

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
STATEMENT OF POSITION

DO NOT WRITE IN THIS SPACE

Case No.

28-RC-377822

Date Filed

December 23, 2025

INSTRUCTIONS: Submit this Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and all attachments on each party named in the petition in this case such that it is received by them by the date and time specified in the notice of hearing.

Note: Non-employer parties who complete this form are NOT required to complete items 8f or 8g below or to provide a commerce questionnaire or the lists described in item 7.

1a. Full name of party filing Statement of Position
City Center for Collaborative Learning

1b. Address (Street and number, city, state, and ZIP code)
47 E. Pennington Street, Tucson, AZ 85701

2. Do you agree that the NLRB has jurisdiction over the Employer in this case? Yes No
(A completed commerce questionnaire (Attachment A) must be submitted by the Employer, regardless of whether jurisdiction is admitted)

3. Do you agree that the proposed unit is appropriate? Yes No (If not, answer 3a and 3b.)

3a. State the basis for your contention that the proposed unit is not appropriate. (If you contend a classification should be excluded or included briefly explain why, such as shares a community of interest or are supervisors or guards.)

See Attachment A

3b. State any classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit.

Added N/A	Excluded	See Attachment A
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4. Other than the individuals in classifications listed in 3b, list any individual(s) whose eligibility to vote you intend to contest at the pre-election hearing in this case and the basis for contesting their eligibility.

See Attachment A

5. Is there a bar to conducting an election in this case? Yes No If yes, state the basis for your position.

See Attachment A

6. Describe all other issues you intend to raise at the pre-election hearing.

See Attachment A

7. The employer must provide the following lists which must be alphabetized (overall or by department) in the format specified at [www.nlrb.gov/sites/default/files/attachments/basic-page/node-4559/Optional Forms for Voter List.docx](http://www.nlrb.gov/sites/default/files/attachments/basic-page/node-4559/Optional%20Forms%20for%20Voter%20List.docx).

(a) A list containing the full names, work locations, shifts and job classification of all individuals in the proposed unit as of the payroll period immediately preceding the filing of the petition who remain employed as of the date of the filing of the petition. (Attachment B)

(b) If the employer contends that the proposed unit is inappropriate the employer must provide (1) a separate list containing the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit, if any to make it an appropriate unit, (Attachment C) and (2) a list containing the full names of any individuals it contends must be excluded from the proposed unit to make it an appropriate unit. (Attachment D)

8a. State your position with respect to the details of any election that may be conducted in this matter. Type: Manual Mail Mixed Manual/Mail

8b. Date(s) TBD	8c. Time(s) TBD	8d. Location(s) TBD
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8e. Eligibility Period (e.g. special eligibility formula)	8f. Last Payroll Period Ending Date 12/20/25	8g. Length of payroll period [] Weekly <input checked="" type="checkbox"/> Biweekly <input type="checkbox"/> Other (specify length)
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9. Representative who will accept service of all papers for purposes of the representation proceeding

9a. Full name and title of authorized representative Steve Biddle	9b. Signature of authorized representative <i>Steven G. Biddle</i>	9c. Date 12/31/25
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9d. Address (Street and number, city, state, and ZIP code) 2425 E. Camelback Road, Suite 900, Phoenix, AZ 85016	9e. e-Mail Address sbiddle@littler.com
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9f. Business Phone No.: (602) 474-3613	9g. Fax No.	9h. Cell No. (602) 300-2037
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WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

City Center for Collaborative Learning

CASE NUMBER
28-RC-377822

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

City Center for Collaborative Learning

2. TYPE OF ENTITY

[] CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOLE PROPRIETORSHIP OTHER (Specify) 501(c)(3)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION Arizona B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES 47 E. Pennington St., Tucson, AZ 85701

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

Charter School

7A. PRINCIPAL LOCATION:

Tucson, Arizona

7B. BRANCH LOCATIONS:

Multiple

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL: 68

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

68

9. DURING THE MOST RECENT (Check the appropriate box): [] CALENDAR [] 12 MONTHS or FISCAL YEAR (FY DATES 7/1/24-6/30/25)

YES

NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$

X

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$

X

C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$

X

D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$

X

E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$

X

F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$

X

G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$

X

H. Gross Revenues from all sales or performance of services (Check the largest amount):

[] \$100,000 [] \$250,000 [] \$500,000 \$1,000,000 or more If less than \$100,000, indicate amount.

I. Did you begin operations within the last 12 months? If yes, specify date:

X

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

[] YES NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME Brett Goble TITLE Interim Executive Director E-MAIL ADDRESS brettg@cityccl.org TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print) Steve Biddle, Attorney SIGNATURE Steven G. Biddle E-MAIL ADDRESS sbiddle@littler.com DATE 12/31/25

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

City Center for Collaborative Learning – Statement of Position

ATTACHMENT A

28-RC-377822

Introduction

Pursuant to Section 102.63(b) of the National Labor Relations Board's ("NLRB" or "Board") Rules and Regulations (the "Rules"), this Statement of Position is filed by City Center for Collaborative Learning ("CCCL" or the "Employer") in response to the Petition in Case No. 28-RC-377822.

The Petition filed by Arizona Alliance of Charter Teachers and Staff, AFT Local 6627, AFT-AZ, AFT, AFL-CIO (the "Union") seeks a representation election including a proposed unit of:

Group A: All full-time and regular part-time professional employees, including Counselors, Teachers, Special Education Teachers, Dean of Students, Inclusion Specialists, Office Managers, and Registrars at all of the Employer's locations.

Group B: All full-time and regular part-time non-professional employees, including Educational Assistants, Tech/Facilities employees, and Front Desk employees at all of the Employer's locations.

During the hearing scheduled for January 2, 2026, CCCL will present evidence establishing that the Region must dismiss the Union's petition because the NLRB does not have jurisdiction over public employers, including public schools such as CCCL.

Questions 3a and 3b

3(a). State the basis for your contention that the proposed unit is not appropriate. (If you contend a classification should be excluded or included briefly explain why, such as shares a community of interest or are supervisors or guards).

CCCL is a non-profit¹ that operates three charter schools in Tucson, Arizona (City High School, Paulo Freire Freedom School-Downtown, and Paulo Freire Freedom School-University). It was approved and is authorized to operate as a charter school by the Arizona State Board of Charter Schools ("ASBCS") that was created by the Arizona State Legislature in 1994 and is responsible for authorizing and overseeing public charter schools that operate under a contract with the ASBCS, such as CCCL. See <https://asbcs.az.gov/>. In Arizona, charter schools are considered to be public schools. The NLRB does not have jurisdiction over public employers, including public schools. 29 U.S.C. § 152(2). Because Arizona state-authorized charter schools, such as CCCL, are considered to be public schools, the Petition for an election of CCCL's public school employees should be dismissed for lack of jurisdiction.

Furthermore, the National Labor Relations Act ("NLRA") does not apply to employers that are "political subdivisions" of state governments. 29 U.S.C. § 152(2). Under the *Hawkins County* test,

¹ CCCL is unlike some other Arizona charter schools, such as BASIS Education that is a for-profit school operator.

City Center for Collaborative Learning – Statement of Position

ATTACHMENT A

28-RC-377822

an entity may be considered a political subdivision exempt from the coverage from the NLRA if it is either: (1) created directly by the state so as to constitute a department or administrative arm of the government or (2) administered by individuals who are responsible to public officials or to the general electorate. *See Chicago Mathematics & Science Academy Charter*, 359 NLRB 41, 461-62 (2012). As stated above, CCCL was directly created by a Board established by the Arizona State Legislature and not by private individuals. Therefore, CCCL is a political subdivision under the second prong of the *Hawkins County* test given that CCCL is subject to certain state laws and direct funding from the public body that private schools are not. Therefore, CCCL's governing body is responsible to public officials or to the general electorate.

Accordingly, the Petition should be dismissed.

3(b). State any classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit.

As outlined above the petitioned-for unit is not appropriate and the petition must be dismissed. Even if the Board had jurisdiction, however, the Dean of Students is a statutory supervisor and must be excluded from the Included list.

Question 7

7(a). A list containing the full names, work locations, shifts and job classification of all individuals in the proposed unit as of the payroll period immediately preceding the filing of the petition who remain employed as of the date of the filing of the petition. (Attachment B)

The list containing the full names, work locations, shifts and job classifications of all individuals in the proposed unit as of the payroll period immediately preceding the filing of the petition is attached as **ATTACHMENT B**.

7(b). If the employer contends that the proposed unit is inappropriate the employer must provide (1) a separate list containing the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit, if any to make it an appropriate unit (Attachment C), and (2) a list containing the full names of any individuals it contends must be excluded from the proposed unit to make it an appropriate unit. (Attachment D).

CCCL does not contend that any employee must be included to the petitioned-for unit to make it a proper unit, and thus does not provide an **ATTACHMENT C**.

CCCL maintains its position that the Dean of Students is a statutory supervisor and must be excluded from the petitioned-for unit to make it a proper unit, and thus provides an **ATTACHMENT D**.

CERTIFICATE OF SERVICE

I certify that on December 31, 2025, the ***Statement of Position, Commerce Questionnaire and Attachments*** in Case No. **28-RC-377822** were electronically filed through the Board's website and served on the following before the hour of 12:00 p.m. MST:

Jesse Perona
Field Examiner
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