



Dear Code for America,

We organized a union at Code for America (CfA) because we want a Collective Bargaining Agreement that gives us a real voice in our workplace; secures improved benefits, job security, and stability for ourselves and our families; and allows us to be part of systems change in government and the broader labor movement.

We are committed to continuing the collective bargaining process. We have remained hopeful that we could meet at the table, as true equals, to reach a Collective Bargaining Agreement that reflects our values and helps recruit and retain employees at CfA. We believed that you would respect the will and voice of CfA employees and agree to negotiate with us in good faith.

However, during the course of our negotiations, despite us coming prepared to bargain by providing thorough research, compelling personal stories, and information from membership surveys that gives voice to the CfA employees doing the hard work to make CfA a leader in our field, we have yet to be treated as the law requires and certainly, not up to the values CfA purports to uphold.

Running counter to our values of listening first, including those who've been excluded, and acting with intention, we've found the following conduct to be particularly alarming and a betrayal of those such values:

### **Unilaterally canceling negotiations**

- Shutting down bargaining indefinitely until unit clarification is completed by the NLRB. Both parties have a legal obligation to continue bargaining, and the majority of our unresolved issues (including PTO & work week) are not significantly impacted by the size of the bargaining unit.

### **Unjustifiably limiting the size of our union**

- Unilaterally reducing the bargaining unit size by up to 35% despite the fact that CfA's own proposals have stated that many of these employees are not disqualified from representation according to the National Labor Relations Act.

### **Bargaining in bad faith**

- Hiring a lead counsel that interrupts, belittles, and otherwise works to intimidate and dismiss the bargaining team members and bargaining unit at large. Despite receiving complaints, management has taken no consistent action to restrain their counsel's increasingly aggressive behavior towards the CfA staff members who make up the bargaining team.
- Failing to provide the union with requested information that is legally required and necessary for good faith negotiation, such as information about job duties to determine whether an employee should be included or excluded from the union.

- Attempting to circumvent the negotiations process by holding company-wide update meetings outside of negotiations, where the union has no opportunity to provide information or respond.
- Failing to provide timely responses to union proposals, often for up to 4 months at a time, and then criticizing the bargaining team for delays when the team has responded in a few weeks time.
- Failing to recognize de facto staff benefits, which have been provided to staff year-after-year and have been explicitly called out in job descriptions, recruiting efforts, and employee onboarding.

### **Retaliating against the union**

- Terminating an employee and then denying them Union representation by claiming they were not in the bargaining unit (despite being on the voluntary recognition agreement list of eligible employees)
- Targeting union leadership, claiming 3 out of the 4 bargaining team members are not entitled to union representation (despite being on the voluntary recognition agreement list of eligible employees)
- Proposing reductions to our current benefit package (both fully enumerated and de facto) and then claiming (blaming) the benefit reduction is needed for management to operate in a “unionized environment” without explanation.

It is unacceptable that CfA has responded to our collective efforts to improve the organization through unionization by taking away existing benefits, attempting to profoundly restrict union membership (and associated protections and benefits) and otherwise behaving in ways that disrupt the focus and trust that are critical for both our work and well-being. It is also deeply concerning that significant organizational funding and capacity have been used to combat the union's efforts instead of supporting our employees, partners, and clients.

**We love our work and are committed to the mission of creating systems that better serve people.** We unionized to make our workplace align even more with this mission. Therefore, out of our commitment to continuing the important work of establishing a contract that meets those goals, we demand:

- An immediate return to negotiations and commitment to bargain in good faith.
- That management stops unilaterally denying workers their representation rights.
- That management provides proposals without undue delays that reflect both a desire to reach an agreement and reflect our organization's values, such as our proposals around pay that reflects the rate of inflation, expanding our flexible work week policies, benefits, and seniority.

Signed,

CfA Workers United