

**STATE OF FLORIDA
PUBLIC EMPLOYEES RELATIONS COMMISSION
4708 Capital Circle N.W., Suite 300
Tallahassee, Florida 32303
(850) 488-8641**

Do Not Write In This Box

CASE NUMBER

DATE FILED

CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

Submit an original and one (1) copy of this charge to the Public Employees Relations Commission along with proof of simultaneous service upon the other parties. **(NOTE: Pursuant to Florida Administrative Code Rule 60CC-5.001(5), the charge must be accompanied by sworn statements(s) setting forth facts of which the affiant has personal knowledge, and where applicable, documentary evidence sufficient to support a prima facie violation of the applicable unfair labor practice provision(s). Such supporting evidence is not to be attached to the charge and is to be furnished only to the Commission.)**

The Charging Party alleges that the public employer or its agents named below have engaged in (an) unfair labor practice(s). Charging Party requests the Public Employees Relations Commission to process this charge under its proper authority.

1. NAME OF CHARGING PARTY: United Faculty of Florida

Phone No. 850-224-8220 Facsimile (Fax) No. _____

Address: 115 N. Calhoun Street, Suite 6

Tallahassee, FL 32301

Zip Code

2. CHARGING PARTY REPRESENTATIVE: Eric Lindstrom

Title: Attorney

Phone No. 407-422-1400 Facsimile (Fax) No. 407-422-3658

Address: Post Office Box 2231

Orlando, FL 32802

Zip Code

3. NAME OF EMPLOYER: Florida Polytechnic University Board of Trustees

Address: 4700 Research Way

Lakeland, FL 33805-8531

Zip Code

4. EMPLOYER REPRESENTATIVE: Mark L. Bonfanti

Title: Attorney

Phone No. 863-583-9050 Facsimile (Fax) No. 404-537-5555

Address: 4987 E. Co. Hwy. 30a

Seagrave Beach, FL 32459

5. The above-named employer or its agents have engaged in (an) unfair labor practice(s) within the meaning of Section 447.501(1)(a) and (b), Florida Statutes.
(list sections)

6. BASIS OF CHARGE: (Specify facts, names, places, dates, etc. If more space is needed, attach additional pages.):

See Attachment.

Signature of Charging Party or Charging Party's Representative

**FALSE STATEMENTS MAY RESULT IN FINE AND IMPRISONMENT
PURSUANT TO CHAPTER 837, FLORIDA STATUTES**

ATTACHMENT

1. Charging Party, United Faculty of Florida (“UFF”) is an employee organization within the meaning of Section 447.203(11), Florida Statutes. Respondent, the Florida Polytechnic University Board of Trustees (the “University”) is a public employer within the meaning of Section 447.203(2), Florida Statutes.

2. On October 27, 2016, following a contested representation proceeding, the Public Employees Relations Commission certified UFF as the exclusive bargaining representative for a unit of faculty. UFF and the University have been engaged in collective bargaining, but have not yet been able to reach agreement on an initial contract.

3. On August 15, 2018, the University’s Provost, Terry Parker, provided notices to two faculty bargaining unit members, Christopher Coughlin and Christina Drake, that their contracts would not be renewed after the current academic year.

4. UFF alleges that the University non-renewed Coughlin and Drake in retaliation for their protected activities.

5. Coughlin and Drake both engaged in protected activities. They are both members of UFF’s bargaining team and are both chapter officers.

6. In March and April 2018, Coughlin and Drake assisted another bargaining unit member in asserting his right to have a union representative during an investigatory meeting with Provost Parker. This irritated Parker, who complained that Coughlin and Drake were obstructing the University’s mission.

7. In April 2018, the University attempted to prevent bargaining unit members from talking with students about faculty labor issues and threatened to file a charge against UFF citing Section 447.501(2)(f), Fla. Stat. Coughlin and Drake were among a group of UFF leadership who signed their names to a letter responding to the University and defending bargaining unit members’ rights.

8. In June and July 2018, Coughlin and Drake participated in UFF’s prosecution of an unfair labor practice charge against the University, through which UFF alleges that the

University retaliated against two other members of UFF's bargaining team because of their protected activity. The general counsel found the charge sufficient and a hearing is now set for October 31, 2018. *See* Case No. CA-2018-029.

9. The University's justifications for non-renewing Coughlin and Drake are pretextual. Coughlin and Drake have never had any performance issues. To the contrary, both have received favorable performance reviews and praise for their work.

10. The University's President, Randy Avent, and its Provost, Terry Parker, have repeatedly expressed hostility toward UFF.

11. UFF alleges that the University violated Section 447.501(1)(a) and (b), Florida Statutes, by non-renewing Coughlin and Drake in retaliation for their protected activities.

12. As a remedy, the University should be ordered to cease and desist violating violated Section 447.501(1)(a) and (b), Florida Statutes; make Coughlin and Drake whole; post an appropriate notice; and pay UFF's attorneys fees and costs.