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January 28, 2009

Mr. Bernhard Rohrbacher
Director of Representation
California Faculty Association
980 9th Street, Suite 2250
Sacramento, CA 95814

Dear Bernhard:

Re: Fiscal Year 2008/2009 Salary Increases

I am in receipt of your January 23, 2009 letter regarding fiscal year 2008-2009 reopener bargaining about salaries and equity issues.

CSU recognizes that the parties have thus far been unable to reach agreement on these issues. Indeed, as you know, on January 16, 2009, the parties exchanged final offers and mutually declared verbally that the bargaining was at an impasse.

At this time, the parties are required, and CSU is committed, to pursuing the statutory impasse procedure. While Article 31.11 provides for the suspension of Article 9, the parties must first exhaust the statutory impasse process and CSU is hopeful that through this process of mediation and, if needed, fact-finding, the parties will resolve the outstanding issues.

As to the alternative procedure of mediation/arbitration referred to in Article 31.11, not only does that alternative not replace the statutory impasse procedure but any submission to arbitration must be by both parties, not unilaterally by CFA. Respectfully, CSU does not wish to submit this dispute to arbitration.

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Ltr to Rohrbacher

January 28, 2009

Page 2

CSU will not abrogate its responsibilities on issues that are fundamental and critical to the continuing ability of the University to best serve the interests of all its employee groups, students, and the people of the State of California by placing these issues in the hands of a third party.

As the next step in the HEERA process, we should now jointly petition the Public Employment Relations Board (PERB) for the formal certification that the parties are at impasse and the immediate appointment of a State Mediator. If you are in agreement, please sign the enclosed petition. As in the past, we are hopeful a PERB appointed mediator will be helpful in the process.

Regards,



Bill Candella
Senior Director
Collective Bargaining

Enclosure(1)

Cc: Dr. Charles Reed
Ms. Gail Brooks
Mr. Ben Quillian
Mr. C. Richard Barnes
Mr. John Swarbrick
CSU Bargaining Team