

TITLE 8. PUBLIC EMPLOYMENT RELATIONS BOARD

NOTICE OF PROPOSED RULEMAKING

The Public Employment Relations Board (PERB or Board) proposes to adopt and amend the regulations described below after considering all comments, objections or recommendations regarding the proposed action.

REGULATORY ACTION

The Board proposes to adopt new sections 32036, 32037, 32610, 32611, 32806, 32808, 32810, 95000, 95010, 95020, 95030, 95040, 95045, 95050, 95070, 95080, 95090, 95100, 95150, 95160, 95170, 95180, 95190, 95200, 95300, 95310, 95320, and 95330, and amend sections 31001, 32020, 32030, 32040, 32050, 32055, 32060, 32075, 32080, 32085, 32090, 32091, 32100, 32105, 32120, 32122, 32130, 32132, 32135, 32136, 32140, 32142, 32145, 32147, 32149, 32150, 32155, 32162, 32164, 32165, 32166, 32168, 32169, 32170, 32175, 32176, 32178, 32180, 32185, 32190, 32200, 32205, 32206, 32207, 32209, 32210, 32212, 32215, 32220, 32230, 32295, 32300, 32305, 32310, 32315, 32320, 32325, 32350, 32360, 32370, 32375, 32380, 32400, 32410, 32450, 32455, 32460, 32465, 32470, 32500, 32602, 32605, 32612, 32615, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32645, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 32700, 32720, 32721, 32722, 32724, 32726, 32728, 32730, 32732, 32734, 32735, 32736, 32738, 32739, 32740, 32742, 32744, 32746, 32748, 32750, 32752, 32754, 32761, 32762, 32763, 32770, 32772, 32774, 32776, 32980, 32990, 32992, 32993, 32994, 32995, 32996 and 32997.

Section 31001 provides for meetings of the Public Employment Relations Board. **Section 32020** provides a definition for the term “Board.” **Section 32030** provides a definition for the term “Board itself.” **Proposed section 32036** adopts a definition of “IHSSEERA,” the In-Home Supportive Services Employer-Employee Relations Act (Government Code section 110000 et seq.). **Proposed section 32037** adopts definition of terms applicable for cases filed under IHSSEERA. **Section 32040** provides a definition for the term “Executive Director.” **Section 32050** provides a definition for the term “General Counsel.” **Section 32055** provides a definition for the term “Chief Administrative Law Judge.” **Section 32060** provides a definition for the term “headquarters office.” **Section 32075** provides a definition for the term “regional office.” **Section 32080** provides a definition for the term “day.” **Section 32085** provides a definition of the term “workday” for matters over which the Board has jurisdiction. **Section 32090** provides for filing by facsimile machine. **Section 32091** provides for filing by electronic mail message. **Section 32100** provides for when regulations contained in Chapter 1 apply to PERB proceedings. **Section 32105** provides for the severability of PERB’s regulations. **Section 32120** provides for the filing of collective bargaining agreements. **Section 32122** currently specifies in which “regional office” representation filings should be made, except for filings under the Ralph C. Dills Act (Government Code section 3512 et seq.) and the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.). **Section 32130** addresses the computation of time for filing. **Section 32132** concerns the requirements for an extension of time in which to file documents with the Board. **Section 32135** concerns filing requirements. **Section 32136** concerns late filing requirements. **Section**

32140 concerns service requirements. **Section 32142** concerns designation of recipients for service and filing. **Section 32145** concerns the waiver of time period requirements for filing. **Section 32147** provides for expediting matters before the Board. **Section 32149** concerns the issuance of investigative subpoenas. **Section 32150** concerns the issuance of subpoenas. **Section 32155** concerns the circumstances under which a Board agent or Board member will be disqualified to hear a case. **Section 32162** concerns the confidentiality of Board investigations. **Section 32164** concerns an application for joinder. **Section 32165** concerns an application to join a representation hearing as a limited party. **Section 32166** concerns an application to join a representation hearing as a full party. **Section 32168** concerns the conduct of hearings. **Section 32169** concerns the taking of depositions. **Section 32170** concerns the powers and authority of a Board agent conducting a hearing. **Section 32175** concerns the rules of evidence in representation cases. **Section 32176** concerns the rules of evidence in unfair practice cases. **Section 32178** concerns the burden of proof in unfair practice cases. **Section 32180** addresses the rights of the parties in PERB hearings. **Section 32185** concerns ex parte communications with Board agents. **Section 32190** concerns filing and rulings on motions. **Section 32200** concerns the appeal of rulings on motions and other interlocutory matters. **Section 32205** concerns requests for continuances. **Section 32206** concerns the production of statements of witnesses after testimony. **Section 32207** concerns stipulation of facts for purposes of hearing. **Section 32209** addresses the procedure for correction of hearing transcripts. **Section 32210** concerns the filing of informational briefs and oral argument. **Section 32212** concerns briefs and oral argument. **Section 32215** concerns issuance of proposed decisions. **Section 32220** concerns contemptuous conduct by a party or a party's agent. **Section 32230** concerns the refusal of a witness to testify. **Section 32295** concerns ex parte communications with members of the Board itself or legal advisers to Board members. **Section 32300** concerns the filing of exceptions to Board agent decisions. **Section 32305** provides that proposed decisions become final if no timely exceptions are filed. **Section 32310** provides for the filing of responses to exceptions. **Section 32315** provides for oral argument on exceptions. **Section 32320** concerns issuance of decisions by the Board itself. **Section 32325** concerns the remedial powers of the Board. **Section 32350** provides for a definition of administrative decisions. **Section 32360** concerns requirements for appeals of administrative decisions. **Section 32370** concerns requests for a stay. **Section 32375** provides for responses to administrative appeals. **Section 32380** provides for administrative decisions that are not appealable. **Section 32400** provides that a motion for reconsideration is not required in order to exhaust administrative remedies. **Section 32410** provides for the filing of requests for reconsideration. **Section 32450** concerns the filing of requests for injunctive relief. **Section 32455** concerns the investigation of requests for injunctive relief. **Section 32460** provides for recommendations by the General Counsel concerning requests for injunctive relief. **Section 32465** provides for decisions by the Board itself concerning requests for injunctive relief. **Section 32470** addresses the authority of the General Counsel concerning requests for injunctive relief where a quorum of the Board itself is unavailable. **Section 32500** provides for requests for judicial review concerning representation cases. **Section 32602** provides for the processing of unfair practice charges. **Section 32605** concerns the number of copies of unfair practice charges required for filing. **Proposed section 32610** describes unfair practices by the employer. **Proposed section 32611** describes unfair practices by employee organizations.

Section 32612 specifies in which “regional office” unfair practice charge filings should be made. **Section 32615** concerns the information required to be included in an unfair practice charge. **Section 32620** concerns the processing of unfair practice charges. **Section 32621** concerns the amending of unfair practice charges. **Section 32625** concerns the withdrawal of unfair practice charges. **Section 32630** concerns the dismissal of unfair practice charges. **Section 32635** provides for the appeal of dismissals of unfair practice charges. **Section 32640** concerns the issuance of complaints in unfair practice charge cases. **Section 32644** provides for the filing of an answer in unfair practice charges where a complaint issues. **Section 32645** concerns non-prejudicial errors in unfair practice charges and related documents. **Section 32647** concerns amendments to complaints in unfair practice charge cases before hearing. **Section 32648** concerns amendments to complaints in unfair practice charge cases during a hearing. **Section 32649** concerns the filing of answers to amendments to complaints in unfair practice charge cases. **Section 32650** concerns the conduct of informal settlement conferences in unfair practice charge cases. **Section 32661** concerns the filing of repugnancy claims regarding unfair practice charge cases deferred to arbitration. **Section 32680** concerns the conduct of hearings on unfair practice charges. **Section 32690** concerns notice of hearing in unfair practice charge cases. **Section 32700** concerns the requirements for valid proof of employee support in representation proceedings. **Section 32720** provides for when an election will be conducted in representation matters arising under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.). **Section 32721** defines the term “parties” in representation matters arising under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.). **Section 32722** concerns the creation of ballots in representation matters. **Section 32724** provides for notification to employees in a voting unit when an election is to be conducted. **Section 32726** concerns the employer’s obligation to file a voter list with PERB. **Section 32728** concerns the requirements for an employee to be eligible to vote in an election. **Section 32730** concerns the parties’ right to station observers at an election. **Section 32732** concerns the power to challenge the eligibility of a voter. **Section 32734** concerns the parties’ right to station an authorized agent at the ballot count. **Section 32735** concerns the resolution of challenged ballots. **Section 32736** provides for a runoff election in the event a valid election does not result in any of the choices receiving a majority of the valid votes cast. **Section 32738** concerns the parties’ ability to object to the conduct of an election. **Section 32739** concerns a Board agent’s powers and duties concerning objections to the conduct of an election. **Section 32740** provides for a party’s ability to withdraw any objections to the conduct of an election. **Section 32742** provides for the hearing procedures to be used to resolve any objections or challenges. **Section 32744** provides the procedure in which a party may file exceptions to a Board agent’s proposed decision on objections to the conduct of an election or challenged ballots. **Section 32746** concerns the revised tally of ballots following a ruling on challenged ballots. **Section 32748** permits any party to file objections to a revised tally of ballots. **Section 32750** concerns the certification of results of an election or certification of the exclusive representative. **Section 32752** concerns when the Board may stay

an election pending the resolution of an unfair practice charge relating to the voting unit. **Section 32754** provides for when the Board must summarily dismiss a petition requiring a representation election. **Section 32761** provides for the filing of petitions by employee organizations requesting amendment of certification. **Section 32762** concerns an employer's response to a petition for amendment of certification. **Section 32763** concerns the Board's investigation following receipt of a petition for amendment of certification. **Section 32770** provides for the filing of decertification petitions. **Section 32772** provides for notification to employees in a voting unit when a decertification petition has been filed. **Section 32774** provides the process by which the Board will determine proof of support. **Section 32776** provides for the Board's procedure for investigating petitions for decertification. **Proposed section 32806** describes the process by which the Board will appoint a mediator. **Proposed section 32808** describes the process by which the Board will convene a factfinding panel. **Proposed section 32810** describes the process by which the Board will appoint a chairperson of the factfinding panel. **Section 32980** provides for the enforcement of compliance with final decisions of the Board. **Section 32990** defines the term "agency fee" for purposes of these regulations and identifies the statutory provisions establishing agency fee under PERB's jurisdiction. **Section 32992** describes the requirements for notification to nonmembers regarding "agency fee." **Section 32993** describes the exclusive representative's obligation to administer an objection procedure regarding an agency fee. **Section 32994** describes the process by which an agency fee payer may challenge the exclusive representative's determination of the chargeable expenditures contained in the agency fee amount. **Section 32995** describes the requirements concerning the escrow of agency fee amounts that are in dispute. **Section 32996** provides for the filing of Agency Fee Appeals Procedures by exclusive representatives that receive agency fees. **Section 32997** provides that violation of Sections 32990 through 32996 is an unfair practice. **Proposed section 95000** defines the term "parties". **Proposed section 95010** defines the term "window period". **Proposed section 95020** allows the withdrawal of a petition. **Proposed section 95030** provides for the conduct of an informal settlement conference. **Proposed section 95040** provides for a notice of hearing. **Proposed section 95045** concerns the conduct of a hearing and issuance of a proposed decision. **Proposed section 95050** provides for the issuance of an administrative decision. **Proposed section 95070** concerns decisions of the Board itself. **Proposed section 95080** provides for the issuance of a notice of decision. **Proposed section 95090** concerns the eligibility to appear on an election ballot. **Proposed section 95100** concerns the conduct of elections. **Proposed section 95150** provides for the filing of a petition for certification. **Proposed section 95160** concerns the posting of the notice of the petition for certification. **Proposed section 95170** concerns the manner in which the Board will determine proof of support for petitions for certification. **Proposed section 95180** concerns the employer's response to a petition for certification. **Proposed section 95190** concerns amendments to a petition for certification. **Proposed section 95200** concerns the Board's investigation of a petition for certification. **Proposed section 95300** provides for the filing of a petition to rescind an agency shop agreement or provision. **Proposed section 95310** concerns the proof of support determination for a rescission petition. **Proposed section 95320** concerns the conduct of an election on a rescission petition. **Proposed section 95330** describes when a bar to the filing of a rescission petition would exist.

PUBLIC HEARING

The Board will hold a public hearing at 10:00 a.m., on April 17, 2014, in Room 103 of its headquarters building, located at 1031 18th Street, Sacramento, California. Room 103 is wheelchair accessible. At the hearing, any person may orally present statements or arguments relevant to the proposed action described in the Informative Digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony at the hearing. Any person wishing to testify at the hearing is requested to notify the Office of the General Counsel as early as possible by calling (916) 322-3198 to permit the orderly scheduling of witnesses and to permit arrangements for an interpreter to be made if necessary.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period closes at 5:00 p.m. on April 14, 2014. Written comments will also be accepted at the public hearing. Submit written comments to:

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(916) 327-8387
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or

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AUTHORITY AND REFERENCE

Pursuant to Government Code section 3541.3(g), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Educational Employment Relations Act. Pursuant to Government Code sections 3509(a) and 3541.3(g), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Meyers-Milias-Brown Act. Government Code section 3513(h) authorizes the Board to adopt, amend and repeal rules

and regulations to carry out the provisions and effectuate the purposes and policies of the Ralph C. Dills Act. Government Code section 3563(f) authorizes the Board to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Higher Education Employer-Employee Relations Act. Pursuant to Public Utilities Code section 99561(f), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act. Pursuant to Government Code sections 3541.3(g) and 71639.1(b), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Employment Protection and Governance Act. Pursuant to Government Code sections 3541.3(g) and 71825(b), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Interpreter Employment and Labor Relations Act. Pursuant to Government Code sections 3541.3(g) and 110015, the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the In-Home Supportive Services Employer-Employee Relations Act.

General reference for **section 31001** of the Board's regulations: Sections 3509, 3513(h), 3541.3, 3563, 71639.1, 71825 and 110015, Government Code; and Section 99561, Public Utilities Code. General reference for **section 32020** of the Board's regulations: Sections 3501(f), 3509, 3513(h), 3540.1(a), 3541, 3562(b), 71639.1(a), 71825(a) and 110003(a), Government Code; and Section 99560.1(b), Public Utilities Code. General reference for **section 32030** of the Board's regulations: Sections 3501(f), 3509, 3513(h), 3540.1(a), 3541, 3562(b), 71639.1(a), 71825(a) and 110003(a), Government Code; and Section 99560.1(b), Public Utilities Code. General reference for **proposed section 32036**: Section 110000, Government Code. General reference for **proposed section 32037**: Sections 110003(b), (c), (d), (i), (j), (k), 110005, 110006 and 110009, Government Code. General reference for **section 32040** of the Board's regulations: Section 3541(f), Government Code. General reference for **section 32050** of the Board's regulations: Section 3541(f), Government Code. General reference for **section 32055** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3563(j), 71639.1, 71825 and 110015, Government Code; and Section 99561(j), Public Utilities Code. General reference for **section 32060** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32075** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32080** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Section 99561(f), Public Utilities Code. General reference for **section 32085** of the Board's regulations: Sections 3509, 3541.3(n), 3563(m), 3513(h), 3541.3(g), 3563(f), 71639.1, 71825 and 110015, Government Code; and Section 99561(f), Public Utilities Code. General reference for **section 32090** of the Board's regulations: Sections 3509, 3513, 3514.5, 3541.3, 3541.5, 3563, 3563.2, 71639.1, 71825 and 110015, Government Code; and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32091** of the Board's regulations: Sections 3509, 3513, 3514.5, 3541.3, 3541.5, 3563, 3563.2, 71639.1, 71825 and 110015, Government Code; and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32100** of the Board's

regulations: Section 19604, Business and Professions Code; Section 57031, Food and Agricultural Code; Sections 3502.5, 3507, 3507.1, 3507.3, 3507.5, 3508, 3509, 3513(h), 3541.3, 3563, 3600, 3601, 3602, 3603, 3611, 71632.5, 71636, 71636.1, 71636.3, 71637, 71637.1, 71639.1, 71823, 71825 and 110015, Government Code; Section 2686, Labor Code; and Sections 25051, 25052, 28850, 28851, 30750, 30751, 30754, 30756, 40120, 40122, 50120, 50121, 70120, 70122, 90300, 95650, 95651, 98162.5, 99561, 100301, 100305, 100306, 101341, 101342, 101344, 102401, 102403, 103401, 103404, 103405, 103406, 125521, 125526, Appendix 1, Sections 4.2 and 4.4, and Appendix 2, Sections 13.90, 13.91, and 13.96, Public Utilities Code. General reference for **section 32105** of the Board's regulations: Sections 3509, 3513(h), 3541.3, 3563, 71639.1, 71825 and 110015, Government Code; and Section 99561, Public Utilities Code. General reference for **section 32120** of the Board's regulations: Sections 3509, 3513(h), 3524, 3541.3(n), 3563(m), 3541.3(f), (g), 71639.1, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32122** of the Board's regulations: Sections 3509, 3541.3(n), 71639.1, 71807, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32130** of the Board's regulations: Sections 3509, 3513(h), 3541.3, 3544.7(b), 3563, 3577(b), 71639.1, 71825 and 110015, Government Code; and Sections 99561 and 99564.4(b), Public Utilities Code. General reference for **section 32132** of the Board's regulations: Sections 3509, 3509.3, 3513(h), 3520.8, 3541.3(n), 3541.35, 3563(m), 3563.5, 71639.1, 71639.15, 71825, 71825.05, 110015 and 110016, Government Code; and Sections 99561(m) and 99561.4, Public Utilities Code. General reference for **section 32135** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32136** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 12, 12(a) and 1013, Code of Civil Procedure; and Section 99561(m), Public Utilities Code. General reference for **section 32140** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32142** of the Board's regulations: Sections 3501(c), 3513(j), 3541.3(n), 3563(m), 71601(k), 71639.1, 71801(h), 71807, 71825, 110003(k) and 110015, Government Code; and Section 99560.1(g), (h) Public Utilities Code. General reference for **section 32145** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32147** of the Board's regulations: Sections 3509, 3513(h), 3541.3(n), 3563(m), 71639.1, 71825 and 110015, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32149** of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1, 71825 and 110015, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32150** of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 3601, 71639.1, 71825 and 110015, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32155** of the Board's regulations: Sections 3509, 3509.5, 3513, 3520, 3541.3, 3542, 3563, 3564, 71639.1, 71639.4, 71825, 71825.1, 110015 and 110017, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561, 99562, 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32162** of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1, 71825 and 110015, Government Code; and Section 99561(g), Public Utilities Code.

32215 of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1, 71825 and 110015, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32220** of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1, 71825 and 110015, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32230** of the Board's regulations: Sections 3509, 3513(h), 3541.3(h), 3563(g), 71639.1, 71825 and 110015, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32295** of the Board's regulations: Sections 3509, 3513, 3514.5, 3541.3, 3541.5, 3563, 3563.2, 71639.1, 71825 and 110015, Government Code; and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32300** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32305** of the Board's regulations: Sections 3509, 3509.3, 3513(h), 3520.8, 3541.3(k), (n), 3541.35, 3563(j), (m), 3563.5, 71639.1, 71639.15, 71825, 71825.05, 110015 and 110016, Government Code; and Section 99561(j), (m), and 99561.4, Public Utilities Code. General reference for **section 32310** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32315** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32320** of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3541.3(k), (n), 3563(j), (m), 3563.2, 11425.60, 71639.1, 71825 and 110015, Government Code; and Sections 99561(j), (m) and 99561.2, Public Utilities Code. General reference for **section 32325** of the Board's regulations: Sections 3509, 3509.5, 3514.5(c), 3520, 3541.5(c), 3542, 3563.3, 3564, 71639.1, 71639.4, 71825, 71825.1, 110015 and 110017, Government Code; Section 99561(f), Public Utilities Code, and *Firefighters Union, Local 1186 v. City of Vallejo* (1974) 12 Cal.3d 608. General reference for **section 32350** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32360** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32370** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32375** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651,

98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32380** of the Board's regulations: Sections 3505.4, 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32400** of the Board's regulations Sections 3509, 3509.5, 3520, 3542, 3564, 71639.4, 71825.1 and 110017, Government Code; and Section 99562, Public Utilities Code. General reference for **section 32410** of the Board's regulations: Sections 3509, 3513(h), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1, 71825 and 110015, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505, and 125521, Public Utilities Code. General reference for **section 32450** of the Board's regulations: Reference: Sections 3509, 3513(h), 3541.3(j), (n), 3563(i), 71639.1, 71825 and 110015, Government Code; and Section 99561(i), Public Utilities Code. General reference for **section 32455** of the Board's regulations: Sections 3509, 3513(h), 3541.3(j), 3563(i), 71639.1, 71825 and 110015, Government Code; and Section 99561(i), Public Utilities Code. General reference for **section 32460** of the Board's regulations: Sections 3509, 3513(h), 3541.3(j), (n), 3563(i), (m), 71639.1, 71825 and 110015, Government Code; and Section 99561(i), (m), Public Utilities Code. General reference for **section 32465** of the Board's regulations: Sections 3509, 3513(h), 3541.3(j), (n), 3563(i), (m), 71639.1, 71825 and 110015, Government Code; and Section 99561(i), (m), Public Utilities Code. General reference for **section 32470** of the Board's regulations: Sections 3509, 3513(h), 3541(f), (g), 3541.3(j), (k), 3563(i), (j), 71639.1, 71825 and 110015, Government Code; and Section 99561(i), (j), Public Utilities Code. General reference for **section 32500** of the Board's regulations: Sections 3509, 3509.5, 3520, 3542, 3564, 71639.4, 71825.1 and 110017, Government Code; and Section 99562, Public Utilities Code. General reference for **section 32602** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71636, 71636.3, 71637.1, 71639.1, 71814, 71823, 71825, 110015, 110019 and 110035, Government Code; and Sections 99561(h), 9561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32605** of the Board's regulations: Sections 3502.5, 3509, 3513(h), 3514.5, 3515.7, 3523, 3541.3(i), (n), 3541.5, 3546.5, 3547, 3547.5, 3563(h), (m), 3563.2, 3584, 3587, 3595, 71632.5, 71636, 71636.3, 71637.1, 71639.1, 71814, 71823, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99566.3, and 99569, Public Utilities Code. General reference for **proposed section 32610**: Sections 110002, 110006, 110007, 110009, 110010, 110011, 110018, 110020, 110021, 110022, 110023, 110024, 110025, 110026, 110027, 110029, 110030, 110032, 110033, 110034 and 110035, Government Code. General reference for **proposed section 32611**: Sections 110002, 110010, 110015, 110018, 110019, 110023, 110025, 110026, 110029, 110030, 110032 and 110035, Government Code. General reference for **section 32612** of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3541.3(i), 3541.5, 3563(h), 3563.2, 71639.1, 71807, 71825 and 110015, Government Code; and Sections 99561(h) and 99561.2, Public Utilities Code. General reference for **section 32615** of the Board's regulations: Sections 3502.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015, 110019 and 110035,

Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32620** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71825, 110015 and 110019, Government Code; Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code; *Firefighters Union, Local 1186 v. City of Vallejo* (1974) 12 Cal.3d 608, and *Coachella Valley Mosquito and Vector Control District v. Public Employment Relations Board* (2005) 35 Cal.4th 1072. General reference for **section 32621** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71636, 71636.3, 71637.1, 71639.1, 71814, 71823, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32625** of the Board's regulations: Sections 3502.5, 3509, 3513, 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32630** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i) and (n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32635** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32640** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32644** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32645** of the Board's regulations: Sections 3509, 3514.5(a), 3541.5(a), 3563.2, 71639.1, 71825 and 110015, Government Code; and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for **section 32647** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32648** of the Board's regulations: Sections 3502.5, 3506.5, 3509,

3513(h), 3514.5, 3515.7, 3519, 3519.5., 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32649** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32650** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32661** of the Board's regulations: Sections 3506.5, 3509, 3514.5, 3519, 3519.5, 3541.5, 3543.5, 3543.6, 3563.2, 3571, 3571.1, 3571.3, 3589, 71639.1, 71825 and 110015, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8 and 99567, Public Utilities Code. General reference for **section 32680** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32690** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814, 71825, 110015 and 110019, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3, and 99569, Public Utilities Code. General reference for **section 32700** of the Board's regulations: Sections 3513(h), 3515.7(d), 3520.5, 3544, 3544.1, 3544.3, 3544.5, 3544.7, 3546, 3573, 3574, 3575, 3576, 3577, 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32720** of the Board's regulations: Sections 3541.3(c), (e), (g), (l) and (m), 3513(h), 3520.5(b), 3544.1(a), 3544.3, 3544.7(a), 3546, 3563(c), 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32721** of the Board's regulations: Sections 3520.5(b), 3544.1(a), 3544.3, 3544.7(a), 3546, 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32722** of the Board's regulations: Sections 3513(h), 3520.5(b), 3541.3(c), 3541.3(e) and (m), 3544.1(a), 3544.3, 3544.7(a), 3546, 3563(c), 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32724** of the Board's regulations: Sections 3520.5(b), 3544.1(a), 3544.3, 3544.7(a), 3546, 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities

Sections 3520.5(b), 3544.1(a), 3544.3, 544.7(a), 3546, 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32748** of the Board's regulations: Sections 3513(h), 3520.5(b), 3541.3(c), 3544.1(a), 3544.3, 3544.7(a), 3546, 3563(c), 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32750** of the Board's regulations: Sections 3513(h), 3520.5(b), 3541.3(c), 3544.1(a), 3544.3, 3544.7(a), 3546, 3563(c), 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32752** of the Board's regulations: Sections 3513(h), 3520.5(b), 3541.3(c), 3544.1(a), 3544.3, 3544.7(a), 3546, 3563(c), 3574(a), 3577, 3579(e), 3583.5, 110019, 110027 and 110035, Government Code; and Sections 99561(c), (e), (k), (l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32754** of the Board's regulations: Sections 3513(h), 3520.5(b), 3541.3(c), 3544.1(a), 3544.3, 3544.7(a), 3546, 3563(c), 3574(a), 3577, 3579(e), 3583.5 and 110027, Government Code; and Sections 99561(c), (k), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32761** of the Board's regulations: Sections 3513(h), 3541.3(m), 3563(l) and 110027, Government Code; and Section 99561(l), Public Utilities Code. General reference for **section 32762** of the Board's regulations: Sections 3513(h), 3541.3(m), 3563(l) and 110027, Government Code; and Section 99561(l), Public Utilities Code. General reference for **section 32763** of the Board's regulations: Sections 3513(h), 3541.3(h), (m), 3563(g), (l) and 110027, Government Code; and Section 99561(g), (l), Public Utilities Code. General reference for **section 32770** of the Board's regulations: Sections 3513(h), 3541.3(g), 3563(k), 110027 and 110035(b), Government Code; and Sections 99561(k) and 99564.3, Public Utilities Code. General reference for **section 32772** of the Board's regulations: Sections 3513(h), 3524, 3541.3(g), 3563(k), 110027 and 110035(b), Government Code; and Sections 99561(k) and 99564.3, Public Utilities Code. General reference for **section 32774** of the Board's regulations: Sections 3513(h), 3541.3(g), 3563(k), 110027 and 110035(b), Government Code; and Sections 99561(k) and 99564.3, Public Utilities Code. General reference for **section 32776** of the Board's regulations: Sections 3513(h), 3541.3(g), 3520.5, 3563(k), 110027 and 110035(b), Government Code; and Sections 99561(k), 99564.3 and 99564.4, Public Utilities Code. General reference for **proposed section 32806**: Section 110029, Government Code. General reference for **proposed section 32808**: Section 110030, Government Code. General reference for **proposed section 32810**: Section 110030, Government Code. General reference for **section 32980** of the Board's regulations: Sections 3509, 3509.5, 3514.5(c), 3520, 3541.5(c), 3542, 3563.3, 3564, 71639.1, 71639.4, 71825, 71825.1, 110015 and 110017, Government Code; and Sections 99561.3 and 99562, Public Utilities Code, and *Firefighters Union, Local 1186 v. City of Vallejo* (1974) 12 Cal.3d 608. General reference for **section 32990** of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5, 71814 and 110019, Government Code; Section 99566.1, Public Utilities Code; and *Chicago Teachers Union, Local No. 1 v. Hudson* (1986) 475 U.S. 292. General reference for **section 32992** of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5, 71814 and 110019, Government Code; Section 99566.1, Public Utilities Code; *Harik v. California Teachers Association* (9th Cir. 2003) 326 F.3d 1042, *Grunwald v.*

San Bernardino Unified School District (9th Cir. 1990) 994 F.2d 1370, *cert. denied*, 510 U.S. 964 (1993), *Cummings v. Connell* (9th Cir. 2003) 316 F.3d 886, and *Chicago Teachers Union, Local No. 1 v. Hudson* (1986) 475 U.S. 292. General reference for **section 32993** of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 71632.5, 71814 and 110019, Government Code; Section 99566.1, Public Utilities Code; and *Chicago Teachers Union, Local No. 1 v. Hudson* (1986) 475 U.S. 292. General reference for **section 32994** of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5, 71814 and 110019, Government Code; Section 99566.1, Public Utilities Code; and *Chicago Teachers Union, Local No. 1 v. Hudson* (1986) 475 U.S. 292. General reference for **section 32995** of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5, 71814 and 110019, Government Code; Section 99566.1, Public Utilities Code; and *Chicago Teachers Union, Local No. 1 v. Hudson* (1986) 475 U.S. 292 and *Grunwald v. San Bernardino Unified School District* (9th Cir. 1990) 994 F.2d 1370, *cert. denied*, 510 U.S. 964 (1993). General reference for **section 32996** of the Board's regulations: Sections 3502.5, 3515.7, 3540.1(i), 3543, 3546, 3583.5, 71632.5, 71814 and 110019, Government Code; Section 99566.1, Public Utilities Code; and *Chicago Teachers Union, Local No. 1 v. Hudson* (1986) 475 U.S. 292. General reference for **section 32997** of the Board's regulations: Sections 3502.5, 3515.7, 3519.5, 3540.1(i), 3542(d), 3543.6, 3543, 3546, 3546.5, 3563.2, 3564(d), 3571.1, 3583.5, 71632.5, 71814 and 110019, Government Code; Sections 99563.8, 99566.1 and 99566.3, Public Utilities Code; *Harik v. California Teachers Association* (9th Cir. 2003) 326 F.3d 1042, *Grunwald v. San Bernardino Unified School District* (9th Cir. 1990) 994 F.2d 1370, *cert. denied*, 510 U.S. 964 (1993), *Cummings v. Connell* (9th Cir. 2003) 316 F.3d 886, and *Chicago Teachers Union, Local No. 1 v. Hudson* (1986) 475 U.S. 292. General reference for **proposed section 95000**: Sections 3541.3, 110015, 110019 and 110027, Government Code. General reference for **proposed section 95010**: Sections 3541.3, 110015 and 110027, Government Code. General reference for **proposed section 95020**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95030**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95040**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95045**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95050**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95070**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95080**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95090**: Sections 3541.3, 110008, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95100**: Sections 3541.3, 110015, 110019, 110027 and 110035, Government Code. General reference for **proposed section 95150**: Sections 3541.3, 110008, 110015 and 110027, Government Code. General reference for **proposed section 95160**: Sections 3541.3, 110008, 110015 and 110027, Government Code. General reference for **proposed section 95170**: Sections 3541.3, 110008, 110015 and 110027, Government Code. General reference for **proposed section 95180**: Sections 3541.3, 110008, 110015 and 110027, Government Code. General reference for **proposed section 95190**: Sections 3541.3, 110008, 110015 and 110027, Government Code. General reference for **proposed section 95200**: Sections 3541.3, 110008, 110015 and 110027, Government Code. General reference for **proposed section 95300**: Sections 3541.3, 110015

and 110019, Government Code. General reference for **proposed section 95310**: Sections 3541.3, 110015 and 110019, Government Code. General reference for **proposed section 95320**: Sections 3541.3, 110015 and 110019, Government Code. General reference for **proposed section 95330**: Sections 3541.3, 110015 and 110019, Government Code.

POLICY STATEMENT OVERVIEW

PERB is a quasi-judicial agency that oversees public sector collective bargaining in California. PERB presently administers eight collective bargaining statutes, ensures their consistent implementation and application, and adjudicates disputes between the parties subject to them. The statutes administered by PERB include: the Meyers-Milias-Brown Act (MMBA) of 1968, which established collective bargaining for California's city, county, and local special district employers and employees; the Educational Employment Relations Act (EERA) of 1976 establishing collective bargaining in California's public schools (K-12) and community colleges; the State Employer-Employee Relations Act of 1978, known as the Ralph C. Dills Act (Dills Act), establishing collective bargaining for state government employees; the Higher Education Employer-Employee Relations Act (HEERA) of 1979 extending the same coverage to the California State University System, the University of California System and Hastings College of Law; the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA) of 2003, which covers supervisory employees of the Los Angeles County Metropolitan Transportation Authority; and the Trial Court Employment Protection and Governance Act (Trial Court Act) of 2000, and the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act) of 2002, which together provide for collective bargaining rights for most California trial court employees. Effective June 27, 2012, PERB was given jurisdiction to administer the In-Home Supportive Services Employer-Employee Relations Act of 2012 (IHSSEERA), which is applicable to certain in-home supportive services providers (IHSS providers), who are considered "employees" of the California In-Home Supportive Services Authority (Statewide Authority) for purposes of collective bargaining.

As explained in more detail below in the Informative Digest, IHSSEERA's implementation affects hundreds of thousands of IHSS providers in California, the Statewide Authority, and the employee organizations that represent IHSS providers under IHSSEERA. Current PERB regulations implement the Board's jurisdiction over this statutory scheme only through temporary emergency regulations that will expire on June 5, 2014 without further action by PERB. The emergency regulations extend the scope of existing regulations to matters arising under IHSSEERA and add new procedures for the filing of representation petitions and unfair practice charges under IHSSEERA. The proposed regulations will ensure that the procedural and substantive rights of IHSS providers, employee organizations, and the Statewide Authority created under IHSSEERA remain protected by making the existing emergency regulations permanent.

INFORMATIVE DIGEST

A. Adoption of New Sections In Effect Pursuant to Emergency Regulations

Proposed section 32036 adopts a definition of “IHSSEERA,” the In-Home Supportive Services Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 32037 adopts definitions of terms applicable for matters arising under the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 32610 describes unfair practices by the employer under the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.). Government Code section 110015 provides PERB with authority to process alleged violations of IHSSEERA as unfair practice charges. Because the section of the statute does not specifically identify the types of acts that might be considered to be unfair practices, parties operating under IHSSEERA are left without guidance about how to operate within the meaning of the law. Section 32610 prohibits the types of conduct that have been traditionally identified as unfair practices under other labor relations laws, including the Meyers-Milias-Brown Act (Government Code section 3500 et seq.). Without such rules, PERB’s only method of identifying the types of conduct that constitute unfair practices will be through case-by-case deliberation. Such an approach would leave the parties without guidance for a long period of time.

Proposed section 32611 describes unfair practices by employee organizations under the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.). Government Code section 110015 provides PERB with authority to process alleged violations of IHSSEERA as unfair practices. Because the section does not specifically identify the types of acts that might be considered to be unfair practices, parties operating under IHSSEERA are left without guidance about how to operate within the meaning of the law. Section 32611 prohibits the types of conduct that have been traditionally identified as unfair practices under other labor relations laws, including the Meyers-Milias-Brown Act (Government Code section 3500 et seq.). Without such rules, PERB’s only method of identifying the types of conduct that constitute unfair practices will be through case-by-case deliberation. Such an approach would leave the parties without guidance for a long period of time.

Proposed section 32806 describes the process by which the Board will appoint a mediator under the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.). Government Code section 110029 makes mediation mandatory in the event the parties cannot resolve a dispute during bargaining, and provides PERB with authority to promulgate rules regarding the appointment of a mediator.

Proposed section 32808 describes the process by which the Board will convene a factfinding panel under the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.). Government Code section 110030 provides that the parties are

required to submit to factfinding if mediation does not affect settlement of the dispute. Proposed section 32808 provides further clarification to the factfinding procedures in Government Code section 110030.

Proposed section 32810 describes the process by which the Board will appoint a chairperson of the factfinding panel under the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.). Government Code section 110030 sets forth a general procedure for the selection of a chairperson for the factfinding panel. Proposed section 32810 provides clarity to the parties by expanding on the general procedure in Government Code section 110030 and creating specific timelines that the Board and parties must follow in the course of designating a chairperson.

Proposed section 95000 defines the term “parties” under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95010 defines the term “window period” under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95020 allows the withdrawal of a petition under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95030 provides for the conduct of an informal settlement conference under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95040 provides for a notice of hearing under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95045 concerns the conduct of a hearing and issuance of a proposed decision under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95050 provides for the issuance of an administrative decision under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95070 concerns decisions of the Board itself under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95080 provides for the issuance of a notice of decision under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95090 concerns the eligibility to appear on an election ballot under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95100 concerns the conduct of elections under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95150 provides for the filing of a petition for certification under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95160 concerns the posting of the notice of the petition for certification under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95170 concerns the manner in which the Board will determine proof of support for petitions for certification filed under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95180 concerns the employer's response to a petition for certification filed under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95190 concerns amendments to a petition for certification filed under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95200 concerns the Board's investigation of a petition for certification filed under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95300 provides for the filing of a petition to rescind an agency shop agreement or provision under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95310 concerns the proof of support determination for a rescission petition under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95320 concerns the conduct of an election on a rescission petition under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

Proposed section 95330 describes when a bar to the filing of a rescission petition would exist under proposed Chapter 10 for the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq.).

B. Amendments to the Text of Existing Regulations

Section 32085 provides a definition of the term “workday” for matters over which the Board has jurisdiction. Subdivision (h) amends this section to provide a definition for the term “workday” for matters arising under the In-Home Supportive Service Employer-Employee Relations Act (Government Code section 110000 et seq. [hereafter, IHSSEERA]).

Section 32100 provides for when regulations contained in Chapter 1 apply to PERB proceedings. Subdivision (g) amends this section to provide that all of Chapter 1 will apply to matters arising under IHSSEERA, except Article 5 of Subchapter 6, which governs petitions for unit modification.

Section 32120 provides for the filing of collective bargaining agreements. The proposed new language to Section 32120 extends its application to matters arising under IHSSEERA.

Section 32122 currently specifies in which “regional office” representation filings should be made, except for filings under the Ralph C. Dills Act (Government Code section 3512 et seq.) and the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.). The amendment to subdivision (a) and addition of new subdivision (c) provides for application of this section to matters arising under IHSSEERA.

Section 32130 addresses the computation of time for filing. Subdivision (a) includes an exception to the general rule for computation of time. The exception is based on Section 32776, which addresses when PERB must summarily dismiss a decertification petition under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.). The proposed change to subdivision (a) includes a reference to new subdivision (g) in Section 32776. This new subdivision addresses when PERB must summarily dismiss a decertification petition filed under IHSSEERA.

Section 32142 concerns designation of recipients for service and filing. Subdivision (c)(8) amends this section to designate a recipient for service at the Statewide Authority.

Section 32147 provides for expediting matters before the Board. Subdivision (a) enumerates specific representation matters that may be expedited. The amendment to subdivision (a) adds

a reference to new Section 95150, which governs the filing of a petition for certification under IHSSEERA.

Section 32155 concerns the circumstances under which a Board agent or Board member will be disqualified to hear a case. Subdivision (h) states that parties to cases arising under the Meyers-Milias-Brown Act (Government Code section 3500 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Educational Employment Relations Act (Government Code section 3540 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), the Trial Court Employment Protection and Governance Act (Government Code section 71600 et seq.), the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.) may include a matter of claimed disqualification in a writ of extraordinary relief seeking judicial review of the Board's decision on the merits. The amendment to subdivision (h) adds a reference to the section of IHSSEERA that governs a party's right to file a petition for a writ of extraordinary relief seeking judicial review.

Section 32305 provides that proposed decisions become final if no timely exceptions are filed. Subdivision (b) states that in representation matters arising under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), the Meyers-Milias-Brown Act (Government Code section 3500 et seq.), the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.), the Trial Court Employment Protection and Governance Act (Government Code section 71600 et seq.), and the Trial Court Interpreter Employment and Labor Relations Act (Government Code section 71800 et seq.), a Board agent's decision becomes final unless the Board itself issues a decision not later than 180 days from the date exceptions were filed with the Board. The amendment to subdivision (b) includes a reference to new section 95150, which concerns petitions for certification under IHSSEERA.

Section 32500 provides for requests for judicial review concerning representation cases. The amendment to subdivision (a) includes a reference to new Chapter 10, which governs representation matters under IHSSEERA.

Section 32602 provides for the processing of unfair practice charges. Subdivision (a) sets forth the alleged violations that PERB will process as unfair practice charges. IHSSEERA provides PERB with the authority to investigate an alleged violation of IHSSEERA itself or a rule or regulation adopted by the Statewide Authority as an unfair practice charge. The amendments to subdivision (a) reference the authority provided to PERB and are necessary to clarify PERB's jurisdiction over unfair practice charges arising under IHSSEERA.

Section 32615 concerns the information required to be included in an unfair practice charge. Subdivision (a)(4) requires a charging party to list the sections of the Government Code or applicable local rule that are alleged to have been violated. The amendment to subdivision (a)(4) strikes language that is deemed to be duplicative because the MMBA, Trial Court Act, and Court Interpreter Act are all codified within the Government Code. The amendment to

subdivision (a)(4) adds a requirement that a charging party alleging a violation of a rule or regulation adopted by the Statewide Authority under IHSSEERA include a reference to that rule or regulation.

Section 32620 concerns the processing of unfair practice charges. Subdivision (b)(6) codifies the Board’s policy regarding deferral to arbitration. The amendment to subdivision (b)(6) adds a reference to IHSSEERA.

Section 32661 concerns the filing of repugnancy claims regarding unfair practice charge cases deferred to arbitration. Subdivision (a) provides that an unfair practice charge may be filed based on a claim that a settlement or arbitration award resulting from a deferred unfair practice charge is repugnant to the applicable Act. The amendment to subdivision (a) adds a reference to IHSSEERA.

Section 32700 concerns the requirements for valid proof of employee support in representation proceedings. Subdivision (a)(3) concerns proof of employee support for petitions seeking to rescind organizational security arrangements. The amendment to subdivision (a)(3) adds a reference to new Section 95300, which governs such petitions under IHSSEERA.

Section 32720 provides for when an election will be conducted in representation matters arising under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.). The amendment to this section adds a reference to IHSSEERA.

Section 32721 defines the term “parties” in representation matters arising under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.). The amendment to this section extends the definition of “parties” to include employees, employee organizations, and employers in representation matters arising under IHSSEERA.

Section 32724 provides for notification to employees in a voting unit when an election is to be conducted. Subdivision (b) sets forth the requirements for posting the notice of election. The addition of new subdivision (b)(2) adds posting language specific to elections conducted under IHSSEERA.

Section 32754 provides for when the Board must summarily dismiss a petition requiring a representation election. Under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.) a petition requiring a representation election must be dismissed if either of the following conditions exist: (1) the petition is filed outside of a designated “window period” for a current

collective bargaining agreement between the employer and exclusive representative; or (2) a representation election result has been certified affecting the described unit or a portion thereof within 12 months immediately preceding the date of filing of the petition. The former is colloquially referred to as “the contract bar” and the latter as the “certification bar.” The purpose of the contract bar is to balance the need for stability during the life a collective bargaining agreement with the employees’ right to free choice of their representative. The purpose of the certification bar is to provide an insulating period of 12 months to permit the employee organization to represent its unit and negotiate with the employer without interference with its representational rights. New subdivision (e) includes language to ensure that the contract bar and certification bar apply to representation petitions arising under IHSSEERA.

Section 32772 provides for notification to employees in a voting unit when a decertification petition has been filed. Subdivision (b) sets forth the requirements for posting notice of the decertification petition. The addition of new subdivision (b)(2) adds posting language specific to decertification petitions filed under IHSSEERA. The amendment to subdivision (c) includes language requiring a notice of a decertification petition filed under IHSSEERA to be posted for a minimum of 20 days.

Section 32776 provides the Board’s procedure for investigating petitions for decertification. The Board must summarily dismiss a petition requiring a representation election under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), and the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.) if either of the following conditions exist: (1) the petition is filed outside of a designated “window period” for a current collective bargaining agreement between the employer and exclusive representative; or (2) a representation election result has been certified affecting the described unit or a portion thereof within 12 months immediately preceding the date of filing of the petition. The former is colloquially referred to as “the contract bar” and the latter as the “certification bar.” The purpose of the contract bar is to balance the need for stability during the life a collective bargaining agreement with the employees’ right to free choice of their representative. The purpose of the certification bar is to provide an insulating period of 12 months to permit the employee organization to represent its unit and negotiate with the employer without interference with its representational rights. New subdivision (g) includes language to ensure that the contract bar and certification bar apply to petitions for decertification filed under IHSSEERA. New subdivision (h) (formerly subdivision (g)), defines “window period.” The amendment to this subdivision adds a reference to the “window period” for matters filed under IHSSEERA.

C. Amendments Only to the Authority and Reference Citations of Existing Regulations

Section 31001 provides for meetings of the Public Employment Relations Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s

extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32020 provides a definition for the term "Board." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32030 provides a definition for the term "Board itself." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32040 provides a definition for the term "Executive Director." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32050 provides a definition for the term "General Counsel." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32055 provides a definition for the term "Chief Administrative Law Judge." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32060 provides a definition for the term "headquarters office." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32075 provides a definition for the term "regional office." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32080 provides a definition for the term "day." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32090 provides for filing by facsimile machine. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations.

This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32091 provides for filing by electronic mail message. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32105 provides for the severability of PERB's regulations. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32132 concerns the requirements for an extension of time in which to file documents with the Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32135 concerns filing requirements. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32136 concerns late filing requirements. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32140 concerns service requirements. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32145 concerns the waiver of time period requirements for filing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32149 concerns the issuance of investigative subpoenas. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32150 concerns the issuance of subpoenas. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This

update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32162 concerns the confidentiality of Board investigations. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32164 concerns an application for joinder. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32165 concerns an application to join a representation hearing as a limited party. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32166 concerns an application to join a representation hearing as a full party. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32168 concerns the conduct of hearings. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32169 concerns the taking of depositions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32170 concerns the powers and authority of a Board agent conducting a hearing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32175 concerns the rules of evidence in representation cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32176 concerns the rules of evidence in unfair practice cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32178 concerns the burden of proof in unfair practice cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32180 addresses the rights of the parties in PERB hearings. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32185 concerns ex parte communications with Board agents. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32190 concerns filing and rulings on motions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32200 concerns the appeal of rulings on motions and other interlocutory matters. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32205 concerns requests for continuances. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32206 concerns the production of statements of witnesses after testimony. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32207 concerns stipulation of facts for purposes of hearing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32209 addresses the procedure for correction of hearing transcripts. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32210 concerns the filing of informational briefs and oral argument. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32212 concerns briefs and oral argument. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32215 concerns issuance of proposed decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32220 concerns contemptuous conduct by a party or a party's agent. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32230 concerns the refusal of a witness to testify. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32295 concerns ex parte communications with members of the Board itself or legal advisers to Board members. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32300 concerns the filing of exceptions to Board agent decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32310 provides for the filing of responses to exceptions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32315 provides for oral argument on exceptions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32320 concerns issuance of decisions by the Board itself. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32325 concerns the remedial powers of the Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32350 provides for a definition of administrative decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32360 concerns requirements for appeals of administrative decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32370 concerns requests for a stay. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32375 provides for responses to administrative appeals. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32380 provides for administrative decisions that are not appealable. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32400 provides that a motion for reconsideration is not required in order to exhaust administrative remedies. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32410 provides for the filing of requests for reconsideration. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32450 concerns the filing of requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32455 concerns the investigation of requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32460 provides for recommendations by the General Counsel concerning requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32465 provides for decisions by the Board itself concerning requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32470 addresses the authority of the General Counsel concerning requests for injunctive relief where a quorum of the Board itself is unavailable. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32605 concerns the number of copies of unfair practice charges required for filing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32612 specifies in which "regional office" unfair practice charge filings should be made. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32621 concerns the amending of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32625 concerns the withdrawal of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32630 concerns the dismissal of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32635 provides for the appeal of dismissals of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32640 concerns the issuance of complaints in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32644 provides for the filing of an answer in unfair practice charges where a complaint issues. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32645 concerns non-prejudicial errors in unfair practice charges and related documents. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32647 concerns amendments to complaints in unfair practice charge cases before hearing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32648 concerns amendments to complaints in unfair practice charge cases during a hearing. The proposed changes do not make any changes to the text of this section, but only

update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32649 concerns the filing of answers to amendments to complaints in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32650 concerns the conduct of informal settlement conferences in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32680 concerns the conduct of hearings on unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32690 concerns notice of hearing in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32722 concerns the creation of ballots in representation matters. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32726 concerns the employer's obligation to file a voter list with PERB. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32728 concerns the requirements for an employee to be eligible to vote in an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32730 concerns the parties' right to station observers at an election. The proposed changes do not make any changes to the text of this section, but only update the authority and

reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32732 concerns the power to challenge the eligibility of a voter. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32734 concerns the parties' right to station an authorized agent at the ballot count. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32735 concerns the resolution of challenged ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32736 provides for a runoff election in the event a valid election does not result in any of the choices receiving a majority of the valid votes cast. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32738 concerns the parties' ability to object to the conduct of an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32739 concerns a Board agent's powers and duties concerning objections to the conduct of an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32740 provides for a party's ability to withdraw any objections to the conduct of an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32742 provides for the hearing procedures to be used to resolve any objections or challenges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the

Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32744 provides the procedure in which a party may file exceptions to a Board agent's proposed decision on objections to the conduct of an election or challenged ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32746 concerns the revised tally of ballots following a ruling on challenged ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32748 permits any party to file objections to a revised tally of ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32750 concerns the certification of results of an election or certification of the exclusive representative. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32752 concerns when the Board may stay an election pending the resolution of an unfair practice charge relating to the voting unit. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32761 provides for the filing of petitions by employee organizations requesting amendment of certification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32762 concerns an employer's response to a petition for amendment of certification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32763 concerns the Board’s investigation following receipt of a petition for amendment of certification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32770 provides for the filing of decertification petitions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32774 provides the process by which the Board will determine proof of support. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32980 provides for the enforcement of compliance with final decisions of the Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32990 defines the term “agency fee” for purposes of these regulations and identifies the statutory provisions establishing agency fee under PERB’s jurisdiction. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32992 describes the requirements for notification to nonmembers regarding “agency fee.” The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32993 describes the exclusive representative’s obligation to administer an objection procedure regarding an agency fee. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32994 describes the process by which an agency fee payer may challenge the exclusive representative’s determination of the chargeable expenditures contained in the agency fee amount. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the

Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32995 describes the requirements concerning the escrow of agency fee amounts that are in dispute. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32996 provides for the filing of Agency Fee Appeals Procedures by exclusive representatives that receive agency fees. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

Section 32997 provides that violation of Sections 32990 through 32996 is an unfair practice. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under IHSSEERA.

CONSISTENT AND COMPATIBLE WITH EXISTING STATE REGULATIONS

During the process of developing these regulations and amendments, PERB has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

IHSSEERA's implementation affects hundreds of thousands of IHSS providers in California, the Statewide Authority, and the employee organizations that represent IHSS providers under IHSSEERA. PERB has already received numerous inquiries from the Statewide Authority, IHSS providers, and employee organizations that are potentially affected by the new legislation. Current PERB regulations implement the Board's jurisdiction over this statutory scheme only through temporary emergency regulations that will expire on June 5, 2014 without further action by PERB. The emergency regulations extend the scope of existing regulations to matters arising under IHSSEERA and add new procedures for the filing of representation petitions and unfair practice charges for these matters. The proposed regulations will ensure that the procedural and substantive rights of IHSS providers, employee organizations, and the Statewide Authority created under IHSSEERA remain protected by making the existing emergency regulations permanent. In so doing, California residents' welfare will receive the benefit of stable collective bargaining and dispute resolution, which translates to continuous delivery of the essential services that IHSS providers provide to California communities.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: Initial determination of the agency is that the proposed action would not impose any new mandate.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17500 et seq.: Initial determination of the agency is that the proposed action would not impose any new costs that must be reimbursed.

Other non-discretionary cost or savings imposed upon local agencies: Initial determination of the agency is that the proposed action would not result in any other non-discretionary cost or savings imposed upon local agencies.

Costs or savings to state agencies: Initial determination of the agency is that the proposed action would not result in any cost or savings to state agencies.

Cost or savings in federal funding to the state: None

Cost impact on representative private persons or businesses: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: Initial determination of the agency is that the proposed action will have no impact.

Significant effect on housing costs: The agency's initial determination is that there is no effect on housing costs.

The proposed regulations will not affect small business because they only affect public employers and public employees.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will not create or eliminate jobs in the State of California nor will they result in the elimination of existing businesses or create or expand businesses in the State of California.

The proposed regulations will ensure that the procedural and substantive rights of IHSS providers, employee organizations, and the Statewide Authority created under IHSSEERA remain protected by making the existing emergency regulations permanent. In so doing, California residents' will receive the benefit of stable collective bargaining and dispute resolution, which translates to continuous delivery of the essential services that IHSS providers provide to California communities.

PERB will continue to investigate the potential for economic impact through this rulemaking process.

CONSIDERATION OF ALTERNATIVES

A rulemaking agency must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the above-mentioned hearing or during the written comment period.

PRELIMINARY ACTIVITIES

PERB staff invited comments on possible regulation changes at PERB Advisory Committee meetings held on October 24, 2013 and November 14, 2013, and circulated discussion drafts of possible regulation changes both prior to and following that meeting.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its Sacramento Regional Office, located at 1031 18th Street, Sacramento, CA 95811. As of the date this notice is published in the California Regulatory Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations and the Initial Statement of Reasons. Copies of the proposed text, the initial statement of reasons, the modified text, if any, other information upon which the rulemaking is based, and the Final Statement of Reasons, when available, may be obtained by contacting Jonathan Levy or Kent Morizawa at the address or phone number listed below.

ADOPTION OF PROPOSED REGULATIONS, AVAILABILITY OF CHANGED OR MODIFIED TEXT AND FINAL STATEMENT OF REASONS

Following the hearing, the Board may adopt the proposed regulations substantially as described in this notice. If modifications are made that are sufficiently related to the originally proposed text, the modified text—with changes clearly indicated—shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulations and/or the final statement of reasons should be sent to the attention of Jonathan Levy or Kent Morizawa at the address indicated below. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

INTERNET ACCESS

The Board will maintain copies of this Notice, the Initial Statement of Reasons and the text of the proposed regulations on its web site, found at www.perb.ca.gov, throughout the rulemaking process. Written comments received during the written comment period will also be posted on the web site. The Final Statement of Reasons or, if applicable, notice of a decision not to proceed will be posted on the web site following the Board's action.

CONTACT PERSONS

Any questions or suggestions regarding the proposed action or the substance of the proposed regulations should be directed to:

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