

**WILLIAM BENJAMIN POLE  
GUMATAOTAO & POLE**

Suite 301, San Ramon Building  
115 San Ramon Street  
Hagåtña, Guam 96910  
Telephone: (671) 475-0200  
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Attorneys for the Union

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AUG 31 PM 2:45



DIRECTOR'S OFFICE  
**Guam's Local Union**

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By:                     

Date: 8/31/11

**DEPARTMENT OF ADMINISTRATION  
GUAM**

**GUAM FEDERATION OF TEACHERS,**

**Union,**

**vs.**

**Guam Department of Education, Guam  
Education Policy Board**

**Management.**

**PETITION FOR AN UNFAIR LABOR  
PRACTICE**

To The Director of The Department of Administration (DOA) Benita Manglona

COMES NOW the grieved party, GUAM FEDERATION OF TEACHERS ("GFT") and All Union Members at the Department of Education, by and through undersigned union counsel, to allege as follows that:

- I. That DOA must investigate any allegation of an unfair labor practice pursuant to 2 GAR § 5111©. The union respectfully requests a hearing on this matter.
- II. That 2 GAR § 5111© states that:

**Any Charge of an unfair labor practice shall be filed in writing with the Director and he shall take such action as he determines necessary to ascertain the truth of the allegation. Upon completion of his investigation, the Director shall forward his findings in writing to the Governor.**

III. Upon information and belief, that the Guam Education Policy Board on behalf of the Guam Department of Education suspended collective bargaining with the Guam Federation of Teachers on or about the 26<sup>th</sup> day of August 2011. See attached on line Guam Pacific Daily News articles. (Exhibits A and B) This constitutes an unfair labor practice and the Union through counsel requests an investigation.

IV. The Guam Education Policy Board is required to bargain in Good Faith as required by 4 GCA Chapter 10, et al. ("Public Employee-Management Relations Act"), hereafter "PERMA" and as set forth in 2 Guam Administrative Rules (GAR) Section 5101 et seq. to allow recognized public employee organization to negotiate free from restraint and protracted negotiations.

#### **4 GCA Chapter 10.**

##### **A. § 10111. Unfair Labor Practices.**

**The Provisions of this Section apply to all government of Guam management officials and to all employee organizations accorded exclusive recognition to represent public employees under this Chapter.**

##### **(a) Management officials are prohibited from:**

**(6) [R]efusing to consult or negotiate with an employee organization accorded exclusive recognition on matters within the scope of this Chapter and implementing rules and regulations.**

V. The Guam Education Policy Board and the Guam School Systems have provided no documentation, law, statute, administrative ruling, or otherwise that shows that the Union must provide documentation that it has been recognized as the collective bargaining unit. The Union was recognized in 1970. *Please see exhibits C1 and C2.*

VI. It is clear that the Guam School System has been negotiating with GFT and that there is no validity to the proposition that the Guam Education Policy Board may unilaterally stop negotiating with the Union. As early as January 11, 2011 the Superintendent of

Education recognized the need to begin the process of negotiating the next teachers contract with the Guam federation of teachers. *See exhibit D.*

VII. On July 7, 2011 the Guam Education Board sent a letter concerning the teachers negotiations. *See Exhibit E.* The letter was sent to the Governor Eddie Baza Calvo. *See Id.* Clearly the Office of the Governor knew about the negotiations and there is no evidence that the Office of the Governor thought that the negotiations had to be halted.

VIII. It was not until August that the Guam Education Policy Board and the Department of Education started demanding for documentation of exclusive recognition. *See exhibit*

E. This desire to force the union to prove its status as part of ongoing negotiations would seem to be in violation of Guam Law.

VIII. The Guam Education Policy Board have ignored the mandates of the administrative procedures set forth in GAR.

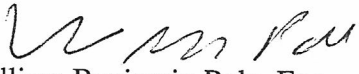
## **2 GAR § 5112. Miscellaneous Provisions.**

**(a) It shall be the mutual responsibility of department heads or their designees and employee organization representatives to negotiate in good faith with the objective of reaching (sic) an agreement by diligent and serious exchange of information and views, and by avoiding unnecessarily protracted negotiations.**

The Guam Education Policy Board and the Guam Federation of Teachers have been in the middle of contentious negotiations and stopping negotiations and to put the Union on the defensive days before proposed meeting concerning the contract should violate Guam Law. *See Exhibit F (emails concerning negotiations).*

VII. The union, by undersigned counsel, requests that DOA conduct an investigation and allow a hearing to determine if unfair labor practices happened

Respectfully submitted this 31 day of August 2011.

  
William Benjamin Pole, Esq.  
Law Office of Gumataotao and Pole  
Counsel for Guam Federation of Teachers

# VERIFICATION

GUAM, USA

<sup>SCAC</sup>  
MANGILAD (SS:  
VILLAGE OF HAGATNA)

Matt Rector, being first duly sworn, deposes and states that he is the President of the Guam Federation of Teachers, that he has read said the unfair labor practice complaint and knows the contents thereof to be true and correct except as to those matters which are therein stated upon her information and belief, as to those matters he believes them to be true and correct.

Date this August 30, 2011.

  
MATT RECTOR

SUBSCRIBED AND SWORN To before me, a Notary Public in and for Guam, USA upon the day and date first above written

  
Notary Public

**JERRIANN C. S. CRUZ**  
NOTARY PUBLIC  
In and For Guam  
My Commision Expires: May 21, 2012  
P.O.Box 2404 Hagatna, Guam 96932



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## BREAKING NEWS: School board suspends collective bargaining; Rector removed as union repersenative

11:17 AM, Aug. 26, 2011 | Comments

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EXHIBIT

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A A

Written by  
Pacific Daily News  
[news@guampdn.com](mailto:news@guampdn.com)

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Local News

The Guam Education Board suspended collective bargaining with teachers during a meeting this morning and removed Guam Federation of Teachers President Matt Rector as a union representative.

Board Chairman Francis Santos said Rector was removed from his non-voting seat because he is not an actual union member.

Rector said yesterday that, although he is not a teacher or support staffer employed by the Department of Education, he is a union member. Regardless, the Guam Federation of Teachers can choose any representative they want, member or not, Rector said.

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"We suspected they were going to try to wage war on the union for a long time," Rector said, after the board meeting.

"This is just a tactic to try and destroy the union, once again ... It's endangering the

entire public education system.'

Rector said the board also passed a motion to suspend collective bargaining with the GFT because they did not know if the union had "exclusive recognition," which is a legal document that proves the union represents the teachers.

Rector said the GFT got both documents back in the 1960's, and GovGuam should also have copies. It should not be hard to prove to the board that the documents exist, Rector said, so bargaining should be restored easily.

"Whatever," Rector said. "We've got them."

The school system and teacher's union are scheduled to re-negotiate the teacher's contract starting Sept. 2, Rector said. The contract has not been negotiated in five years, but until collective bargaining is restored, this can't happen.

"I'm meeting with my attorney in a couple of hours to explore every means necessary to hold accountable this board for these illegal actions," Rector said. "Just because you are appointed to a board does not make you God and make you above the law."

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Five Questions for Kyle Chandler

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EXHIBIT A





## Board removes Rector, halts talks

2:00 PM, Aug. 27, 2011

The Guam Education Board suspended collective bargaining with the Guam Federation of Teachers during a meeting yesterday morning and removed GFT President Matt Rector as a union representative to the board.

Board member Barry Mead said collective bargaining had to be halted until the union could produce documents verifying that the governor had "recognized" them as the official representation of public school teachers.

According to documents provided by the Guam Department of Education, the union was asked to provide a copy of its recognition document but the union didn't provide one. Mead said GovGuam had searched for the documents but had been unable to find them, however the GFT uploaded them to its website yesterday afternoon.

"We have suspended all activity with the GFT until they can prove they are recognized as the exclusive bargaining agent," Mead said.

After the meeting, Rector said it was GovGuam's responsibility to maintain copies of the documents but GFT should have no trouble producing them.

"Whatever," Rector said yesterday morning. "We've got them."

Yesterday afternoon, GFT uploaded "exclusive recognition" documents stamped Feb. 5, 1970, signed by former Gov. Carlos Camacho, stating the GFT had won the right to be the exclusive bargaining agent for classroom teachers, vocational instructors, counselors and school health counselors.

After the information was posted on the GFT website, Mead questioned why Rector didn't provide the information before when he was asked for it.

"Why didn't he give it to us when we asked him for it two weeks ago?" he asked. "We wouldn't have been there doing that today had he provided it to us."

Mead said negotiations are still suspended until a physical copy is provided of the document, not just having it posted on a website.

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EXHIBIT B



According to Guam law, any organization that wants to represent government employees in negotiations is required to have "exclusive recognition" documents, which show that they are the only representative of the group of employees. These documents are intended to ensure the representative organization has a democratic organization, financial integrity and no affiliation with "communist or other totalitarian movements," the law states.

According to documents provided by the Guam Department of Education, the school system had attempted to find copies of GFT's exclusive recognition documents within GovGuam. However, recent letters from the Department of Administration, Office of the Attorney General and Office of the Governor show the specific requested documents haven't been found.

## Negotiations

The school system and teachers' union were scheduled to renegotiate the teachers' contract starting Sept. 2, Rector said. The contract hasn't been negotiated in five years, but until collective bargaining is restored, this can't happen.

Rector said the suspension of collective bargaining and his removal from the board were thinly veiled attacks on the teachers' union, which surfaced shortly before negotiations.

Mead said yesterday morning the board is waiting to see verification of GFT's exclusive recognition. Once board members see that, negotiations could begin.

## Rector ousted

The school board also voted to remove Rector as the GFT representative during the meeting yesterday morning.

Education Board Chairman Francis Santos said Rector was removed from his non-voting seat because he is not an actual union member. Rector said any appointee could represent the union.

"It's our understanding that he's not a member of the union, and therefore violates his presence on the board," Santos said.

Rector said yesterday that, although he is not a teacher or support staffer employed by the Department of Education, he is a union member. Regardless, the GFT can choose any representative it wants, member or not, Rector said.

According to Guam law, the school board includes one non-voting member

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EXHIBIT B

2



"appointed by the exclusive bargaining unit which represents teachers and other employees within the Department of Education." The law doesn't say the appointed representative has to be a member.

"I'm meeting with my attorney ... to explore every means necessary to hold accountable this board for these ... actions," Rector said yesterday morning. "Just because you are appointed to a board does not make you God and make you above the law."

Rector also was removed because of the issue of him being convicted of a crime of moral turpitude, Santos said. Mead also brought this issue up during the meeting when the motion was made to remove Rector.

Rector is a former senator, but he resigned when faced with a final outcome of a legislative ethics panel's investigation, according to Pacific Daily News files. He was convicted of misdemeanor burglary in California as a young man. Rector has said police arrested him after he and some friends climbed on the roof of a mall and entered an open door. They stole nothing, he has said.

Rector signed an affidavit stating he had never been convicted of a felony or crime of moral turpitude, files state. In response, senators convened an ethics committee and an investigation began. Rector later was arrested and charged with making a false statement under oath as a misdemeanor and unsworn falsification as a misdemeanor.



Zoom

Education Board member Barry Mead, fourth from left, speaks during a meeting at the Department of Education conference room in Hagåtña, yesterday. / Rick Cruz/Pacific Daily News/rmcruz@guampdn.com

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EXHIBIT **B**

Under the terms of both the law and the rules and regulations, your organization is entitled to exclusive recognition for a minimum period of one year, provided, however, that the organization engages in no unfair labor practice or violates the provisions of the Public Employee-Management Relations Act of Guam.

In having been chosen as the bargaining agent for Guam's public school teachers in the first election held under this law, you have been entrusted with a grave responsibility. The education of our children is one of our most important and fundamental duties and in your new role you must work with us to constantly improve the quality of schooling available in our Territory.

As you prepare to go to the bargaining table with the Board of Education, I feel confident that both sides will strive through fair and open-minded negotiation to achieve our mutual goal--a better educational system for Guam.

Sincerely yours,

  
CARLOS G. CANAJIO

Attested:

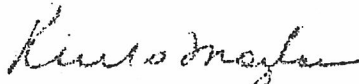
  
KURT S. MOYLAN  
Secretary of Guam

EXHIBIT C1



TERPITORY OF GUAM  
OFFICE OF THE GOVERNOR  
AGANA, GUAM 96910  
U.S.A

CARLOS G. GAMACHO  
GOVERNOR

FEB 5 1970

Mr. Conrad Stinson  
President  
Guam Federation of Teachers  
P. O. Box 2301  
Agana, Guam

Dear Mr. Stinson:

The Director of Administration has certified to me that as a result of the collective bargaining election held January 23 for professional employees of the Department of Education that the Guam Federation of Teachers has won the right to be exclusive bargaining agent for employees of the following unit:

I. Classroom Teachers.

A. Classroom Teachers I-VI.

B. Teacher Specialists.

C. Multi-media Coordinators.

D. Activity Directors.

II. Vocational Instructors.

III. Counselors.

IV. School Health Counselors.

As a result of this certification and pursuant to Article IX, Section A 2 a (1) of the Rules and Regulations of the Public Employee-Management Relations Act of Guam, I hereby inform you that as of this date you are granted exclusive recognition for the above-described unit.

EXHIBIT C2



Nerissa Bretania Underwood, Ph.D.  
Superintendent of Education

**DEPARTMENT OF EDUCATION  
OFFICE OF THE SUPERINTENDENT**

www.gdoe.net  
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Email: nbunderwood@gdoe.net



January 11, 2011

Mr. Matthew J. Rector  
President  
Guam Federation of Teachers  
P.O. Box 2301  
Hagatña, Guam 96932

Dear Mr. Rector,

Thank you for the notification regarding the Guam Federation of Teacher's intent to begin negotiations on the collective bargaining agreement for Department of Education Teachers. Likewise, we acknowledged the importance of a successful negotiation on behalf of the hard working, dedicated professional educators.

However, our negotiating team will be unable to meet with your team on January 13, 2011 to cover the ground rules and scheduling for future negotiations. We would like to request that this initial meeting be scheduled after such a time that the new Guam Education Board has officially met in order to proceed with the goals and objectives they set forth.

Once again, thank you for your correspondence and we will contact you to schedule a date for that initial meeting after the new Board has officially met.

Sincerely,

  
NERISSA BRETANIA UNDERWOOD, Ph.D.  
Superintendent of Education

Cc: Guam Education Board

EXHIBIT  
EX-111

12



**FRANCIS E. SANTOS**  
Chairman

## GUAM EDUCATION BOARD

P. O. Box DE  
Hagåtña, Guam 96932

Telephone Numbers: (671) 300-1627/1629

Facsimile Number: (671) 472-5003

Website Address: [www.gdoe.net/geb](http://www.gdoe.net/geb)



**PAUL A. PINEDA, DH**  
Vice-Chairman

July 7, 2011

### VOTING MEMBERS

Ronald A. Ayuyu  
May A. Camacho  
Jose Q. Cruz, Ed. D.  
Anita B. Enriquez, DBA  
Barry L. Mead  
Paul A. Pineda, DH  
Joe S. San Agustin  
Francis E. Santos  
Rosie R. Tainatongo

### NON-VOTING MEMBERS

Student Representative  
(Vacant)

Matthew J. Rector  
GFT Representative

### EXECUTIVE SECRETARY

Nerissa Bretania Underwood,  
Ph.D.  
Superintendent

Mr. Matt Rector  
President  
Guam Federation of Teachers  
P.O. Box 2301  
Hagåtña, Guam 96932

Dear Mr. Rector:

To begin, you may consider the letter you received from the Superintendent as the "official" position of the Board, absence of minutes notwithstanding.

With respect to most of your letter and to satisfy your every question, I suggest as indicated in the letter from the Superintendent, that reads, "*If you have any questions regarding these negotiations please refer your questions to the EMRO who is acting as the chief negotiator or Mr. Barry Mead, chair of the board committee with oversight of the negotiations*" that you contact Mr. Koss, express your concerns and sit down with him and Mr. Mead. In doing so you will find satisfaction in knowing that the GEB is not intending to nor desiring to be in violation of any statute or Public Law, nor is the GEB wishing to reduce or diminish teachers rights or working conditions. Our concern is as yours, an agreement that works best for the department as a whole, our teachers and most importantly one that allows us all to provide the best education we can to our children.

I will say though that the current board cannot and will not be dictated to as well, as to the number of members of our team, nor the conditions of negotiations as currently contained in the current CBA, nor to the manner in which the negotiations are carried out. Remember that the IBB negotiation you make reference to happened over ten years ago. Times have changed. Mr. Mead as well as another member of the GEB have used IBB quite successfully in negotiations and the time frame in which those negotiations were concluded by comparison to the over two years the current CBA negotiation took is without compare.

Also know that the only reason for delaying the negotiations was based on the following:

1. Attorney General's opinion as to negotiating during duty hours.
2. The perceived belief that the members of the GFT negotiating team was expecting to be paid, which again is spoken to in the AG's opinion that we cannot do.

Guam's Local Union

RECEIVED

By: Augusto Juarez

Date: 7-8-11

EXHIBIT

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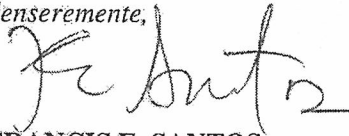
Page 2 of 2  
Letter to GFT President  
Re: Negotiations

3. In line with the above, the time frame of September was established in-order to give the teachers that we assume will be on your team, time to set up their classes and begin the school year.

Should you desire to begin the negotiations before September 1, 2011 then you need to confer with Mr. Koss and Mr. Mead to work out a start date, a schedule of negotiations, a negotiating site and the method by which you will negotiate. Our team will though consist of the six members outlined. A Principal from each of the three school levels, the Human Resources Administrator, Mr. Koss, and Mr. Mead representing the Board. As each bring their own different perspective to the negotiations and a level of expertise that is well rounded. Know too that our team has met and all have assignments as to the different sections and articles of the Agreement that they will be responsible for, meaning that our team will be just that a team and not the voice of any one person. As well, for your information I am actively involved with this process and not one meeting has been held without my knowledge as to the agenda and subject matter.

I trust that you have a better understanding of the intent of our letter, and will contact Mr. Koss at the earliest so we may begin these negotiations not in battle, but in the spirit of coming together and working for the common good.

*Senseremente,*



FRANCIS E. SANTOS  
Chairman

Cc: Governor Eddie Baza Calvo  
Speaker Judith T. Won Pat, 31<sup>st</sup> Guam Legislature  
Committee Chair, Negotiations  
Superintendent of Education  
EMRO/Chief Negotiator  
File

EXHIBIT

E

2



**DEPARTMENT OF EDUCATION  
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**TALING M. TAITANO**

Interim Superintendent of Education

August 3, 2011

**MEMORANDUM**

**To:** Chief Negotiator for DOE Teachers and Support Staff Employees

**From:** Chief Negotiator for the Department of Education

**Subject: Request for Documentation of Exclusive Recognition**

In order to insure that the DOE fulfills its obligations to negotiate working conditions for all classifications of employees where exclusive recognition has been granted, this is to request that the Guam Federation of Teachers provide the Department of Education with a copy of its Exclusive Recognition documentation setting forth all classes of employees where the union has recognition for the pending contract negotiations. Please insure that the union provides all such documentation of recognition for all professional and non-professional employees so that no group of employees will be inadvertently overlooked in this process. Thank you.

Robert E. Koss, Employee Management Relations Officer

EXHIBIT *Exhibit E*

**President**

**GFT Guam's Local Union**

**AFT Local 1581, AFL-CIO**

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**From:** Robert E. Koss [mailto:rekoss@gdoe.net]  
**Sent:** Thursday, August 04, 2011 8:48 AM  
**To:** mrector@gftunion.com; Barry L. Mead  
**Subject:** Fwd: Request for Exclusive Recognition documents for DOE

----- Forwarded message -----

**From:** Robert E. Koss <rekoss@gdoe.net>  
**Date:** Wed, Aug 3, 2011 at 9:32 AM  
**Subject:** Request for Exclusive Recognition documents for DOE  
**To:** gerri@gftunion.com

Good morning Mr. Rector,

The DOE is preparing to enter into contract negotiation with the GFT for teachers and support staff and the September 1, 2011 date for that process to commence is rapidly approaching. The law requires that there be "Exclusive Recognition" authorizing the Government to enter into these negotiations.

Therefore, DOE needs these documents in hand and on file asap before we can proceed. Attached is a letter to the GFT Chief Negotiator for the Employees (Teachers and Support Staff) Negotiating Teams requesting the documents. Please acknowledge receipt of this emailed request and the attachment.

I need these documents as soon as you can possibly provide them. DOE team will meet Friday, August 5, 2011 in preparation for the rapidly approaching negotiations and I need to inform the Board and Team of the various classifications of employees covered by the Union's Recognition on that date. Thank you.

Robert E. Koss, EMRO

EXHIBIT

F

1

**Subject:** FW: Request for Exclusive Recognition documents for DOE

**From:** Matt Rector (mrector@gftunion.com)

**To:** legalpole@yahoo.com;

**Date:** Friday, August 26, 2011 3:14 PM

---

**From:** Matt Rector [mailto:mrector@gftunion.com]

**Sent:** Thursday, August 04, 2011 2:07 PM

**To:** 'Robert E. Koss'; 'Barry L. Mead'

**Cc:** 'Vp Tim Fedenko'; 'Treasurer James Lujan'; 'sanjaywinnie@gmail.com'; Neeti Prakash

**Subject:** RE: Request for Exclusive Recognition documents for DOE

Mr. Koss,

Thank you for your email regarding negotiations. We are ready and willing to commence negotiations on September 1<sup>st</sup>, but I would suggest that we meet prior to that date to establish ground rules, meeting times and places.

As to your request for a copy of our exclusive recognition documents I would remind you that we are not a Government Agency subject to "Sunshine" requests. The documents you are requesting are Government documents and hence it's DOE's responsibility to keep their own copies or request them from the appropriate agency. As you are well aware GFT has had collective bargaining agreements and exclusive recognition for the vast majority of DOE employees for over 40 years and to not negotiate in good faith with us for these bargaining groups is of course a violation of law.

I look forward to our first meeting to establish ground rules for both contracts as soon as possible,

**TOGETHER WE WIN**

**Matt Rector**

EXHIBIT F  
2

**Subject:** FW: Teachers contract negotiations

**From:** Matt Rector (mrector@gftunion.com)

**To:** legalpole@yahoo.com;

**Date:** Friday, August 26, 2011 3:12 PM

---

**From:** Robert E. Koss [mailto:rekoss@gdoe.net]

**Sent:** Friday, August 05, 2011 10:55 AM

**To:** mrector@gftunion.com

**Subject:** Teachers contract negotiations

August 5, 2011

Good Morning Mr. Rector,

In your August 4, 2011 email you stated, *"Thank you for your email regarding negotiations. We are ready and willing to commence negotiations on September 1<sup>st</sup>, but I would suggest that we meet prior to that date to establish ground rules, meeting times and places."*

Therefore, please provide me with the name and contact information of the Employee's Chief Negotiator for the Teachers contract. Thank you.

Sincerely,

Robert E. Koss, Chief Negotiator for the Guam Education Board

EXHIBIT F  
3

**Sent:** Monday, August 08, 2011 12:03 PM  
**To:** mrector@gftunion.com  
**Subject:** Confirmation

August 8, 2011

Dear Mr. Matt Rector,

On Friday, August 5, 2011 @ 5:00 p.m. you approached me personally and verbally informed me that you are the Chief Negotiator for the Teachers Contract Negotiations. This is to document that conversation and the fact that you are in fact the selected Chief Negotiator for the Teacher Contract Negotiations. Please confirm or deny this. Thank you.

Robert E. Koss, Chief Negotiator for the Guam Education Board.

EXHIBIT F  
4

**Subject:** FW: Confirmation

**From:** Matt Rector (mrector@gftunion.com)

**To:** legalpole@yahoo.com;

**Date:** Friday, August 26, 2011 3:14 PM

**From:** Matt Rector [mailto:mrector@gftunion.com]

**Sent:** Monday, August 08, 2011 2:31 PM

**To:** 'Robert E. Koss'

**Subject:** RE: Confirmation

Yes I am the chief negotiator for both the teachers and the support staff CBA's.

**TOGETHER WE WIN**

**Matt Rector**

**President**

**GFT Guam's Local Union**

**AFT Local 1581, AFL-CIO**

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**From:** Robert E. Koss [mailto:rekoss@gdoe.net]

EXHIBIT

F  
5

**Subject:** FW: Negotiations for teachers and ss CBA

**From:** Matt Rector (mrector@gftunion.com)

**To:** legalpole@yahoo.com;

**Date:** Friday, August 26, 2011 3:13 PM

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**From:** Matt Rector [mailto:mrector@gftunion.com]

**Sent:** Wednesday, August 24, 2011 3:04 PM

**To:** 'Robert E. Koss'

**Cc:** 'Barry L. Mead'; Tim Fedenko; Neeti Prakash; 'Treasurer James Lujan'; 'sanjaywinnie@gmail.com'

**Subject:** RE: Negotiations for teachers and ss CBA

Unfortunately, 4:00 to 6:00pm is not going to work for us. Parents need to be home to be with their families at this time. How about 6:00pm to 8:00pm?

**TOGETHER WE WIN**

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EXHIBIT

F

6

**From:** Robert E. Koss [mailto:rekoss@gdoe.net]  
**Sent:** Wednesday, August 24, 2011 2:23 PM  
**To:** Matt Rector  
**Cc:** Barry L. Mead; Tim Fedenko; Neeti Prakash; Treasurer James Lujan; sanjaywinnie@gmail.com  
**Subject:** Re: Negotiations for teachers and ss CBA

I have reserved the Board room from 4:00 p.m. to 6:00 pm on Friday September 2, 2011 for Contract Negotiations.

On Wed, Aug 24, 2011 at 11:41 AM, Matt Rector <mrector@gftunion.com> wrote:

Mr. Mead,

Thank you for your response and advice, but as I am sure you know Management officials are prohibited from dominating, sponsoring, controlling or otherwise assisting employee organizations by law (4GCA Chpt 10). Thus management can not in any way have any influence over who the union has on our negotiating team. In fact even suggesting such is contrary to the law. As to the union providing names of our negotiating team members, it is not yet necessary for the following reasons: First, as a result of the board insisting that all negotiations take place outside duty hours it is not necessary for DOE to make any advance arrangements for leave or substitutes. Second, without ground rules in place it has yet to be determined how many negotiators each team will have. Hopefully we will be able to clear all of this up at our first meeting.

On September 2<sup>nd</sup>, we propose a start time of 6:30pm and we are content to have the first meeting at the DOE conference room if that is your wish. If this time and place is not acceptable to your team we are open to other suggestions.

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EXHIBIT 11  
7

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**From:** Barry L. Mead [mailto:[blmead@gdoe.net](mailto:blmead@gdoe.net)]  
**Sent:** Tuesday, August 23, 2011 8:34 PM  
**To:** Matt Rector  
**Cc:** Robert E. Koss; Tim Fedenko; Neeti Prakash; Treasurer James Lujan; [sanjaywinnie@gmail.com](mailto:sanjaywinnie@gmail.com)  
**Subject:** Re: Negotiations for teachers and ss CBA

Please provide the names of your team members. Insure that there is a representative from each school level, Elementary, Middle and High School as well as a representative for "non" teaching teachers, i.e. Librarians, Nurses and Counselors.

Also the start date needs to be moved to September 2nd. the first meeting will be the establishment of ground rules, training on the IBB process and to schedule the dates to meet.

Barry L. Mead

Chair, of the Committee with oversight of Negotiations

Guam Education Board

On Tue, Aug 23, 2011 at 4:56 PM, Matt Rector <[mrector@gftunion.com](mailto:mrector@gftunion.com)> wrote:

Mr. Koss,

As of today I have yet to receive any suggestions of time and place for a prenegotiations meeting to establish ground rules for the upcoming negotiations for either bargaining unit. There for I would assume that we are just going to start on September 1. What time and place for our first meeting would be convenient for your team?

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**President**

**GFT Guam's Local Union**

EXHIBIT F  
ST

## AFT Local 1581, AFL-CIO

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--

Barry L. Mead

Member

Guam Education Board

Cellular 671-727-2632

EXHIBIT

E.

8

**Subject:** FW: Negotiations for teachers and ss CBA

**From:** Matt Rector (mrector@gftunion.com)

**To:** [REDACTED]

**Date:** Friday, August 26, 2011 3:11 PM

[REDACTED]

Here is an email exchange about collective bargaining.

## TOGETHER WE WIN

**Matt Rector**

**President**

**GFT Guam's Local Union**

**AFT Local 1581, AFL-CIO**

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**Sent:** Wednesday, August 24, 2011 3:11 PM

**To:** Matt Rector

**Cc:** Barry L. Mead; Tim Fedenko; Neeti Prakash; Treasurer James Lujan; sanjaywinnie@gmail.com

**Subject:** Re: Negotiations for teachers and ss CBA

Our team has committed to the 4-6 slot. I need to contact the team and obtain feedback before I can commit to another time. Please standby for our response.

Robert Koss

EXHIBIT

F  
G

On Wed, Aug 24, 2011 at 3:03 PM, Matt Rector <[mrector@gftunion.com](mailto:mrector@gftunion.com)> wrote:

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EXHIBIT F  
10

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**Subject:** Re: Negotiations for teachers and ss CBA

EXHIBIT

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11

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EXHIBIT

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Barry L. Mead

Member

Guam Education Board

Cellular 671-727-2632

EXHIBIT

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