

Clearly this does not in any way extend the authority to make said request to the Governing Board of the District.

9. On or about May 31, 2012, CSEA was made aware that the District was seeking to amend their Governing Board Policies; specifically, Policy numbers 4140(b) 4240 and 4340. This was being presented for a first reading at their May 22, 2012, meeting. The changes put forward read as follows:

"Each employee shall be annually notified of their right not to be required to join, maintain membership in, or financially support any employee organization as a condition of employment." (Attachment B.)

10. The changes being sought by the District however were not present at a previous reading on May 8, 2012, Governing Board meeting. **(Attachment C.)**
11. The changes to Governing Board Policies were adopted on June 26, 2012. **(Attachment D.)**
12. This a violation of Government Code Section 3540.1 (i) (2) which reads as follows:

(i) "Organizational security" is within the scope of representation, and means either of the following:

(2) An arrangement that requires an employee, as a condition of continued employment, either to join the recognized or certified employee organization, or to pay the organization a service fee in an amount not to exceed the standard initiation fee, periodic dues, and general assessments of the organization for the duration of the agreement, or a period of three years from the effective date of the agreement, whichever comes first.

This action is also in violation of Government Code Section 3546 as stated below:

3546. Member of recognized employee organization or payment of fair share service fee; condition of employment.

(a) Notwithstanding any other provision of law, upon receiving notice from the exclusive representative of a public school employee who is in a unit for which an exclusive representative has been selected pursuant to this chapter, the employer shall deduct the amount of the fair share service fee authorized by this section from the wages and salary of the employee and pay that amount to the employee organization. Thereafter, the employee shall, as a condition of continued employment, be required either to join the recognized employee organization or pay the fair share service fee. The amount of the fee shall not exceed the dues that are payable by members of the employee organization, and shall cover the cost of negotiation, contract administration, and other activities of the employee.