



PERB Received  
07/09/21 13:35 PM

PERB Filed  
07/09/21

# MMBA REPRESENTATION PETITION

DO NOT WRITE IN THIS SPACE: Case No.: SF-RR-1026-E

Dated Filed:

INSTRUCTIONS: A request for recognition or petition for certification must be filed via the e-PERB portal, unless the employer has adopted local rules providing for an equivalent procedure. (See PERB Regulation 32110.) Proof of service pursuant to PERB Regulation 32140 must accompany the request... Attach additional sheets if more space is required. Proof of support is required as provided by PERB Regulation 32700. Proof of support is provided only to PERB.

1. <b>EMPLOYER</b> (Name, address and telephone number) Name: <u>FIRST 5 Santa Clara County</u> Address: <u>4000 Moorpark Ave #200</u> City, State, Zip: <u>San Jose, CA 95117</u> Telephone: ( <u>408</u> ) <u>260-3700</u> Ext. _____	Employer's agent to be contacted: <u>Patricia Gardner</u> Title: <u>Interim Chief Executive Officer</u> Address and telephone, if different: Address: _____ City, State Zip: _____ Telephone: (_____) _____ Ext. _____ E-Mail: _____
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2. TYPE OF PETITION (Check all that apply) <input checked="" type="checkbox"/> REQUEST FOR RECOGNITION (RR) <input type="checkbox"/> PETITION FOR CERTIFICATION (PC) <input type="checkbox"/> SEVERANCE (Filed as PC) <input type="checkbox"/> SEVERANCE (Filed as RR)	3. PROOF OF SUPPORT <input checked="" type="checkbox"/> Majority support <input type="checkbox"/> 30% support
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4. DESCRIPTION OF PROPOSED UNIT All non-Chief, non-Deputy Chief, non-confidential classifications <b>+</b> Shall INCLUDE: <u>See Appendix attached.</u>  Shall EXCLUDE: <u>See Appendix attached.</u>	5. NUMBER OF EMPLOYEES IN PROPOSED UNIT: <u>44</u>  6. IF A CURRENT MEMORANDUM OF UNDERSTANDING (MOU) EXISTS COVERING ANY EMPLOYEES PETITIONED FOR, INDICATE:  MOU EFFECTIVE DATE: _____  MOU EXPIRATION DATE: _____  <input checked="" type="checkbox"/> NO AGREEMENT IS IN EFFECT
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7. ORGANIZATION(S) RECOGNIZED OR CERTIFIED AS THE EXCLUSIVE REPRESENTATIVE OF OR KNOWN TO HAVE AN INTEREST IN REPRESENTING ANY OF THE EMPLOYEES COVERED BY THIS PETITION:		
Name of Organization	Address	Date of Recognition/ Certification (if any)
<u>none</u>		

8. <b>PETITIONER</b> (Name, address and telephone number) Address: <u>Service Employees International Union, Local 521</u> <u>2302 Zanker Road</u> City, State Zip: <u>San Jose, CA 95131</u> Telephone: ( <u>408</u> ) <u>678-3300</u> Ext. _____	Petitioner's agent to be contacted: <u>Kerianne Steele</u> Title: <u>Attorney</u> Address and telephone, if different: Address: <u>1375 55th Street</u> City, State Zip: <u>Emeryville, California 94608</u> Telephone: ( <u>510</u> ) <u>337-1001</u> Ext. _____ E-Mail: <u>ksteele@unioncounsel.net; perb@unioncounsel.net</u>
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## DECLARATION

I declare that the statements herein are true to the best of my knowledge and belief.

PETITIONER'S AUTHORIZED REPRESENTATIVE: Kerianne R. Steele *Kerianne R. Steele*  
(Signature)  
Title: Attorney Date: July 9, 2021

Los Angeles Regional Office  
425 W. Broadway, Suite 400  
Glendale, CA 91204  
(818) 551-2822

Sacramento Regional Office  
1031 18th Street  
Sacramento, CA 95811-4124  
(916) 322-3198

San Francisco Regional Office  
1330 Broadway, Suite 1532  
Oakland, CA 94612-2514  
(510) 622-1016

## NOTICE OF MMBA REPRESENTATION PETITION

PERB CASE NUMBER: \_\_\_\_\_ DATE NOTICE WAS POSTED: \_\_\_\_\_

ON \_\_\_\_\_, THE PETITION INDICATED BELOW WAS FILED WITH THE  
(DATE)  
PUBLIC EMPLOYMENT RELATIONS BOARD BY THE PETITIONER SHOWN ON THE MMBA  
REPRESENTATION PETITION.

- ☐ PETITION FOR CERTIFICATION  
☒ REQUEST FOR RECOGNITION  
☐ SEVERANCE REQUEST

THE PETITION IS BASED ON THE CLAIM THAT (CHECK ONE) ☒ A MAJORITY  
☐ AT LEAST 30% OF THE EMPLOYEES IN THE PROPOSED UNIT WISH TO BE  
REPRESENTED BY THE PETITIONER.

SEE THE MMBA REPRESENTATION PETITION FOR THE NAMES, ADDRESSES AND  
TELEPHONE NUMBERS OF THE EMPLOYER, THE INCUMBENT EXCLUSIVE  
REPRESENTATIVE (IF ANY), AND THE PETITIONER.

THIS NOTICE MUST REMAIN POSTED UNTIL: \_\_\_\_\_

BY \_\_\_\_\_  
(SIGNATURE OF EMPLOYER'S AUTHORIZED AGENT)

PERB Regulation 61220 requires that this Notice be conspicuously posted on all employee bulletin boards in each facility of the employer in which members of the proposed unit are employed. The Notice should be posted as soon as possible but in no event later than 10 days following receipt of the petition. The Notice must remain posted for at least 15 workdays. PERB may require electronic posting pursuant to PERB Regulation 32111.

## Appendix to MMBA Representation Form

Unit Shall INCLUDE:

Employees in the following job titles/classifications:

- Directors
- Assistant Directors
- Program Officers
- Coordinators and Program Coordinators
- Specialists, Program Specialists, and Program Administrative Specialists
- Controllers
- Accountants
- Associates
- Administrative Assistants

Unit Shall EXCLUDE:

Employees in the following job titles/classifications:

- Chief Executive Officer
- Chief Program Officer
- Chief Operating Officer
- Other Chiefs
- Deputy Chiefs
- Human Resources Director
- Executive Assistant to the Chief Executive Officer

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**PROOF OF SERVICE  
(CCP §1013)**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Alameda, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On July 9, 2021, I served the following documents in the manner described below:

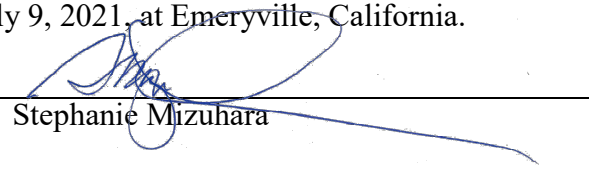
**MMBA REPRESENTATION PETITION**

- ☐ (BY U.S. MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Emeryville, California.
- ☐ (BY MESSENGER SERVICE) by consigning the document(s) to an authorized courier and/or process server for hand delivery on this date.
- ☒ (BY OVERNIGHT MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained by United Parcel Service for overnight delivery.
- ☒ (BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from smizuhara@unioncounsel.net to the email addresses set forth below.
- ☐ (BY PERSONAL DELIVERY) I caused such envelope to be delivered by hand to the offices of each addressee below.

On the following part(ies) in this action:

Ms. Patricia Gardner  
Interim Chief Executive Officer  
First 5 Santa Clara County  
4000 Moorpark Ave. #200  
San Jose, CA 95117  
[patricia.gardner@first5kids.org](mailto:patricia.gardner@first5kids.org)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 9, 2021, at Emeryville, California.

  
Stephanie Mizuhara