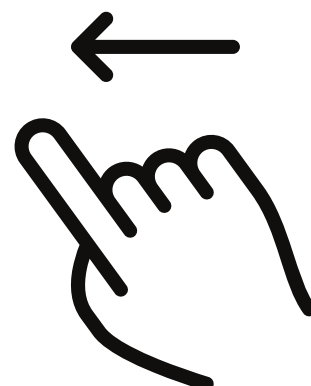


# WHAT'S NEXT WITH THIS INJUNCTION?

AN ACE UNION 101 EXPLAINER

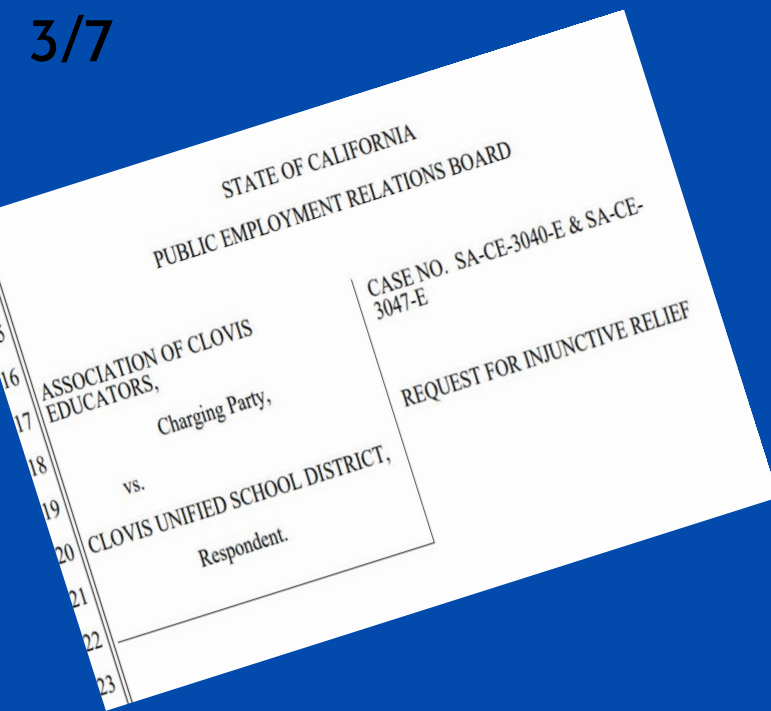


# Injunction Defined



A court order commanding or preventing an action. To get this kind of injunction, the Public Employment Relations Board (PERB) must show reasonable cause to believe that the law has been violated and that irreparable harm will result without an injunction. Preliminary injunctions like this are considered "extraordinary relief" and are rare.






On August 11, 2021 ACE filed for injunctive relief with PERB requesting an immediate order for CUSD to stop unlawful efforts of interfering with Clovis educators' rights to unionize.

CUSD's anti-union campaign includes support and control of the CUSD Faculty Senate – a company union used to block an independent educator organization like ACE from forming.

READ AN EXCERPT!

Whereas ACE is an independent union, the Faculty Senate is an archetypal “company union.” It is financed and dominated by CUSD, and its very *raison d’etre* is to keep the District union free – a status it proudly touts. CUSD has also explicitly stated its support for the Faculty Senate and its opposition to ACE’s organizing campaign. It openly promotes its non-union stance, declaring in official District Policy that the District’s professionals are “proud that we do not have collective bargaining.” The District is violating the EERA by forcing ACE to organize in this blatantly hostile and uneven environment.





On August 20, 2021, after reviewing our request for injunctive relief and CUSD's objections to it, PERB granted our request.

So what's next?  
We'll break it down for you.





First, some clarifying definitions to better understand injunctive relief:

1. PERB is the *Plaintiff*, meaning it will be the party seeking the injunction against CUSD.
2. CUSD is the *Defendant*, meaning it is the party **AGAINST** which an injunction would issue to compel the District to stop acting unlawfully.
3. ACE is the *Real Party in Interest*, meaning it is a party with an important interest at stake in the case.



## Next Steps

- Earlier today, August 25, 2021, the parties held an Informal Settlement Conference. Efforts were made to settle the issues, but no resolution was reached.
- As settlement was not reached between the parties, PERB will move forward in seeking an injunction against Clovis Unified in the Fresno County Superior Court. The Superior Court will either grant or deny the request for injunction. If granted, an injunction will be issued by the Superior Court against CUSD.



Why is this so important?

Simply put, we believe Clovis educators deserve better than the status quo.

We believe our students deserve better. We believe our community deserves better.

We also believe CUSD should follow the law.

With a truly independent organization free from District dependence, control, and influence, we can better support the schools we all deserve - that means advocating for smaller class sizes, adequately resourced special education programs, increased services for social and emotional learning, more academic freedom and so much more.



ACE is the Answer