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UC faculty associations file labor violation complaint

Nolan Zils
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The report alleges systemwide violations of the Higher Education Employer-Employee Relations Act by discriminating against faculty who taught about or participated in pro-Palestinian protests.

Anita Liu | Senior Staff



The Council of UC Faculty Associations, or CUCFA, filed a 581-page complaint with the state’s Public Employment Relations Board against the UC Board of Regents on Sept. 19.

The complaint alleges the university violated the Higher Education Employer-Employee Relations Act, or HEERA, and discriminated against faculty who taught about or participated in pro-Palestinian protests or actions.

The report alleges systemwide violations, as well as unlawful conduct at UCLA, UC Irvine, UC Santa Cruz, UC San Diego and UC San Francisco. It also says the university has “a relentless campaign to chill faculty’s exercise of their academic freedom.”

The complaint, which is also filed by the Berkeley Faculty Association, or BFA, and six other UC faculty associations, lists HEERA violations specific to UC Berkeley.



Under a section entitled “the University’s threatening communications,” the report refers to several emails sent by UC Berkeley Executive Vice Chancellor and Provost Benjamin Hermalin last fall. The report cites an Oct. 25 email in which Hermalin reiterated UC policies prohibiting “significant intrusion of material unrelated to the course” and canceling class to encourage students’

participation in political events.

Zoe Hamstead, campus city planning professor and co-chair of the BFA, alleged in an email that the university “blatantly interfered” with faculty activity that is protected under HEERA.

“Part of what is happening is that the university administration would like to divide the campus communities along hierarchical lines where faculty are meant to uphold the university’s position against the students who are taking lawful interactions with the university, which the university wrongfully characterizes,” Hamstead said.

Additionally, Hamstead said she and other faculty members feel that the University discourages addressing current and relevant subjects in class.

Hamstead said faculty cannot “fulfill (their) mission as a public university” if they are not “free” to speak about issues such as war on Gaza.

“How can you teach about those topics without talking about one of the most horrifying wars of our time?” Hamstead said.

UC Office of the President spokesperson Heather Hansen said no one involved with the university was subject to “disciplinary actions ... on the basis of their speech.”

She noted the university has worked to “strengthen and clarify” its policies around free speech and disciplinary action.

Hansen added that freedom of expression is an important aspect of the university’s mission, and that lawful protests have “a pivotal role in that process.”

“Clear communication and consistent application of policies and laws are key to achieving the balance between free speech rights and the need to protect the safety of our community and maintain critical University operations,” Hansen said in an email.

If the complaint is determined to meet the requirements for a violation, it will be settled by CUCFA and the regents. If a settlement is not reached, a formal hearing will take place.

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