

## **MEDIA ADVISORY**

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# **Lancaster District Attorney Drops Charges Against HACCEA Union Reps**

## ***HACC and Union Reach Agreement on Union Presence on Campus***

**Jan. 8, 2024** - The Lancaster District Attorney's Office has agreed to drop trespass charges against two union reps arrested in August after setting up a table to talk to their union members at Harrisburg Area Community College's Lancaster campus.

The DA's office filed a Nolle Prosequi for all charges Wednesday after HACC and HACCEA attorneys submitted a joint request to withdraw the charges.

"While we are pleased that a sensible resolution was finally reached after four months, we feel that this should never have happened in the first place," HACCEA President Kathy Sicher said. "Not only were our union reps arrested for being on campus to talk to our members about union issues, but three of our own professors were threatened with arrest as well."

On Aug. 31, HACC called police claiming that Adam Weber and Lauri Lebo Rakoff, union reps for the Pennsylvania State Education Association, were trespassing on HACC's campus. The union reps were arrested and charged with defiant trespass, even though they were engaging in protected union activities under Pennsylvania labor law.

A memorandum of understanding (MOU) signed by HACC and HACCEA last week, clarifies the campus non-solicitation policy moving forward.

"With this MOU, we believe the college has arrived at the correct conclusion, but of course, we maintain that should have been the outcome all along – that HACCEA and PSEA has always had a legal right to be on the campus to inform and talk to our members," Sicher said.

In April 2022, HACC faculty voted overwhelmingly to form a union as Harrisburg Area Community College Education Association (HACCEA) and to be represented by PSEA.

With the signing of the MOU, HACCEA also withdrew an unfair labor practice complaint (ULP) that the union filed with the Pennsylvania Labor Relations Board following the arrests. The PLRB had scheduled a hearing date on the complaint for Jan. 31.

"The MOU and withdrawal of the ULP should demonstrate to the college that the union is always willing to sit down and work with the college," Sicher added.

"We sincerely hope that we can continue to work together at the negotiating table to achieve a fair contract. We know there are a number of contentious issues yet to resolve, but we believe that if we continue to have this dialog, we can reach an agreement."

The resolution also comes on the heels of a court decision that requires HACC's Board of Trustees to open its subcommittee meetings to the public. HACCEA filed a complaint in Dauphin County Court of Common Pleas in May, arguing that the Pennsylvania Sunshine Act requires that the public have notice and access to meetings where deliberations are conducted and decisions are made.

In October, Judge John F. Cherry issued a peremptory judgment in the form of a writ of mandamus, agreeing with the union, and directing the Board of Trustees to open its subcommittees to the public. In December, Cherry rejected HACC's request to reconsider the ruling. Go to [haccea.org](http://haccea.org) to read the full news release on the decision.

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