

MEMORANDUM



TO: Alex Webb, Facilities Manager, and all supervising staff complicit in the uncooperative behavior.

CC: BSC Executive and Supervising Staff, including Kim Benson, Victor Saldivar, and Marie Lucero.

FROM: BSC Members residing at Cloyne Court Co-op

SUBJECT: Response to persistent uncooperative behavior by the Cloyne Facilities Manager

Delivered via email to alex@bsc.coop

15 May, 2019

To Alex Webb, the Cloyne Court Co-op Facilities Manager:

After careful consideration, we as members of Cloyne Court Co-op have come to the decision that the dynamic we have with you as Facilities Manager must change in order to cultivate a healthy and communicative relationship that puts our community first. As members, we wish to conduct our house in a habitable, cooperative, and loving manner. However, throughout the past year, we believe that certain actions you have taken in your role as Facilities Manager have inhibited us from operating in this manner.

We have therefore written this memo to formally reiterate and record past interactions with you where we attempted to communicate our grievances regarding your uncooperative behavior. Our purpose is to 1) provide the relevant background of our discontent; 2) list the grievances we have with the uncooperative actions taken, several of which have violated Cloyne Policy and BSC Policy; and 3) list demands to which you must agree if we the members are to have a harmonious relationship with you as Facilities Manager.

We understand that these are actions you have taken in an effort to fulfill both direct and perceived expectations your supervisors have led you to believe you must fulfill. In particular, we reject Central's framing of the Facilities Manager position as having a duty to 'pick up managers' slack'. We believe that this positioning of you as a scapegoat has made you feel that you must resort to more expedient but less cooperative approaches to issues. We therefore express our disapproval of any and all actions taken by your supervisors that have created both implicit and explicit pressure that may have caused you to employ the behavior being criticized.

To the extent that your interactions with us mirror your own interactions with your supervisors, we extend our heartfelt solidarity. We unequivocally condemn any and all similar behavior on the part of your supervisors. The fact that you have perceived such a work environment as acceptable, let alone

cooperative or necessary, speaks to a culture of intimidation and fear that is more structural than personal.

We wish to express our continued willingness to work with you in a friendly and cooperative manner, so long as you are willing to respect, acknowledge, and accept our demands. Additionally, we offer you our support against any retaliation you might face from your supervisors as a result.

Background

Since January of 2019, there have been a multitude of one-on-one meetings between you and Cloyne members in which we have tried to communicate our dissatisfaction with your uncooperative actions. You have received direct feedback through VOCs, personal emails, in-person meetings, and house list emails where members have expressed our concerns. Your response to these concerns has included an acknowledgement of their existence followed by apparent apathy and disregard, and you have persisted with the same criticized behavior.

On May 10, 2019, we invited you to a meeting with several members to collectively express our concerns with your uncooperative actions.

In that meeting, around 15 members, including a large portion of the manager team, expressed our desire to work with you, and provided practical solutions that embodied the cooperative values we want to live by. We urged you to reject threatening the members with fines as a way to assure the cleanliness of the house throughout move-outs; we presented a reasonable plan that was more cooperative; we reminded you that you do not have the authority to limit member access to parts of the house and resources without council approval.

You responded positively throughout the meeting when we discussed our relationship, and seemed to share our hope to work in a more cooperative fashion. In the end however, you rejected our solutions in favor of the same punitive and uncooperative behaviors that have led to our dissatisfaction, invalidating our concerns and eliminating our faith that our concerns are heard.

Grievances

According to [BSC Policy](#), the Cloyne Facilities Manager shall be “an active participant in maintaining a cooperative environment at Cloyne Court through modeling cooperative behavior.” You have failed to fulfill this job description in the following ways:

- a. Closed the house’s Free Pile multiple times without the members’ consent.

- b. Threw away the entire contents of the Free Pile on a separate occasion without the members' consent.
- c. Locked the furniture room and threw away old furniture without consulting or even informing the members.
- d. Communicated a plan to throw away old bikes that may have belonged to members without providing reasonable time for members to claim their bikes.
- e. Set arbitrary deadlines for Room Bids, and later barred members who could not meet these inflexible deadlines but showed up for room bids. Refused to consider the House Manager's objections to these rules.
- f. Set similar deadlines for late move-outs and then cited lack of capacity as the reason for not making exceptions, despite managers offering alternative solutions and volunteering to manage the situation themselves.
- g. Established an illegitimate bathroom clean policy and fined some members even after they provided proof of fulfilling their task.
- h. Called the police during council, when no one was in imminent danger, without the knowledge or consent of members. Further, refused to agree never to take that action again even after members expressed feeling betrayed, uncomfortable, and made unsafe by the action.
- i. Illegitimately threatened members with uncooperative fines without having a policy basis to do so, either at the house- or BSC-level.
- j. Required members who are moving out to sign an agreement that would cause them to relinquish their ability to appeal a fine that is wrongfully imposed.
- k. Constantly refused to adopt proposed solutions to problems, and instead resorted to punitive actions that were uncooperative and not in support of manager responsibilities.
- l. Criticized and imposed demands on managers without realistic consideration of managers' material and emotional capacity to respond. Did not give managers adequate time to respond in an effective or cooperative way, as said demands were the first and only form of communication managers received about any perceived issues.

We recognize that these faults are not yours alone, but also a product of your training and what you have been told are your responsibilities as a staff member of the BSC. We are aware that you may not have been properly instructed on the tools and solutions available to you in a member cooperative or how to work in a cooperative way with members and managers. We are also aware that other staff have condoned and encouraged these actions by giving you misleading information about policy, and in some cases directing you to take these actions, whether implicitly through excessive pressure or explicitly through direct orders.

Because of this, we are willing to work with you, and invite you to be a part of our community upon your acceptance of the demands outlined below.

Demands

As a result of the grievances listed above, we ask Alex and her supervisors to unconditionally accept our following demands by May 17, 2019 at 5PM. Refusing to do so is to reaffirm their intent to continue to act in an uncooperative manner that is in direct conflict with the will of the members of the Cloyne Court Co-op. Our demands are as follows:

1. Under no condition shall you threaten members with fines that have no basis in BSC policy, House-level policy, or within the member contract. You acknowledge and affirm that only members have the power to assess an (appealable) uncooperative fine on another member.
2. Under no condition shall you make decisions on behalf of the members that affect all members without council approval first if possible, or good-faith consultation with member-managers as appropriate. You recognize that this includes limiting access to common space as well as throwing away or otherwise removing members' property, including collectively owned property like the Free Pile contents and house furniture.
3. You acknowledge that Cloyne's Facilities Manager is a staff position hired by the BSC to serve Cloyne's members in co-creating a habitable home and inclusive community. You affirm that any powers delegated by the members to the position, as with other manager positions, are appealable by Council.
4. Unless there is a threat of imminent danger of bodily harm, you do not call the police without exhausting appropriate options first (i.e. calling the paramedics, calling the fire department, calling Path to Care at (510)643-2005, trusting in members to handle the situation, etc.), nor without a good-faith effort to reach out to members in the vicinity to determine the best options for handling the situation at hand.¹
 - a. If you do call the police, you accept that you are responsible for (i) Notifying the members that you have called the police, (ii) Staying with the police from when they arrive until they leave, (iii) The police's actions within the house, and (iv) Members' reactions to you calling the police and members' reactions to police presence.
 - b. You acknowledge that implicit bias affects us all and that feeling uncomfortable should not be conflated with feeling unsafe. You accept that calling the police puts our members and community in danger, especially those from the BSC's target demographic groups, including but not limited to: those who are Black, undocumented, trans, homeless, indigenous, people of color, disabled, queer, and/or low-income.
 - c. You acknowledge that calling the police at council without consulting members on the evening of April 22nd, 2019 was harmful and that you put members and guests in danger.

¹ If a provision of these demands is found to be illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision.

5. Instead of resorting to uncooperative actions when trying to solve problems, you will come to council to brainstorm solutions with members. When issues are time sensitive and you are unable to come to council, you will work in tandem with managers and members to come up with cooperative solutions to house issues. Furthermore, in the interest of effective communication, you agree to forward any messages from central-level staff about house-level issues to the relevant manager(s).

Further, we ask you to join us in affirming the following commitments:

1. That a cooperative thrives when its members, managers, and staff live and work collaboratively and in good faith, and that it dies when threats, fines, unnecessary police involvement, and paternalistic decision-making take hold.
2. That non-member staff are hired to work cooperatively *with* managers and other members, rather than invoking a top-down power dynamic.
3. That Cloyne has its own house policy and bylaws, and that any changes to procedures or rules described therein require motions and votes from members. We collectively commit to honor these procedures and work within our cooperatively established channels for resolving disputes.
4. That members and managers are required to adhere to policies that are the product of a transparent, cooperative, democratic process, even under actual or perceived pressure from supervisors to violate policy.

These demands should be accepted in writing, and implemented in action during the remainder of your tenure as Facilities Manager. A non-response or continuation of uncooperative behavior will be regarded as a refusal of our demands. If, by 5PM on May 17th, these demands are not accepted, we are willing to deny and/or protest Central Office's use of Cloyne's space for New Member Orientation, manager training, and other essential BSC events.

Cooperative behavior requires collaboration and good faith on all sides. We believe that a full-time staff member can and has been beneficial to the managers and members of Cloyne. However, we are also willing to work separately from uncooperative staff and take back authority that was delegated to the Facilities Manager position but was initially held by the members. And we are willing to protest illegitimate fines en masse by refusing to pay them. Adhering to these demands is a first step to restoring trust.

Restorative justice is about more than reinvigorating the integrity of the community; it is honoring the radical act of care we call home. Reparations are intentions for holding sacred space. Home is a sacred space, and we know you have the capacity to care, and would like this place to be your home too.

Cooperatively,

Members of Cloyne Court, a Berkeley Student Cooperative
Approved by the Supermajority: 72 ayes, 1 nay, 8 abstentions