit pursuant to Section 3544.1 or 3544.7, respectively, only that employee organization may represent that unit in their employment relations with the public school employer. Employee organizations may establish reasonable restrictions regarding who may join and may make reasonable provisions for the dismissal of individuals from membership.

District's conduct interfered with the right of employees to participate in employee organization activities as guaranteed by section 3543[8], and therefore violated subsection 3543.5(a). Richmond, supra.

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[8]Section 3543 provides:

> Public school employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Public school employees shall also have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the public school employer, except that once the employees in an appropriate unit have selected an exclusive representative and it has been recognized pursuant to Section 3544.1 or certified pursuant to Section 3544.7, no employee in that unit may meet and negotiate with the public school employer.
>
> Any employee may at any time present grievances to his employer, and have such grievances adjusted, without the intervention of the exclusive representative, as long as the adjustment is reached prior to arbitration pursuant to Sections 3548.5, 3548.6, 3548.7, and 3548.8 and the adjustment is not inconsistent with the terms of a written agreement then in effect; provided that the public school employer shall not agree to a resolution of the grievance until the exclusive representative has received a copy of the grievance and the proposed resolution and has been given the opportunity to file a response.

In so finding, it is unnecessary for us to determine whether the access provisions of subsection 3543.1(b) of the Act would be affected by Education Code section 7054 if a communication did concern a "school measure of the district" within the meaning of the Education Code. Moreover, we note that we are neither statutorily nor constitutionally permitted to pass on the constitutionality of Education Code provisions.[9]

ORDER

Upon the foregoing findings of fact and conclusions of law, and the entire record in the case, it is found that the San Ramon Valley Unified School District violated Government Code section 3543.5(a) and (b) by denying SEIU, Local 390 access to the District's internal mail system. Therefore, it is hereby ORDERED that the District, its governing board, and its representatives shall:

1. CEASE AND DESIST FROM:

(a) Unreasonably denying SEIU, Local 390 access to its internal mail system for the purpose of communicating with employees in violation of Government Code section 3543.5(b);

(b) Interfering with employees' right to participate in employee organization affairs and keeping them from

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[9]California Constitution, Article III, Section 3.5.

receiving communications from such organization in violation of Government Code section 3543.5(a).

2. TAKE THE FOLLOWING AFFIRMATIVE ACTIONS DESIGNED TO EFFECTUATE THE POLICIES OF THE ACT.

(a) Within five (5) workdays after service of this decision, prepare and post copies of the Notice to Employees attached as an appendix hereto, for at least thirty (30) workdays at its headquarters offices and in conspicuous places at the locations where notices to employees are customarily posted. It must not be reduced in size and reasonable steps should be taken to see that it is not defaced, altered or covered by any material.

(b) Within twenty (20) workdays from service of the final decision herein, give written notification to the San Francisco regional director of the Public Employment Relations Board of the actions taken to comply with this Order. Continue to report in writing to the regional director thereafter as directed. All reports to the regional director shall be concurrently served on the charging party herein.

Members Tovar and Morgenstern concurred.

APPENDIX

NOTICE TO EMPLOYEES
POSTED BY THE ORDER OF
THE PUBLIC EMPLOYMENT RELATIONS BOARD
An Agency of the State of California

After a hearing in Unfair Practice Case No. SF-CE-324, United Public Employees Local 390, SEIU, AFL-CIO v. San Ramon Valley Unified School District, in which all parties had the right to participate, it has been found that the San Ramon Valley Unified School District has violated subsections 3543.5(a) and (b) of the Educational Employment Relations Act by refusing to distribute copies of the October 1978 issue of the Union's newspaper, United Action, through the District mail service.

As a result of this conduct we have been ordered to post this Notice, and will abide by the following. We will:

1. CEASE AND DESIST FROM:

(a) Unreasonably denying employee organizations access to our internal mail system for the purpose of communicating with employees, in violation of Government Code section 3543.5(b);

(b) Interfering with employees' right to participate in employee organization affairs and keeping them from receiving communications from that organization, in violation of Government Code section 3543.5(a).

Dated:_____ SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT

BY._____
Authorized Agent

THIS IS AN OFFICIAL NOTICE. IT MUST REMAIN POSTED FOR AT LEAST THIRTY (30) WORKDAYS FROM THE DATE OF POSTING AND MUST NOT BE REDUCED IN SIZE, DEFACED, ALTERED OR COVERED BY ANY MATERIAL.

STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD

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|---|---|
| UNITED PUBLIC EMPLOYEES LOCAL 390, SEIU, AFL-CIO,<br><br>Charging Party,<br><br>V.<br><br>SAN RAMON UNIFIED SCHOOL DISTRICT,<br><br>Respondent. | Unfair Practice Case No. SF-CE-324<br><br>PROPOSED DECISION<br><br>(4/13/81) |

Appearances: Martha Buell Scott, Attorney (Breon, Galgani & Godino) for San Ramon Unified School District; Stewart Weinberg (Van Bourg, Allen, Weinberg & Roger) for United Public Employees Local 390, SEIU, AFL-CIO.

Before: James W. Tamm, Hearing Officer.

## PROCEDURAL HISTORY AND FACTS

This charge was filed on October 26, 1978 by the United Public Employees Local 390, SEIU, AFL-CIO (hereafter Local 390 or Union) after District Superintendent Allen J. Petersdorf refused Local 390 permission to distribute a union newsletter through the intra-district mail. The charge alleges violations of sections 3543.1 (a) and (b) and 3543.5 (a) and (b) of the Educational Employment Relations Act (hereafter EERA or Act).[1] A hearing was held, briefs filed, and the case submitted to the hearing officer for decision on February 6, 1981.

[1]All statutory references are to the California Government Code unless otherwise specified.

On March 18, 1977 the charging party was certified as the exclusive representative of the bargaining unit consisting of operations and support services employees of the San Ramon Unified School District.[2] Local 390 publishes a newspaper every month which is distributed to their members and employees whom they represent within the District. Between the date of certification and the date of the charge the Union had distributed approximately four editions of its newspaper, United Action to employees within the District. On each occasion Local 390 distributed approximately 150 copies of the newspaper to the 160 bargaining unit members through the District's internal mail distribution system. At the school sites the mail is placed in various mailboxes where employees pick up their mail. Local 390's newspaper contains articles and information which the Union wishes to communicate to its bargaining unit members.

The District has a policy for allowing the use of District mail facilities which requires a copy of the document to be given to the superintendent for approval prior to distribution through the mail system.[3]

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[2]At the hearing the parties stipulated that certification was issued in "approximately February 1977." A review of the PERB Regional Office records indicates it was actually issued March 18, 1977.

[3]Communications, Meetings and Representatives.

Organizations may use the District mail

The District also has the following policy regarding political activities:

> Political Activities. The Board of Education recognizes and encourages the democratic right of all employees, as citizens, to participate in political activities which are in accordance with Federal and State constitutions and statutes. These rights, however, do not extend to partisan campaigning, distribution of literature or solicitation in any other

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> facilities for announcements, but a copy of all such communications shall be given to the Superintendent prior to delivery for approval, and a copy shall be given to the building principal in advance of general distribution.
>
> Any communications pasted on a District bulletin board, or sent through school means of distribution, or placed in employee boxes, shall give the name of the organization sending the communication and the name of the responsible officer of such organization, and shall be dated.
>
> School facilities may be used for organization meetings if there is no conflict with other official school use and upon proper notification and approval.
>
> Representatives of organizations shall not contact employees during the normal work day in which they are performing their duties. Official representatives of employee organizations shall report to the school office before visiting an employee on the premises of the school or District buildings.
>
> Policy adopted: July 14, 1974
> Policy revised: November 24, 1975

> manner on school property or during hours of employment. Such actions are considered to be in violation of the professional standards and district policies which must be adhered to by school personnel and will constitute cause for appropriate action by the Board of Education.

On Thursday, October 19, 1978 copies of the October 1978 issue of United Action were delivered to the District office for distribution through the intra-District mail system. Sufficient copies were left so that each member of the bargaining unit would receive a copy of the newspaper. The front page of that issue prominently displayed a headline which read "Vote No on Proposition 6". Proposition 6, also known as the Briggs Initiative, was a statewide ballot proposition which dealt with the employment conditions of certain school employees. The California voter pamphlet for the November 7, 1978 general election described the initiative as follows:

> School Employees. Homosexuality. Initiative Statute. Provides for filing charges against school teachers, teachers aides, school administrator or counselors for advocating, soliciting, imposing, encouraging or promoting private or public sexual acts defined in section 286 (a) and 288 (a) of the Penal Code between persons of the same sex in a manner likely to come to the attention of other employees or students; or publicly or indiscreetly engaging in said acts. Prohibits hiring and requires dismissal of such persons if school board determines them unfit for service after considering enumerated guidelines. In dismissal cases only, provides for two-stage hearings, written findings, judicial review. Financial impact: Unknown but potentially substantial cost to state,

counties and school districts depending on number of cases which receive an administrative hearing.

On or about October 19, 1978, Superintendent Petersdorf received a copy of the October issue of United Action. The superintendent saw the "Vote No On Proposition 6" headline and felt the use of the District's mail system to distribute the article would violate the District's policy on political activities. Petersdorf did not read the article itself nor any other article contained in the issue, but made the determination solely on the basis of the "Proposition 6" headline.

Petersdorf notified Katherine Haymes, the business agent for Local 390, that although he was in personal agreement with the position taken by the publication he could not authorize distribution of the issue through the intra-District mail because it advocated a "no" vote on Proposition 6.

Haymes objected, arguing that the Union had a legal right to communicate with its members through the District's mail system and that the District had no right to censure communications between the Union and its members.

In a letter dated November 1, 1978 Petersdorf informed Haymes that she and her organization were free to distribute the publication through alternative means such as delivery to the school sites by their own methods.

Haymes distributed approximately 75 copies of United Action

by hand-delivering them to District employees represented by Local 390 in the days preceding the November 7, 1978 general election. Haymes reached approximately half of the bargaining unit through personal deliveries.

## ISSUE

Whether the respondent violated sections 3543.5(a) and (b) by refusing to allow distribution, through the District's internal mail system, of the October 1978 issue of United Action, thereby denying Local 390 the right to represent its members under sections 3543.1(a) and (b).

## DISCUSSION AND CONCLUSIONS OF LAW

Section 3543.1(b) provides that:

> (b) Employee organizations shall have the right of access at reasonable times to areas in which employees work, the right to use institutional bulletin boards, mailboxes, and other means of communication, subject to reasonable regulation, and the right to use institutional facilities at reasonable times for the purpose of meetings concerned with the exercise of the rights guaranteed by this chapter.

In Richmond Unified School District (8/1/79) PERB Decision No. 99, the PERB held that at a minimum the Legislature intended to include the use of internal school mail systems as one of the employee organization's access rights authorized by section 3543.1(b) of the EERA. The Board also narrowly interpreted the right of a District to regulate the use of such systems:

> On the basis of our understanding of the statutory purposes of EERA in conjunction with our review of analogous principles of labor and constitutional law we conclude that school employer regulation under section 3543.1(b) should be narrowly drawn to cover the time, place and manner of the activity without impinging on content unless it presents a substantial threat to peaceful school operations. Richmond, supra, at p. 19.

Given that interpretation of the EERA, the policy of the District cannot stand and limitations placed on Local 390 by the District is a violation of the EERA.

Since section 3543.1(b) is designed to protect an employee organization's ability to communicate with employees, the burden is upon the district to show that any impingement of that right is necessary. In this case the District failed to show, nor is it likely that it could show, that dissemination of the "vote No on Proposition 6" article posed any danger to peaceful school operations as required by Richmond. The District therefore improperly sought to regulate beyond its lawful degree of authority.

The policy is also unlawful because it is vague and carried out subject to the unfettered discretion of the superintendent. The superintendent characterized his review policy as follows:

> My general objections to any article that would go out would be if it advocates a yes or no vote and tries to persuade the voter as to how to vote. If it's an article that is informative and reports what was [sic] transpired as far as union activities or any other group, I would not have an objection to that in my interpretation of the policy.

It appears that the policy was not consistent. The superintendent testified he would have allowed an article entitled "The Union's Union" which reported political endorsement of the political education arm of the Alameda and Contra Costa Central Labor Council. He also testified, however, that another article entitled "Ussery for BART Board" reporting another political endorsement by the Central Labor Council appeared to be advocacy of a partisan political issue.

Even assuming arguendo this policy had been applied on a consistent basis, it would appear to allow an article, reporting informationally, that Local 390 officially endorsed a "no" vote on Proposition 6, and could in fact list all of the reasons why it adopted that position, while at the same time would prohibit an article which in and of itself overtly urged a "no" vote on Proposition 6 citing the identical reasons. It is doubtful that an article reporting an endorsement by Local 390 would be included in the official publication for Local 390 for any other reason than to persuade its readers to vote in a certain manner. Therefore, even under a consistent application of the policy the dividing line between what material is political and what material is merely reporting information is extremely vague.

Furthermore, in light of the fact that the superintendent admittedly did not even read the article, he had no way of knowing for sure whether the article was urging a "no" vote or

merely reporting someone else urging a "no" vote, which presumably would have been allowed under the superintendent's interpretation of the policy.

As a final note it appears that the District has allowed many exceptions to its policy of prohibiting partisan campaigning, distribution of literature, or solicitation in any manner on school property. Superintendent Petersdorf's testimony that community groups, which could include groups of school employees, are allowed to use school facilities for partisan political purposes under the Civic Center Act,[4] exemplifies this inconsistency.

Moreover, the superintendent did give permission to Haymes or members of Local 390 to distribute the newspaper themselves on school property, also a clear violation of the policy.

The District asserts as a defense a series of cases and Attorney General opinions, the most authoritative of which is Stanson v. Mott (1976) 17 Cal.3d 206. Stanson held that:

> In the absence of clear and explicit legislative authorization a public agency may not expend public funds to promote a partisan position in an election campaign . . . . 17 Cal.3d at 210.

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4see California Education Code section 40048 et seq. which provides that citizens and organizations may use school buildings and grounds to meet and discuss subjects which in their judgment appertain to the educational, political, economic, artistic and moral interests of the citizens of the communities in which they reside.

The cases cited deal with agencies which sought to expend funds in partisan political efforts, and not with agencies under an affirmative duty to allow the use of facilities as in the present case. Absent a finding that the use of the District's internal mail system by employee organizations wishing to communicate with their members was intended by the Legislature, the result of this case might be different. However, in light of the PERB finding in Richmond that such use of the mail system is a guaranteed right, this case can be distinguished from the Stanson line of cases.

For the reasons already set forth, it is found that by denying the employee organization a right to represent its members pursuant to section 3543.1(a) and, more specifically, denying the charging party the right to use "other means of communications" provided in section 3543.1(b), the District has violated section 3543.5(b) of the Act. In addition, some harm occurred to the employees' statutory right under section 3543 to participate in employee organization affairs by receiving communications from Local 390. Accordingly, as in Richmond, supra, at pp. 29-30, a violation of section 3543.5 (a) is also found.

## REMEDY

Section 3541.5 (c) gives the PERB broad powers to remedy unfair practices, specifically including the power to issue cease and desist orders.

Since it has been found that the District unreasonably denied Local 390 access to its internal mail system, it will be ordered to cease and desist from denying such access for the purpose of communication with employees. As in Richmond, supra, the cease and desist order will apply in favor of all employee organizations as well as Local 390.

It also is appropriate that the District be required to post a notice incorporating the terms of the order. The notice should be subscribed by an authorized agent of the District indicating that it will comply with the terms thereof. The notice shall not be reduced in size. Posting such a notice will provide employees with notice that the District has acted in an unlawful manner and is being required to cease and desist from such unlawful activity. It effectuates the purposes of the EERA that employees be informed of the resolution of the controversy and will announce the District's readiness to comply with the ordered remedy. See Placerville Union School District (9/18/78) PERB Decision No. 69. In Pandol and Sons v. ALRB and UFW (1979) 98 Cal.App.3d 580, 587, the California District Court of Appeal approved a posting requirement. The U.S. Supreme Court approved a similar posting requirement in NLRB v. Express Publishing Co. (1941) 312 U.S. 426 [8 LRRM 415].

## PROPOSED ORDER

Upon the foregoing findings of fact and conclusions of law, and the entire record in the case, it is found that the SAN RAMON UNIFIED SCHOOL DISTRICT violated Government Code section 3543.5(a) and (b) by denying employee organizations access to the District's internal mail system. Therefore, it is hereby ordered that the District, its governing board and its representatives shall:

1. CEASE AND DESIST FROM:

(a) Unreasonably denying employee organizations access to its internal mail system for the purpose of communicating with employees; in violation of Government Code section 3543.5(b);

(b) Interfering with employees' right to participate in employee organization affairs and keeping them from receiving communications from such organization in violation of Government Code section 3543.5(a).

2. TAKE THE FOLLOWING AFFIRMATIVE ACTIONS DESIGNED TO EFFECTUATE THE POLICIES OF THE ACT.

(a) Within five (5) workdays after this decision becomes final, prepare and post copies of the NOTICE TO EMPLOYEES attached as an appendix hereto, for at least thirty (30) workdays at its headquarters offices and in conspicuous places at the location where notices to employees are customarily posted. It must not be reduced in size and reasonable steps should be taken to see that it is not

defaced, altered or covered by any material.

(b) Within twenty (20) workdays from service of the final decision herein, give written notification to the San Francisco Regional Director of the Public Employment Relations Board, of the actions taken to comply with this Order. Continue to report in writing to the Regional Director thereafter as directed. All reports to the Regional Director shall be concurrently served on the charging party herein.

Pursuant to California Administrative Code, title 8, part III, section 32305, this Proposed Decision and Order shall become final on __May 4, 1981__, unless a party files a timely statement of exceptions. See California Administrative Code title 8, part III, section 32300. Such statement of exceptions and supporting brief must be actually received by the executive assistant to the Board at the headquarters office of the Public Employment Relations Board in Sacramento before the close of business (5:00 p.m.) on __May 4, 1981__/ in order to be timely filed. See California Administrative Code, title 8, part III, section 32135. Any statement of exceptions and supporting brief must be served concurrently with its filing upon each party to this proceeding. Proof of service shall be filed with the Board itself. See California Administrative Code, title 8, part III, sections 32300 and 32305 as amended.

Dated: April 13, 1981

JAMES W. TAMM, Hearing Officer

APPENDIX

NOTICE TO EMPLOYEES
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As a result of this conduct we have been ordered to post this Notice, and will abide by the following. We will:

1. CEASE AND DESIST FROM:

(a) Unreasonably denying employee organizations access to its internal mail system for the purpose of communicating with employees in violation of Government Code section 3543.5(b);

(b) Interfering with employees' right to participate in employee organization affairs and keeping them from receiving communications from such organization in violation of Government Code section 3543.5(a).

**Dated:** _____ SAN RAMON UNIFIED SCHOOL DISTRICT

By _____
Authorized Agent

**THIS** IS AN OFFICIAL NOTICE. IT MUST REMAIN POSTED FOR AT LEAST **THIRTY** (30) WORKDAYS FROM THE DATE OF POSTING AND MUST NOT BE REDUCED IN SIZE, DEFACED, ALTERED OR COVERED BY ANY MATERIAL.