

PERB 50 FORWARD

Celebrating 50 years of Labor Relations in California



California Public Employment Relations Board

Annual Report
Fiscal Year 2025 - 2026

PERB AT A GLANCE

PERB is a quasi-judicial agency created by the Legislature to:

- administer collective bargaining statutes,
- ensure their consistent implementation and application, and
- adjudicate labor relations disputes between parties.

Approximately 3 million public sector employees and over 5,000 public employers fall under the jurisdiction of PERB. The approximate number of employees under these statutes is:

- 587,000 in the public education system from pre-kindergarten through the community college level;
- 267,000 work for the State;
- 467,000 work for the University of California (UC), CSU, and UC Law, San Francisco;
- 1,745,000 work for cities, counties, special districts, and In-Home Support Service agencies; and
- the rest work for the trial courts, Judicial Council, and certain transit districts.

PERB also has jurisdiction over 40,000 state-funded early care and education childcare providers and 200,000 rideshare drivers.

TABLE OF CONTENTS

PERB AT A GLANCE	2
TABLE OF CONTENTS	3
LETTER FROM THE CHAIR	4
WHAT'S NEW	5
PERB 50 FORWARD.....	5
TNC ACT.....	5
ONGOING EFFORTS.....	5
OFFICE OF THE GENERAL COUNSEL	6
DIVISION OF ADMINISTRATIVE LAW JUDGES	7
STATE MEDIATION AND CONCILIATION SERVICES	7
HISTORY OF PERB	8
STATUTES UNDER PERB JURISDICTION.....	10
ORGANIZATIONAL STRUCTURE	11
BOARD MEMBERS	12
ADMINISTRATIVE LEADERSHIP	15
ORGANIZATIONAL CHART.....	17
MAJOR FUNCTIONS OF PERB.....	18
OFFICE OF THE GENERAL COUNSEL	19
THE REPRESENTATION PROCESS.....	20
RULEMAKING.....	23
COMPLIANCE	25
UNFAIR PRACTICE CHARGE.....	26
DIVISION OF ADMINISTRATIVE LAW	32
ADMINISTRATIVE ADJUDICATION	33
BOARD.....	35
APPEALS.....	35
STATE MEDIATION AND CONCILIATION SERVICE	36
SMCS (PRIVATE SECTOR)	37
SMCS CASE DISPOSITIONS.....	38
2025 – 2026 LITIGATION ACTIVITY	39
2025 – 2026 BOARD DECISIONS.....	46

LETTER FROM THE CHAIR

October 15, 2026

Dear Members of the State Legislature and fellow Californians:

I am pleased to submit the 2025 – 2026 Public Employment Relations Board (PERB) Annual Report. We continue our commitment to conducting agency activities with transparency and accountability. This report describes PERB activities, case dispositions, and other achievements of the Board's divisions in the past fiscal year. The report also describes PERB's statutory authority, jurisdiction, purpose, and duties.

The Board itself issued 78 decisions this fiscal year. Notably, 2026 also marks PERB's 50th anniversary, bringing the total number of decisions issued since our establishment in 1976 to 4,002. The Board is currently operating at full capacity, with five members and six legal advisors, placing us in a strong position to address the rising case numbers across the agency.

Other highlights from 2025 – 2026 include:

- 1,169 unfair practice charges filed
- 149 representation petitions filed
- 101 approved requests for mediation under EERA and HEERA
- 32 factfinding requests approved
- 62 formal hearings completed by administrative law judges
- 58 proposed decisions issued by administrative law judges
- 597 public sector & 624 private sector case mediations by State Mediation & Conciliation Service

These numbers reflect a significant caseload increase in the Office of the General Counsel and the State Mediation and Conciliation Services. We expect to see additional increases at the Division of Administrative Law and the Board itself in the next reporting period. PERB saw other significant workload increases with the implementation of the Transportation Network Company Drivers Labor Relations Act (TNC Act; Bus. & Prof. Code, § 7470 et seq.), which took effect on January 1, 2026. Preparing to effectively administer this Act required significant cross-divisional collaboration between Administrative Services and the Office of the General Counsel to develop a new data portal. We appreciate the allocation of funding necessary to meet this challenge head-on.

Finally, as we commemorate 50 years of labor relations in California, I would like to recognize the contributions of all PERB divisions in creating programming for our constituency during this fiscal year. Our efforts have included constituent training videos, monthly webinars, live panel discussions and receptions across our three regional offices, and a grand celebration hosted by the Berkeley Labor Center. Looking beyond this anniversary year, the Board is committed to sustaining and expanding our education and outreach initiatives to support our constituents.

Please visit our website at www.perb.ca.gov/ or contact PERB at (916) 322-3198 for further information.

Respectfully submitted,



WHAT'S NEW

PERB 50 FORWARD

2026 marks PERB's 50th anniversary. The agency is celebrating this milestone with a series of webinars, panel discussions, and a celebratory event for our constituents. The goal of these sessions is to increase educational efforts and information sharing in order to enhance the public service mission of PERB. These events were well received with a range of 90-383 live attendees for the monthly webinars.



TNC ACT

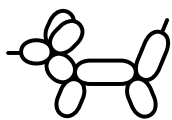
Transportation Network Company Drivers Labor Relations Act (TNC Act)

Codified at Business and Professions Code section 7470 et seq.

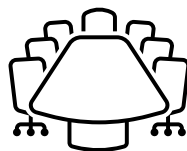
The TNC Act affords transportation network company (TNC) drivers the right to form, join, and participate in activities of TNC driver organizations, including to bargain collectively through such an organization, or to refrain from such activities. PERB is statutorily mandated to oversee certification, representation, and bargaining procedures under the TNC Act.

A momentous law that has expanded our jurisdiction to include private-sector workers. On June 2, 2026, PERB determined that the California Gig Workers Union (CGWU), Case No. SA-TD-1-R demonstrated support from at least 10 percent of active transportation network company drivers pursuant to Business and Professions Code section 7470.8(a)(1)(B). PERB also built a data portal to securely share information between transportation network companies and the union.

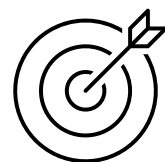
ONGOING EFFORTS



Continue constituent outreach through information sharing opportunities.



Respond to the rising caseload, onboard new General Counsel.



Successfully navigate and strengthen effectiveness across expanded jurisdiction.

OFFICE OF THE GENERAL COUNSEL

Fiscal Year 2025-2026 brought unprecedented challenges to PERB's Office of the General Counsel (OGC). These included record unfair practice charge filings, obtaining jurisdiction over private companies, and the resignation of PERB's longtime General Counsel, J. Felix De La Torre. Despite these obstacles, OGC staff adapted and continued to serve PERB's constituents effectively.

In fiscal year 2025-2026, PERB received a record 1,169 new unfair practice charge filings. This represented a more than 60 percent increase compared to the 707 new charge filings in 2024-2025, and to the average of 721 per year over the last 20 years.

A large portion of the increase was driven by unrepresented parties using generative artificial intelligence to assist with or generate their filings. The challenge presented by the increased number of new filings was compounded by an increase in the number of amended charges and other filings submitted by these unrepresented parties in the same case.

To respond to this sudden and unprecedented workload increase, OGC leadership implemented new ideas to process cases more efficiently. These innovations included modifying internal practices, such as issuing more streamlined documents and distributing assignments in a more equitable way across the regional offices. In addition, other divisions of the agency stepped up to provide staff support for OGC. And OGC was able to add new staff, including four new attorneys and the division's first non-attorney, a labor relations specialist, in more than a decade. As a result of these changes and new staff, OGC closed 999 charge investigation projects during the fiscal year, a nearly 70 percent increase over the 591 charge investigations closed in 2024-2025.

Increased workload was not limited to unfair practice charges. OGC also dealt with significant increases in the number of new representation cases (144 investigations completed in 2025-2026, compared to 100 in 2024-2025) and requests for impasse determination (118 investigations completed in 2025-2026, compared to 56 in 2024-2025), and conducted 482 informal conferences, compared to 399 in 2024-2025.

OGC was also responsible for major components of implementing the Transportation Network Company Drivers Labor Relations Act, which took effect on January 1, 2026. This statute is among the first in the United States to establish a collective bargaining framework granting drivers for app-based transportation network companies the right to form, join, and participate in the activities of driver organizations (i.e., unions) with respect to terms and conditions of work.

Fiscal year 2025-2026 also saw the departure of J. Felix De La Torre, who had served General Counsel since 2015. Although Mr. De La Torre's contributions are greatly missed, OGC staff stepped up to ensure the OGC continued to perform its important role in PERB's expanding mission.

DIVISION OF ADMINISTRATIVE LAW JUDGES

PERB will now refer to the Division of Administrative Law (DAL) as the Division of Administrative Law Judges (DALJ) beginning in fiscal year 2026/27. All legal units at PERB practice in administrative law and the defining characteristic of the division is that it consists mainly of judges. This minor change will reflect this division's unique role within the agency. It will also reduce confusion with other public entities such as the Office of Administrative Law and with the PERB Division of Administrative Services. The potential for confusion in using the DALJ name is minimal because the proposal fully includes the existing name. Note that full-scale adoption of the change cannot be done purely internally because certain statutes (e.g., Prohibition on Public Employers Deterring or Discouraging Union Membership (PEDD) 3551.5, subd. (b)(1) and Public Employee Communication Chapter (PECC) 3558, subd. (d)(4)) and PERB Regulations (e.g., Reg. 31100 [Appendix], Reg. 32611.8, subs. (a)(5)) refer to the name DAL. Until the regulation clean-up opportunity comes, PERB will adopt this change on our website and in documents, including outgoing decisions.

STATE MEDIATION AND CONCILIATION SERVICES (SMCS)

PERB has accepted requests for mediation and union certification elections from private sector employers and unions since March 2025. This work is not budgeted, but PERB has been able to increase capacity with retired annuitants. The demand has remained steady over the past year. This work positively impacts state and local economies, as the State's private sector constituents include major agricultural companies, hospitality industry businesses in high tourism areas, utility providers and most recently rideshare companies. Unresolved grievances under collective bargaining agreements involving work rules and employee rights can affect contract negotiations and have the potential to lead to impasses and strikes. During the 2025/26 fiscal year, SMCS conducted 624 private sector cases.

HISTORY OF PERB

PERB's origins begin in the late 1970s with the passage of three foundational laws governing public sector collective bargaining in California. In 1976, State Senator Albert S. Rodda authored the Educational Employment Relations Act (EERA). EERA established collective bargaining in California's public schools (K-12) and community colleges. EERA also established the Educational Employment Relations Board, which would later become the Public Employment Relations Board. In 1978, the State Employer-Employee Relations Act, now known as the Ralph C. Dills Act, established collective bargaining for State employees. Assemblyman Howard Berman authored the Higher Education Employer-Employee Relations Act (HEERA) in 1979. It extended collective bargaining to the California State University, University of California, and Hastings College of Law (now the University of California College of the Law, San Francisco).

Over twenty years later, in 2001, PERB acquired jurisdiction over the Meyers-Milias-Brown Act (MMBA) of 1968. MMBA established collective bargaining for California's cities, counties, and local special districts. PERB's MMBA jurisdiction excludes individual peace officers, management employees, and the City and County of Los Angeles. This expansion doubled the number of public sector employees under PERB's jurisdiction.

In 2004, the Legislature expanded PERB's jurisdiction with the passage of the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA). TEERA established collective bargaining for the Authority's supervisory employees. PERB was also given jurisdiction over the Trial Court Employment Protection and Governance Act and the Trial Court Interpreter Employment and Labor Relations Act.

The Legislature expanded PERB's jurisdiction again in June 2012 with the passage of the In-Home Supportive Service Employer-Employee Relations Act (IHSSEERA). IHSSEERA initially covered eight counties with an additional four counties added in July 2015. The Legislature repealed IHSSEERA in June of 2017. As a result, IHSS providers returned to coverage under the MMBA.

The Governor's Reorganization Plan 2 placed PERB under the California Labor and Workforce Development Agency in 2012. Senate Bill 1038 also moved the State Mediation and Conciliation Service (SMCS) from the Department of Industrial Relations to PERB. The Legislature formed SMCS in 1947 after the federal enactment of the Taft Hartley Act.

The passage of Assembly Bill 119 in 2017 enacted the Public Employee Communication Chapter (PECC). In 2018, Senate Bill 866 made PERB responsible for the administration and enforcement of the Prohibition on Public Employers Deterring or Discouraging Union Membership (PEDD). Effective January 1, 2028, the Judicial Council Employer-Employee Relations Act (JCEERA) established collective bargaining for employees of the Judicial Council.

Another significant expansion of PERB's jurisdiction occurred in 2019. The Building a Better Early Care and Education System Act expanded PERB's jurisdiction beyond public sector employees. It gave PERB jurisdiction over the collective bargaining relationship between family childcare providers, their provider organization, and the State. Assembly Bill 355 gave PERB jurisdiction over the Orange County Transportation Authority.

In 2020, AB 2850 established PERB's jurisdiction over the San Francisco Bay Area Rapid Transit District (BART). Then in 2021, Senate Bill 598 gave PERB jurisdiction over the Sacramento Regional Transit District (SacRT). 2022 was the fourth consecutive year that the Legislature added public transit districts to PERB's jurisdiction. Senate Bill 957 gave PERB jurisdiction over the Santa Cruz Metropolitan Transit District. Assembly Bill 2524 gave PERB jurisdiction over the Santa Clara Valley Transportation Authority.

In 2023, the Legislature passed the Legislature Employer-Employee Relations Act (LEERA), which took effect in July of 2026. LEERA establishes collective bargaining for some employees of the California Legislature and gives PERB jurisdiction to administer and enforce the Act, including unfair practice charges and representation matters.

Effective January 1, 2026, pursuant to Assembly Bill 1340 (Chapter 335, Statutes of 2025), the Transportation Network Company Drivers Labor Relations Act (TNC Act) establishes collective bargaining for TNC drivers.

Also effective January 1, 2026, pursuant to Assembly Bill 288 (Chapter 139, Statutes of 2025), Labor Code section 923.1 vested PERB with jurisdiction over disputes arising under the National Labor Relations Act (NLRA) to the extent the NLRA is repealed, narrowed, or its enforcement enjoined, or if the National Labor Relations Board (NLRB) expressly or impliedly cedes jurisdiction, including if it lacks a quorum, loses independence, or exceeds specified case-resolution timeframes. A U.S. District Court Judge issued a preliminary injunction enjoining PERB from enforcing the law with narrow exceptions. Litigation is ongoing with the preliminary injunction in place.

STATUTES UNDER PERB JURISDICTION

- [Educational Employment Relations Act](#) (EERA) (Government Code § 3540 et seq.)
- [State Employer-Employee Relations Act](#) (Dills Act) (Government Code § 3512 et seq.)
- [Higher Education Employer-Employee Relations Act](#) (HEERA) (Government Code § 3560 et seq.)
- [Meyers-Milias-Brown Act](#) (MMBA) (Government Code § 3500 et seq.)
- [Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act](#) (TEERA) (Public Utilities Code § 99560 et seq.)
- [Trial Court Employment Protection and Governance Act](#) (Trial Court Act) (Government Code § 71630 et seq.)
- [Trial Court Interpreter Employment and Labor Relations Act](#) (Court Interpreter Act) (Government Code § 71800 et seq.)
- [Judicial Council Employer-Employee Relations Act](#) (JCEERA) (Government Code § 3524.50 et seq.)
- [Public Employee Communications Chapter](#) (PECC) (Government Code § 3555 et seq.)
- [Prohibition on Public Employers Deterring or Discouraging Union Membership](#) (PEDD) (Government Code § 3550 et seq.)
- [Building a Better Early Care and Education System Act](#) (CCPA) (Welfare and Institutions Code § 10420 et seq.)
- [Orange County Transportation District Act](#) (OCTDA) (Public Utilities Code § 40122.1)
- [San Francisco Bay Area Rapid Transit District](#) (BART) (Public Utilities Code § 28848 et. seq.)
- [Sacramento Regional Transit District Act](#) (SacRTD Act) (Public Utilities Code § 102398 et. seq.)
- [Santa Cruz Metropolitan Transit District Act](#) (SC Metro) (Public Utilities Code § 98160 et. seq.)
- [Santa Clara Valley Transportation Authority](#) (VTA) (Public Utilities Code § 100300 et. seq.)
- [Transportation Network Company Drivers Labor Relations Act](#) (TNC Act) (Business and Professional Code § 7470 et. seq.)
- [Labor Code section 923.1](#) Effective January 1, 2026, pursuant to Assembly Bill 288 (Chapter 139, Statutes of 2025), Labor Code section 923.1 vested PERB with jurisdiction over disputes arising under the National Labor Relations Act (NLRA). This is mostly enjoined with litigation ongoing as of the date of this report.
- [Legislature Employer-Employee Relations Act](#) (LEERA) (Government Code § 3599.50 et seq.)

ORGANIZATIONAL STRUCTURE

PERB is comprised of four distinct divisions and the Board itself. The four divisions are:

- the Office of the General Counsel
- the Division of Administrative Law
- the Division of State Mediation and Conciliation Service
- the Division of Administration

PERB is headquartered in Sacramento and has three regional offices:

- the Sacramento Regional Office (SRO) in Sacramento
- the Los Angeles Regional Office (LARO) in Glendale
- the San Francisco Regional Office (SFRO) in Oakland

BOARD MEMBERS

Eric R. Banks, Chair

Eric R. Banks has been a Member of the Board since his first appointment by Governor Edmund G. Brown, Jr. in 2013. Under that administration, he was reappointed in 2015 and 2017. Governor Gavin Newsom designated Banks Chairperson in 2021 and reappointed him under that designation in January of 2022. Before his appointment, he was a partner at Ten Page Memo, LLC, providing organizational consulting services. From 2001 to 2013, he worked for Service Employees International Union, Local 221, representing public employees in San Diego and Imperial Counties as Advisor to the President and Director of Government and Community Relations. He was also the first openly gay person to be elected President of that union. Before moving to California, Chair Banks was dedicated to advancing education, service delivery, and public policy for people living with HIV/AIDS. He served as Policy Associate for State Government Affairs at the New York AIDS Coalition in Albany, NY, from 2000 to 2001 and worked for the Southern Tier AIDS Program in Upstate New York from 1993 to 2000. He received a Bachelor of Science from Binghamton University.

Chair Banks' term expires December 2026.

Arthur A. Krantz, Board Member

Arthur A. Krantz was first appointed to the Board by Governor Edmund G. Brown Jr. in 2018, and Governor Gavin Newsom reappointed him in January 2021 for a five-year term. For more than 20 years prior to his service on the Board, Member Krantz represented unions, employees, and nonprofits in litigation, arbitration, and administrative cases, and he worked on law reform, organizing, negotiations, and strategic campaigns to effect social change. Member Krantz did this work as an associate and partner at Leonard Carder, LLP. Prior to that, Krantz spent one year clerking for the Honorable Ellen Bree Burns at the United States District Court, District of Connecticut. Member Krantz serves as co-editor-in-chief of California Public Sector Labor Relations. He frequently contributes to other publications and presents at conferences.

Member Krantz has served as a pro bono asylum attorney, a lecturer and practitioner-advisor at U.C. Berkeley School of Law, and an Executive Committee Member of the California Lawyers Association Labor & Employment Law Section. He received his B.A. from Yale University and his J.D. from NYU School of Law, where he was a Root Tilden Public Interest Scholar. During college, Member Krantz's work in a dining hall led him to serve as a shop steward and contract negotiating team member for UNITE HERE Local 35.

Member Krantz's term expires December 2030.

Lou Paulson, Board Member

Lou Paulson was first appointed to the Board by Governor Gavin Newsom on February 6, 2019, and was reappointed to a second term by Governor Newsom on January 12, 2024. Prior to his appointment Member Paulson served as the President of the California Professional Firefighters and as Vice President of the California Labor Federation. He also had a 34-year career in the Fire Service, 26 of those with the Contra Costa County Fire Protection District.

Member Paulson has participated on many Local and National Boards and Commissions including the U.C. Berkeley Labor Center Advisory Board and the National Fire Protection Board of Directors. Member Paulson has lectured and taught nationally and internationally on labor relations and leadership. He received a Bachelor of Science degree from San Francisco State University.

Member Paulson's term expires December 2028.

Mark Krausse, Board Member

Mark Krausse, of Clarksburg, was appointed by Governor Gavin Newsom on June 21, 2024. Member Krausse was Director of State Agency Relations for Pacific Gas and Electric since 2007. He was Executive Director of the Fair Political Practices Commission from 2000 to 2007. Member Krausse was Director of Government Relations for the Doctors Company from 1996 to 1997 and Senior Consultant in the California State Senate from 1994 to 1996. Member Krausse was Senior Consultant in the California State Assembly from 1991 to 1994 and an Associate Consultant in the California State Senate from 1988 to 1990. Member Krausse earned a Bachelor of Arts degree in Government from California State University, Sacramento and a Juris Doctor degree from the University of the Pacific, McGeorge School of Law.

Member Krausse's term expires December 2029.

Eraina Ortega, Board Member

Eraina Ortega was appointed to the Board by Governor Gavin Newsom in 2025. Member Ortega was previously the Director of the California Department of Human Resources from 2019 to 2025 where she represented the State employer in all matters concerning human resources and employer-employee relations. Member Ortega has more than 27 years' experience working in the Executive, Legislative and Judicial Branches, as well as representing counties.

Member Ortega previously served as the first Inspector General at the California Department of Transportation, Chief Deputy Director of Policy at the California Department of Finance, Manager at the Judicial Council, and Fiscal and Policy Analyst at the Legislative Analyst's Office.

Member Ortega earned a Master of Public Policy Degree from Harvard University, John F. Kennedy School of Government, and a Bachelor of Arts degree in Political Science from the University of California, Irvine.

Member Ortega's term expires December 2027.

ADMINISTRATIVE LEADERSHIP

Susan Davey, Executive Director

Susan Davey was hired as the Executive Director in April 2025 after serving as the PERB Deputy Executive Director since March 2020. Previously, Ms. Davey was a Labor Relations Manager II at the State Compensation Insurance Fund and, before that, she worked at the California Department of Public Health as a Labor Relations Manager I. She has worked in state civil service since 2005 serving in various administrative roles for the Department of State Hospitals, including as the Hospital Administrative Resident and Accounting Administrator.

Ms. Davey earned her law degree from San Joaquin College of Law in 2014 and holds Masters Degrees in Business Leadership Studies and Peacemaking and Conflict Studies from Fresno Pacific University. She has a certificate in Labor Management Relations from the U.C. Davis Extension, as well as a certificate in Workplace Mediation from Fresno Pacific University. Most recently, Ms. Davey completed the U.C. Davis Executive Leadership Program in spring 2026.

Joseph Eckhart, Interim General Counsel

Joseph Eckhart joined PERB in 2012 as a Regional Attorney in the Office of General Counsel. From April 2017 through December 2018, he served as Legal Advisor to Board Member Priscilla S. Winslow. In January 2019, he returned to the Office of General Counsel, where he has served as a Senior Regional Attorney, Principal Attorney Supervisor, and, since July 2025, Deputy General Counsel.

Mr. Eckhart received a Bachelor of Arts in Political Science from the University of California, San Diego and a Juris Doctorate from the University of California College of the Law, San Francisco (formerly Hastings College of the Law).

Former General Counsel, J. Felix De La Torre, resigned his position in March 2026.

Eric J. Cu, Chief Administrative Law Judge

Eric J. Cu has been appointed as the Chief Administrative Law Judge, effective December 2024 after serving as Interim Chief Administrative Law Judge since August 2024. He first became an ALJ for PERB in 2011 and has also served as a Senior ALJ and as the Deputy Chief ALJ. In all that time, Mr. Cu has presided over and decided more than 160 cases. Immediately before that, Mr. Cu was a Regional Attorney in PERB's Office of the General Counsel from 2005 to 2011, making him PERB's longest continuously-serving employee. From 2004 to 2005, Mr. Cu worked as an Associate with the law firm Rothner, Segall & Greenstone, where his practice focused on traditional labor and employment law in the

public and private sector. Mr. Cu has also served as a volunteer Associate Editor for The Developing Labor Law treatise for 20 years. He graduated from Loyola Law School, Los Angeles, in 2004.

Gerald Fecher, Director, Division of State Mediation and Conciliation Service

Gerald Fecher joined SMCS in 2009 when it was a part of the Department of Industrial Relations. He served as a Presiding Mediator for SMCS from 2013 to 2020 before becoming Interim Director in 2020, and then Director in 2021. Prior to SMCS, he was a business representative with the International Brotherhood of Electrical Workers, Local 465, in San Diego from 1997 to 2009.

Mr. Fecher holds a Juris Doctor degree from Temple University Beasley School of Law, and during his law school tenure, interned at the National Labor Relations Board Region 21 Resident Office, in San Diego. He has served twice as President of the San Diego Chapter of the Labor and Employment Relations Association (LERA). Fecher is the author of all three editions of the CPER Pocket Guide to Public Sector Mediation in California.

Jorrell Sorensen, Deputy Executive Director

Jorrell Sorensen was appointed Deputy Executive Director of the Public Employment Relations Board in October 2025. Prior to joining PERB, he served as Director of Employee Relations at the State Compensation Insurance Fund and previously worked as a Labor Relations Specialist at State Fund and the California Department of Corrections and Rehabilitation. Before entering state service in 2017, he worked for United Parcel Service in employee and labor relations.

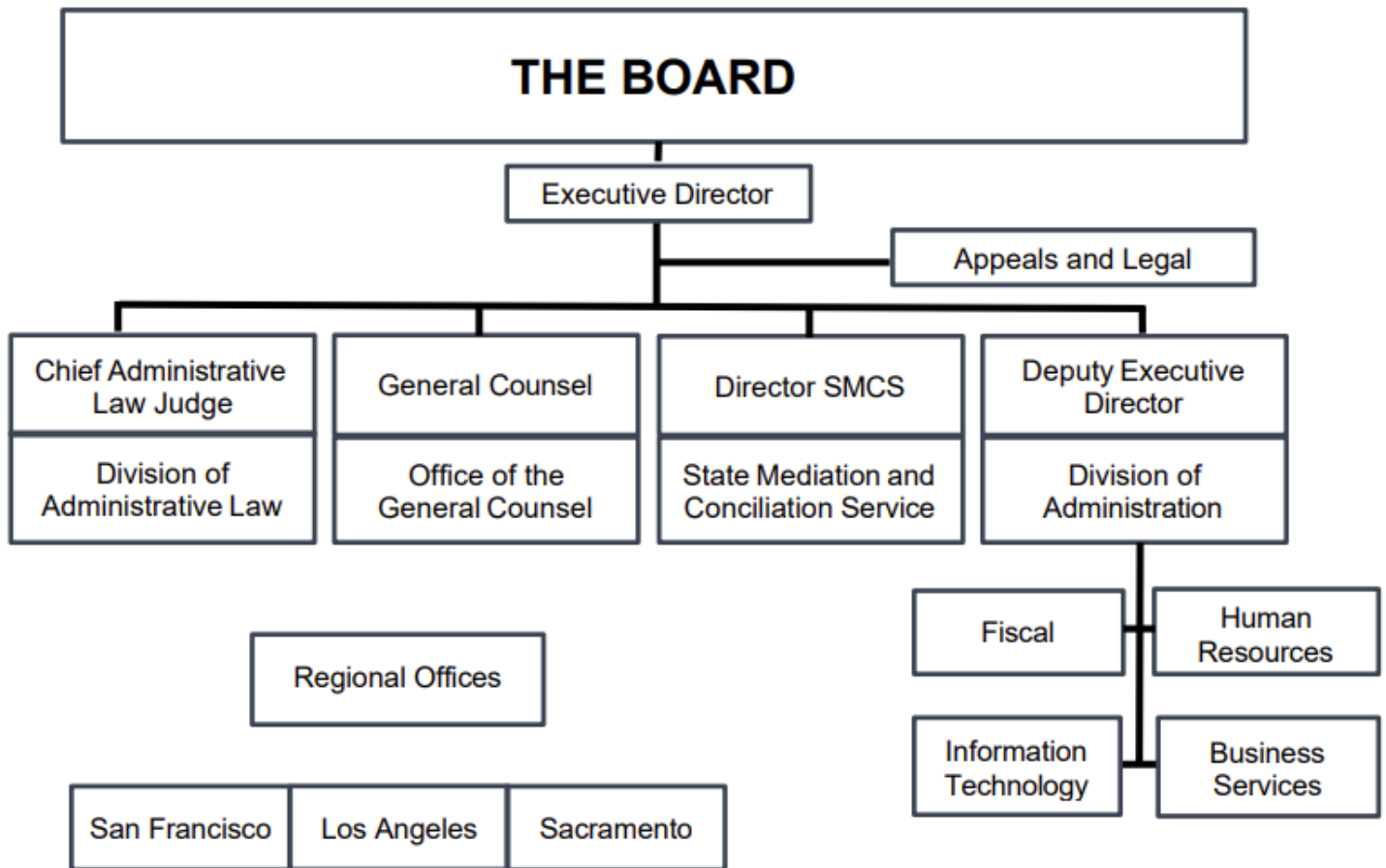
Mr. Sorensen earned his Bachelor of Arts degree in Government and Geography, with honors, from California State University, Sacramento. He has also completed professional programs in Human Resources Management, Project Management, labor relations, collective bargaining, and negotiations.

VACANT, Deputy General Counsel

Valerie Racho, Deputy Chief Administrative Law Judge

Valerie Pike Racho was appointed Deputy Chief Administrative Law Judge in December 2024. She started her legal career at PERB as a law school extern in 2006, having been inspired to practice labor law by her father's long affiliation with the Teamsters union. In 2007, she joined PERB's Office of the General Counsel as a Regional Attorney and became an Administrative Law Judge in 2012. Ms. Racho received her undergraduate degree with a double major in Psychology and Radio, Television & Film from California State University, Long Beach and worked in film production before attending and graduating from Southwestern Law School in 2006.

ORGANIZATIONAL CHART



MAJOR FUNCTIONS OF PERB

The major functions of PERB include:

- (1) the investigation and adjudication of unfair practice charges;
- (2) the administration of the representation process through which public employees select employee organizations to represent them in their labor relations with their employer;
- (3) adjudication of appeals of Board agent determinations to the Board itself;
- (4) the legal representation functions performed by the Office of the General Counsel (OGC); and
- (5) the mediation services provided by the State Mediation and Conciliation Service (SMCS).

OFFICE OF THE GENERAL COUNSEL

The legal representation function of the Office of the General Counsel includes:

- defending final Board decisions or orders in unfair practice cases when parties seek review of those decisions in the State appellate courts;
- overseeing the preparation of the administrative record for litigation;
- seeking enforcement when a party refuses to comply with a final Board decision, order, or ruling, or with a subpoena issued by PERB;
- seeking appropriate interim injunctive relief against those responsible for certain alleged unfair practices;
- defending the Board against attempts to stay its activities, such as superior court complaints seeking to enjoin PERB hearings or elections; and
- defending the jurisdiction of the Board, submitting motions, pleadings, and amicus curiae briefs, and appearing in cases in which the Board has a special interest.

MEDIATION AND FACTFINDING

PERB staff help parties in reaching negotiated agreements through the mediation process provided in EERA, HEERA, and the Dills Act, and through the factfinding process provided under EERA, HEERA, and the MMBA.

Under EERA, HEERA, and the Dills Act, if the parties are unable to reach an agreement during negotiations either party may declare an impasse and request the appointment of a mediator. A Board agent contacts both parties to determine if they have reached a point in their negotiations that further meetings without the help of a mediator would be futile. Once PERB has determined that impasse exists, an SMCS mediator is appointed to assist the parties in reaching an agreement.

If settlement is not reached during mediation under EERA or HEERA, either party may request the initiation of statutory factfinding procedures, and PERB appoints a neutral factfinding chairperson. The panel also includes representatives of the employer and the employee organization. The panel makes findings of fact and advisory recommendations to the parties about settlement terms.

Under the MMBA, the employee organization may request the initiation of statutory factfinding procedures if the parties reach impasse during negotiations, and a settlement is not achieved through dispute resolution procedures authorized by local rules.

If the employee organization requests factfinding, PERB appoints a neutral factfinding chairperson. The panel also includes representatives of the employer and the employee organization. The panel makes findings of fact and advisory recommendations to the parties about settlement terms.

EERA Impasse and Factfinding Cases

In Fiscal Year 2025-2026, PERB received 113 requests for impasse determination under EERA. Of those, 99 were approved, 7 were withdrawn, and 7 were denied.

PERB received 33 requests for factfinding under EERA, and appointed a factfinding panel chair in 29 of those cases. Four requests were withdrawn.

HEERA Impasse and Factfinding Cases

PERB received three requests for impasse determination under HEERA. Two were approved and one was denied.

PERB received three requests for factfinding under HEERA, and appointed panel chairs in all three cases.

Dills Act Impasse Case

PERB received one request for impasse determination under the Dills Act, which was approved.

MMBA Factfinding Cases

PERB received 29 factfinding requests under the MMBA. Of those, 22 were approved, 5 were withdrawn, and two were denied.

THE REPRESENTATION PROCESS

The representation process begins when an employee organization files a petition to represent employees. The employees must be in classifications that have an internal and occupational community of interest. The employer must grant recognition to the employee organization as the exclusive representative of the bargaining unit when only one petition was filed, the petitioning organization has majority support, and the parties agree on the composition of the bargaining unit.

If another employee organization has filed a valid intervention petition with proof of at least 30 percent support among employees, an election is mandatory.

If there is a dispute about the appropriateness of the proposed bargaining unit, PERB must resolve the dispute. A Board agent may hold an informal settlement conference to explore voluntary resolution. If the dispute cannot be settled, a Board agent may conduct a formal investigation, a formal hearing, and issue either an administrative determination or a proposed decision.

That determination or decision sets forth the appropriate bargaining unit or modification of the existing unit based upon statutory unit-determination criteria and appropriate case law.

After the establishment of the bargaining unit, PERB may conduct a representation election. As noted, a representation election is not needed if the statute requires the employer to grant recognition to an employee organization as the exclusive representative where the proof of support exceeds a majority of the bargaining unit.

PERB also conducts decertification elections. A decertification election can occur when a rival employee organization or group of employees obtains enough signatures to call for an election to remove the incumbent organization.

REPRESENTATION ACTIVITY

PERB received 149 new representation petitions in Fiscal Year 2025 – 2026, compared to 112 in the prior Fiscal Year. As shown, the total number of petitions for FY 2025 – 2026 includes: 82 unit modification petitions, 32 recognition petitions, 18 decertification petitions, 7 requests for amendment of certification, 5 petitions for certification, 3 severance requests, 1 application for designation as a TNC driver organization, and 1 request for 10 percent determination under the TNC Act.

Case Type	Number Filed
Unit Modification	82
Request for Recognition	32
Decertification	18
Amendment of Certification	7
Petition for Certification	5
Severance	3
Application for Designation as TNC Driver Organization	1
Request for Ten Percent Determination (TNC)	1

PERB conducted eight elections in Fiscal Year 2025 – 2026. A total of 9,465 employees were eligible to vote in these elections, with 7,195 employees in the largest bargaining unit and 6 in the smallest.

Case Number	Employer	Unit Type	Winner	Unit Size
SA-DP-291-M	Consolidated Irrigation District	Water Irrigation Specialists	No Representation	20
SF-PC-161-H	Regents of the University of California	Research and Public Service Professionals	Research and Public Service Professionals – UAW	7,195
SA-DP-292-M	Sacramento-Yolo Mosquito & Vector Control District	Maintenance, Operations, Administrative, and Technical	Operating Engineers Local Union 3	53
SF-DP-352-M	City of San Bruno	Management	No Representation	6
SA-RR-1224-E	Elk Grove Unified School District	Classified	Elk Grove Business and Education Support	181
LA-DP-480-E	Albert Einstein Academies	Certificated	Einstein Educators Collective, CTA/NEA	80
SF-PC-162-H	Regents of the University of California	Miscellaneous Professionals	ComMas - UAW	1,918
LA-DP-481-M	Cambria Community Healthcare District	General Unit	Run-off needed	12

RULEMAKING

PERB initiated and continued work on several rulemaking packages in Fiscal Year 2025-2026. The Board initiates the rulemaking packages in response to legislative changes, judicial decisions, PERB's Case Processing Efficiencies Initiative, or the need to update obsolete rules. Current and recently completed rulemaking can be viewed at: <https://perb.ca.gov/laws-and-regulations/rulemaking/>.

Transit: Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority – This rulemaking package created new regulations concerning the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority. Work on this rulemaking package is complete; the regulations took effect October 1, 2025.

Miscellaneous Case Processing Procedures – This rulemaking package consists of the adoption of PERB Regulation 32161 and the amendment of PERB Regulations 32150 and 32635. PERB Regulation 32161 governs participation in PERB proceedings and institutes rules regarding the recording, photographing, and broadcasting of PERB proceedings. Amended regulation 32150 corrects a scrivener's error that incorrectly cites to a subdivision relating to motions to revoke or limit testimonial subpoenas. Amended regulation 32635 implements procedures governing the appeal of dismissals of unfair practice charges, which includes rules concerning word limits and briefing schedules for appeals, oppositions, and reply briefs. Work on this rulemaking package is complete; the regulations took effect July 1, 2026.

Legislature Employer-Employee Relations Act (LEERA) – This rulemaking package implements, at Chapter 9 of the regulations, rules concerning PERB's enforcement of LEERA. LEERA confers upon most employees of the California Legislature the right to form, join, and participate in employee organizations for representation in all matters concerning employer-employee relations, as well as the right to refrain from doing so. In addition, the rulemaking package refines existing definitions and eliminates redundant terms. Work on this rulemaking package is complete; the regulations took effect on July 1, 2026, simultaneously with LEERA itself.

Voting in Electronic Elections – The proposed text of this rulemaking package provides guidance and procedures for PERB to conduct representation elections using electronic means. Work on this rulemaking package is expected to continue through FY 2026 - 2027.

Transportation Network Company Drivers Labor Relations Act (TNC Act) – The proposed regulations implement the TNC Act, which establishes a collective bargaining framework granting transportation network company drivers in the State of California the right to form, join, and participate in the activities of transit network company driver organizations (i.e., unions) with respect to terms and conditions of work, as well as the right to refrain from doing so. Work on this rulemaking package is expected to continue through FY 2026 - 2027.

Requests for Accommodation for Persons with Disabilities – The proposed regulations update the Board's rules that govern requests for reasonable accommodations. Work on this rulemaking package is expected to continue through FY 2026 - 2027.

LEGISLATION

PERB monitors legislation concerning labor relations statutes under PERB's jurisdiction. In Fiscal Year 2025-2026, four bills were signed into law by Governor Newsom.

Assembly Bill 288 (Chapter 139, Statutes of 2025)

Assembly Bill 288 vested PERB with jurisdiction over disputes arising under the National Labor Relations Act (NLRA) to the extent the NLRA is repealed, narrowed, or its enforcement enjoined, or if the National Labor Relations Board expressly or impliedly cedes jurisdiction, including if it lacks a quorum, loses independence, or exceeds specified case-resolution timeframes. A U.S. District Court Judge issued a [preliminary injunction](#) enjoining PERB from enforcing the law except where the NLRA is repealed, narrowed, or its enforcement is enjoined, or the NLRB has expressly ceded jurisdiction. The injunction does not permit PERB to enforce the law based on lack of quorum, loss of independence, or speed of case resolution. Litigation is ongoing with the preliminary injunction in place.

Assembly Bill 339 (Chapter 687, Statutes of 2025)

Assembly Bill 339 amended the Meyers-Milias-Brown Act (Government Code § 3500 et seq.) to require local public agencies to give recognized employee organizations at least 45 days' written notice before issuing a request for proposals or request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization, subject to certain exceptions.

Assembly Bill 1340 (Chapter 335, Statutes of 2025)

Assembly Bill 1340 enacted the Transportation Network Company Drivers Labor Relations Act, which gives transportation network company (TNC) drivers the right to form, join, and participate in the activities of TNC driver organizations, to bargain through representatives of their own choosing, to engage in concerted activities for the purpose of bargaining or other mutual aid or protection, and to refrain from such activities. PERB has exclusive initial jurisdiction over representation matters and unfair practice disputes under the Act.

Assembly Bill 1510 (Chapter 454, Statutes of 2025)

Assembly Bill 1510 amended the Santa Clara Valley Transportation Authority Act to authorize any charging party, respondent, or intervenor aggrieved by a final decision or order of PERB in an unfair practice case, except a decision of PERB not to issue a complaint in such a case, to petition for a writ of extraordinary relief from that decision or order in the court of appeal. It also authorizes PERB to seek enforcement of any final decision or order in the court of appeal or superior court.

COMPLIANCE

In Fiscal Year 2025-2026, PERB initiated compliance proceedings in 41 unfair practice cases in which a final PERB decision resulted in a finding of a violation of a statute within PERB's initial exclusive jurisdiction. This reflected a slight decrease in compliance activity over the prior fiscal year, where 62 compliance proceedings were initiated. However, PERB completed 54 compliance proceedings in Fiscal Year 2025-2026, an increase compared to the 43 compliance proceedings completed in Fiscal Year 2024-2025.

UNFAIR PRACTICE CHARGE

The major function performed by the Office of General Counsel is the investigation and resolution of unfair practice charges (UPCs). Employers, employee organizations or employees may file UPCs. Members of the public may also file a charge. Public charges may only be about alleged violations of public notice requirements under the Dills Act, EERA, HEERA, and TEERA.

A UPC alleges an employer or employee organization engaged in unlawful conduct under one of the statutes PERB administers.

Examples of unlawful employer conduct include:

- refusing to negotiate in good faith with an employee organization;
- disciplining or threatening employees for participating in union activities; and
- promising benefits to employees if they refuse to take part in union activity.

Examples of unlawful employee organization conduct include:

- threatening employees if they refuse to join the union;
- disciplining a member for filing a UPC against the union; and
- failing to fairly represent bargaining unit members.

A Board agent reviews a UPC to determine whether a prima facie violation is present. A charging party establishes a prima facie case by alleging enough facts to establish that a violation of the applicable statute has occurred. If the charge fails to state a prima facie case, the Board agent issues a warning letter notifying the charging party of the deficiencies. The Board agent gives the charging party time to either amend or withdraw the charge. If the charge is not amended or withdrawn, the Board agent must dismiss it. The charging party may appeal the dismissal to the Board itself.

A Board agent will issue a formal complaint if they determine that a charge states a prima facie case of a violation. The respondent may file an answer to the complaint.

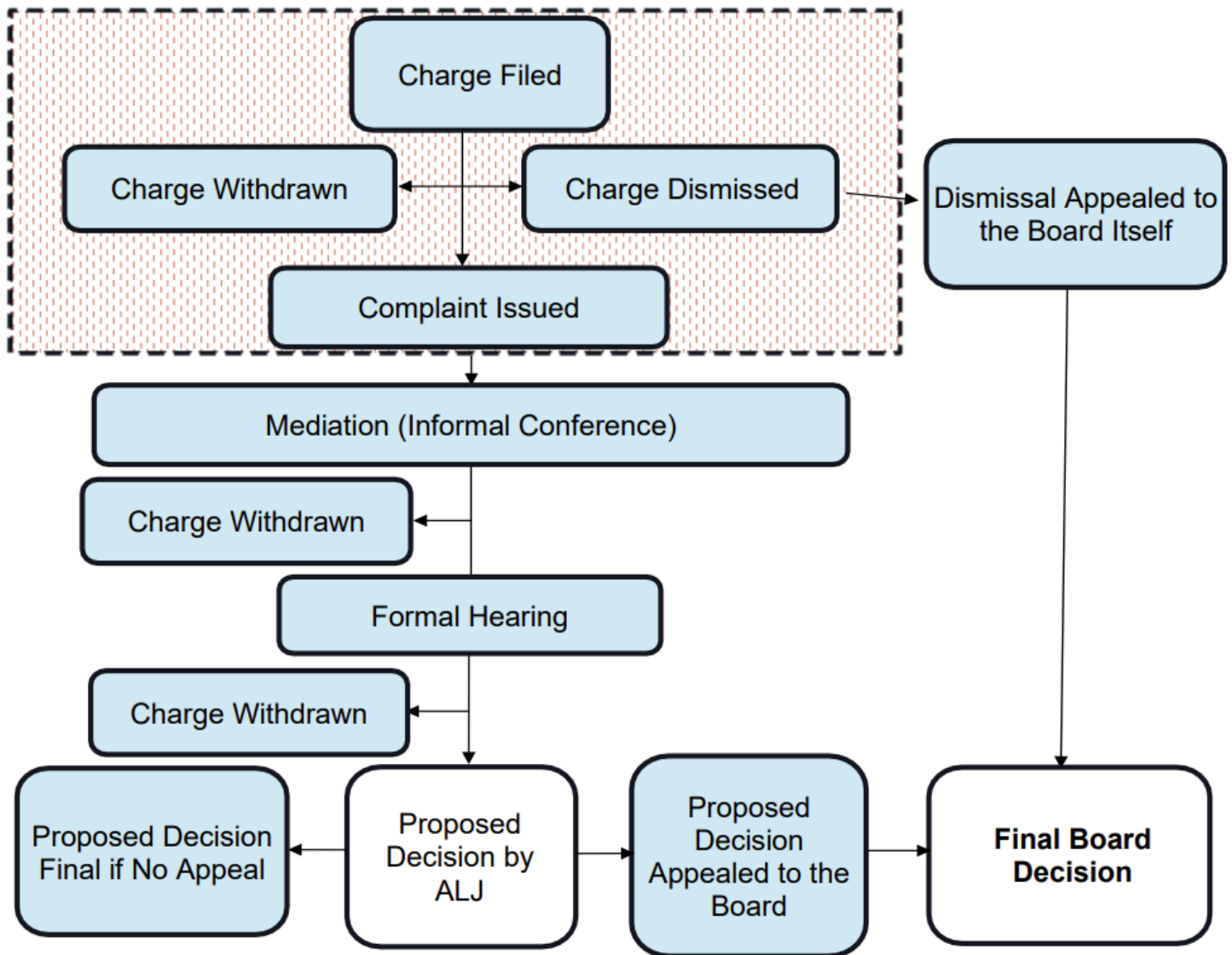
After the complaint is issued, a different Board agent calls the parties together for an informal settlement conference. The settlement conference is usually held within 60 days of the date of the complaint. If settlement is not reached, an Administrative Law Judge (ALJ) schedules a formal hearing. A hearing generally occurs within 120 days from the date of the informal conference.

Following the hearing, the ALJ prepares and issues a proposed decision. A party may appeal the proposed decision to the Board itself. The Board itself may affirm, change, reverse, or remand the proposed decision. Proposed decisions that are not appealed to the Board are binding upon the parties to the case. But constituents may not cite them as precedent in other cases before PERB.

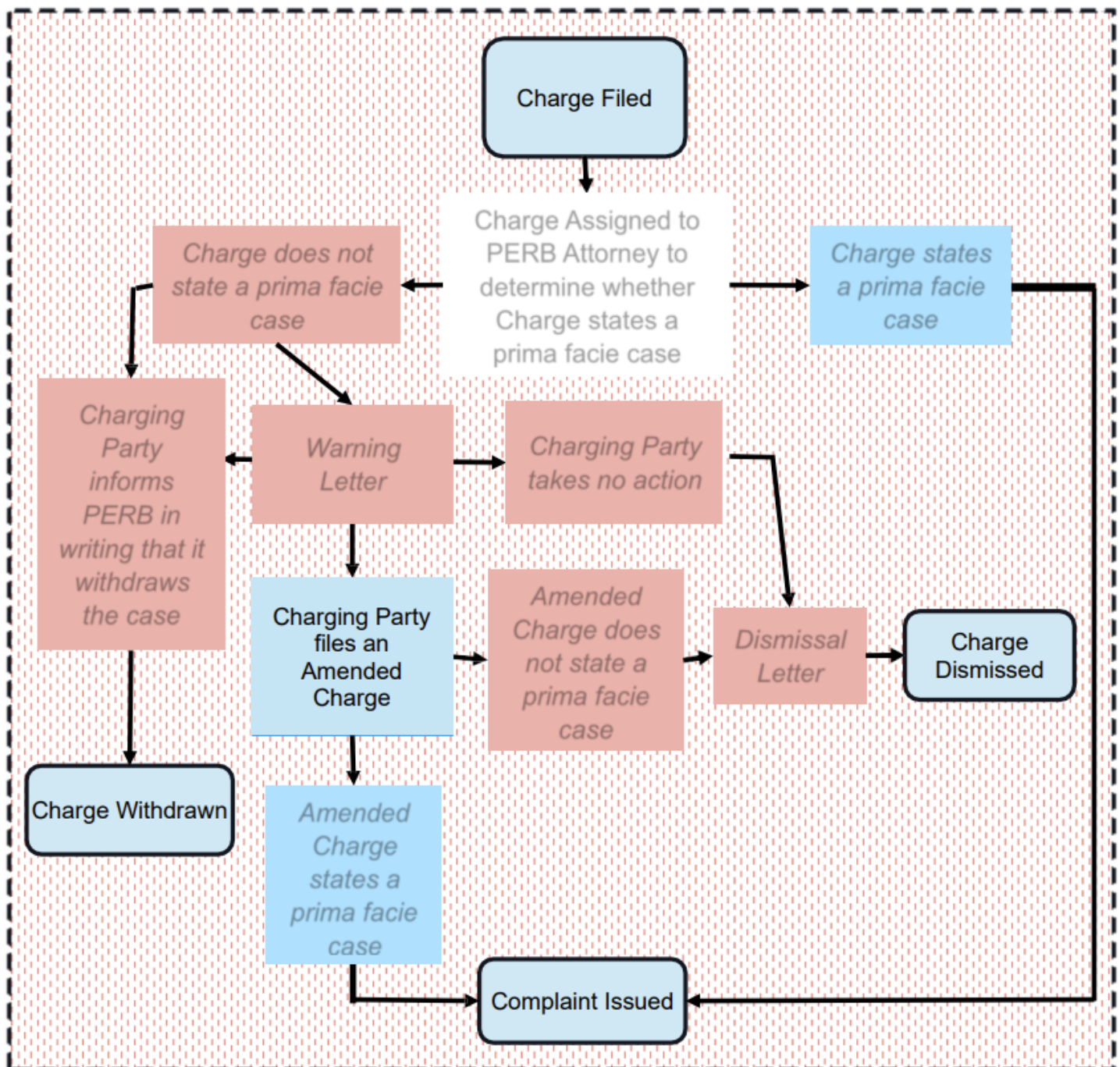
The Board can make a final decision precedential - binding on the parties to the particular case and used as support in other cases. The Board can also make decisions non-precedential pursuant to PERB Regulation 32320, subdivision (d).

Text and headnotes for all precedential Board decisions and summaries of all non-precedential Board decisions are available on our website (<https://perb.ca.gov/decisions/>). Interested parties can also [sign-up for electronic notification of new Board decisions](#).

PROCESS OVERVIEW - OVERVIEW

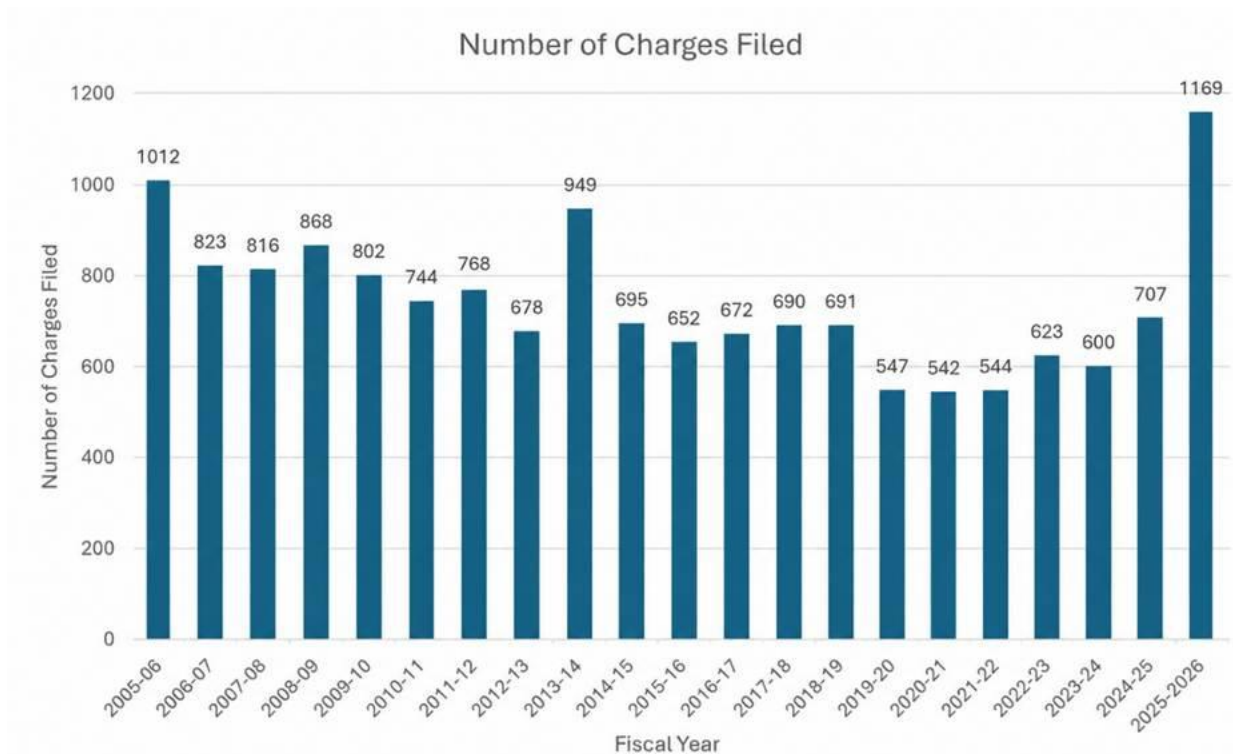


PROCESS OVERVIEW – CHARGE TO COMPLAINT DETAILED VIEW



UNFAIR PRACTICE CHARGE (NUMBERS AND METRICS)

In Fiscal Year (FY) 2025-2026, parties filed 1,169 new unfair practice charges. The chart below shows unfair practice charge filings since 2005-2006. The spike in FY 2013-14 was due to 173 filings by the same individual on behalf of himself and/or other employees.



Notably, FY 2025-2026 yielded the highest number of unfair practice charge filings of any year within previous 20 years. Due to an increase in the number of staff in PERB’s Office of the General Counsel and the implementation of case processing efficiency initiatives, PERB’s Office of the General Counsel responded to the spike in filings by completing 999 unfair practice charge investigations.

DISPUTE RESOLUTION AND DISPOSITIONS

During the investigation and informal conference phases in Fiscal Year 2025– 2026, the parties withdrew 445 cases entirely and 7 partially, including 246 cases withdrawn at investigation and 199 cases withdrawn at PERB Informal Settlement Conferences (Informal). Overall, of the 1,193 charge dispositions in Fiscal Year 2025 – 2026, 422 had complaints issued, 445 had charges withdrawn, and 311 were dismissed. In addition, 8 had complaints issued with a partial dismissal, and 7 had complaints issued with a partial withdrawal. The following Dispositions by Region table provides regional data for the UPC dispositions.

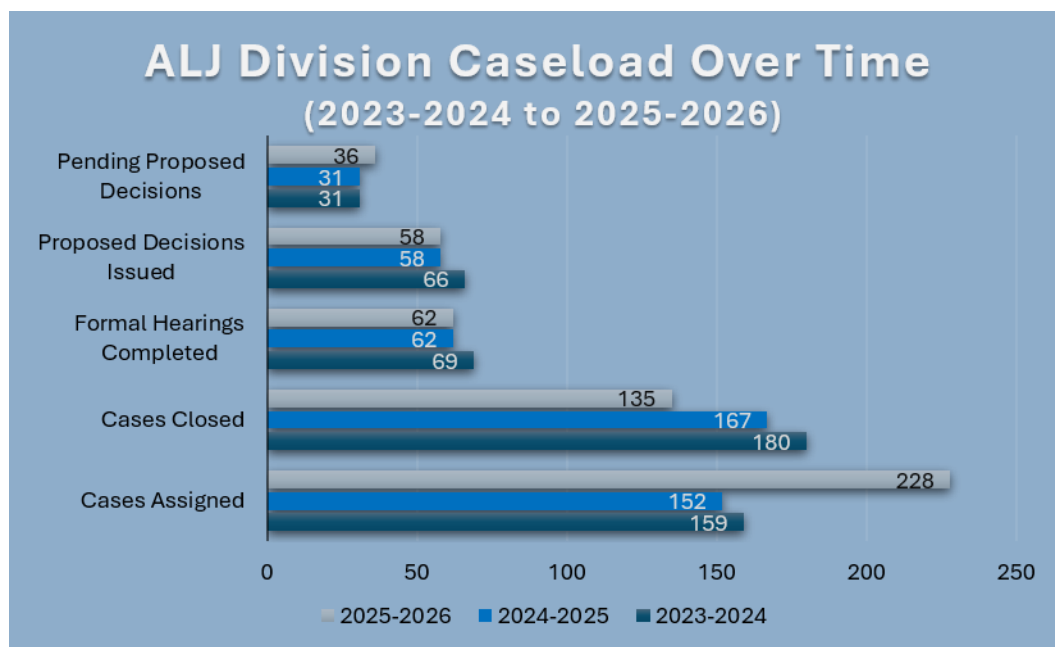
	Withdrawn at Investigation	Withdrawn at Informal	Dismissal	Complaint	Complaint/ Partial Dismissal	Complaint/ Partial Withdrawal	Total
Sacramento	48	40	55	88	1	1	233
San Francisco	82	90	92	160	4	3	431
Los Angeles	116	69	164	174	3	3	529
Total	246	199	311	422	8	7	1193

DIVISION OF ADMINISTRATIVE LAW

The main functions of the Division of Administrative Law are to conduct formal hearings in UPC cases and then issue proposed decisions that apply relevant legal authority to the evidence compiled during the formal hearing process. The primary issue in any UPC case is whether the respondent employer or employee organization has violated rights protected or obligations established under the statutes that PERB administers. Administrative Law Judges (ALJs) in the division may also perform similar functions in matters involving the various representation petition processes that PERB administers. In performing these functions, ALJs may issue rulings on pre-hearing motions, administer oaths, resolve objections over the admission of testimony, documents, and other evidence, execute and resolve disputes over subpoenas, weigh and analyze evidence, and determine appropriate remedies for violations of the statutes that PERB enforces. ALJs' findings are typically contained in written proposed decisions that include detailed factual findings and legal analysis.

ADMINISTRATIVE ADJUDICATION

In the 2025-2026 fiscal year, the Division of Administrative Law Judges received 228 new case assignments, an increase of roughly 50 percent from the 2024-2025 fiscal year (152 new assignments). The division closed 135 cases this fiscal year, which is around 19 percent fewer than last fiscal year (167 cases closed). The difference in case closures is largely attributable to there being 34 fewer cases withdrawn as a result of settlements this fiscal year compared to last fiscal year. This combination of an increase in new cases and a decrease in withdrawals created a challenging caseload environment for the 2025-2026 fiscal year. The 12 ALJs in the division, including the Chief ALJ, had a total of 125 pending cases at the end of the fiscal year, compared to 75 cases at the end of the 2024-2025 fiscal year. Despite these challenges, the number of cases awaiting a decision after a formal hearing has concluded has increased only modestly, by only around 15 percent, from 31 at the end of the 2024-2025 fiscal year to 36 at the end of the 2025-2026 fiscal year. This chart shows the Division of Administrative Law's caseload over time.



This fiscal year, the division has also prioritized issuing proposed decisions in its oldest cases. The division began measuring the average age of fully briefed cases awaiting a proposed decision in September 2025. At that point, the average age of these types of pending cases was 136 days. By the end of the 2025-2026 fiscal year, the average age had been reduced to 84 days.

Looking beyond the statistics, the Division of ALJs participated in PERB's agency-wide training initiatives, including producing a series of training videos, webinars, and other video content. While this content is designed to educate about all of PERB's different functions, it is hoped that the instructions and examples in the training materials will be particularly useful to simplify and improve access to the formal

hearing process. In the upcoming fiscal year, the Division of Administrative Law will focus on managing the large influx of cases received in the 2025-2026 fiscal year. The division will also focus on looking for new training and outreach opportunities to improve access to the formal hearing process and identifying process and technology solutions to make the formal hearings more efficient and effective. The division will also collaborate with the other PERB divisions to better serve the public.

BOARD

The Board itself:

- consists of up to five members appointed by the Governor;
 - subject to State Senate confirmation
 - members serve a five-year term
 - the term of one member expires at the end of each calendar year
- administers the statutes under PERB's jurisdiction;
- acts as an appellate body to decide challenges to decisions issued by Board agents;

The Board's powers and duties are described in Government Code § 3541.3.

The Board can:

- hold elections to find out if employees want to have union representation in labor relations;
- prevent and remedy unfair labor practices while protecting the rights and responsibilities of employers, employees and employee organizations;
- bring an action in court to enforce PERB's decisions and rulings;
- and take other actions to fulfill the purposes of the Acts.

APPEALS

Parties may appeal a proposed decision to the Board itself. This is known as filing exceptions. A statement of exceptions must:

- explain why the proposed decision is incorrect;
- cite to exhibits and/or transcripts to support arguments about the facts; and
- cite to legal authority (cases, laws, regulations, etc.) to support legal arguments.

The specific requirements for a statement of exceptions are in PERB Regulation 32300.

A dismissal of an unfair practice charge may be appealed to the Board itself. The appeal must be in writing and must state the specific issue(s) of procedure, fact, law, or rationale (reason for) that is appealed and state the grounds for the appeal.

The Appeals Office, under the direction of the Board itself, ensures that all appellate filings comply with Board regulations. The Appeals Office:

- maintains case files,
- issues decisions rendered, and
- assists in the preparation of administrative records for litigation filed in California's appellate courts.

The Appeals Office is the main contact with parties and their representatives while cases are pending before the Board itself.

STATE MEDIATION AND CONCILIATION SERVICE

SMCS works to support PERB's mission through mediation, a form of alternative dispute resolution. SMCS works on the basis of mutual consent, except as required by statute. Mediation is confidential and non-adjudicatory, emphasizing compromise and collaboration toward settlement.

SMCS mediates under the provisions of California's public sector employment statutes and the National Labor Relations Act. SMCS also mediates in the private sector under certain exceptional circumstances, including:

- statutory provisions at the state or local level,
- collective bargaining and local rules' language, and
- representation processes not performed by the Federal Mediation and Conciliation Service (FMCS).

For more than two decades, SMCS and FMCS have divided the work between the public and private sectors. The work has become more complex, requiring specialization, and resources in both agencies have been an issue.

Core functions, performed at no charge to the parties, include:

- mediation to end strikes and other severe job actions;
- mediation of initial and successor collective bargaining agreement disputes;
- mediation of grievances arising from alleged violations of collective bargaining agreements and other local rules;
- mediation of discipline appeals;
- supervision of elections for representation or for the decertification/certification of labor organizations.

Other services include:

- training and facilitation in:
 - interest-based bargaining;
 - implementing effective joint labor-management committees; and
 - resolving conflict in the workplace;
- upon request or ordered by settlement:
 - specialized training in various aspects of public sector collective bargaining; and
 - help with internal organization elections and processes.

SMCS also maintains a list of qualified private arbitrators. Upon mutual request by labor and management, SMCS will provide a list of arbitrators with experience in labor relations.

SMCS (PRIVATE SECTOR)

During the past Fiscal Year, the State Mediation & Conciliation Service (SMCS) has continued to take on additional private sector mediation matters within the State of California that were once handled by the Federal Mediation and Conciliation Services (FMCS). This is a result of cuts made to the FMCS commencing in March of 2025. During the fiscal year, in addition to our regular, public sector caseload, SMCS has provided private sector grievance mediations, contract negotiation mediation for non-healthcare bargaining units of less than 250 employees. Additionally, SMCS has provided private sector representation assistance in the form of Card Check Elections to our private sector constituents in the State of California.

To handle this additional work, SMCS has brought in a number of Retired Annuitants to assist with the increased caseload. Additionally, our current SMCS mediators have been taking on a higher caseload as well. We would like to recognize their increased efforts to meet the needs of all of our constituents.

SMCS CASE DISPOSITIONS

Contract Impasses and Other Contract Mediations	
EERA and HEERA	97
MMBA	110
Transit	
Trial Courts	10
State of California	1
Los Angeles City and County	1
Private	32
Grievances and Disciplinary Appeals	
EERA and HEERA	139
MMBA	91
Transit	17
Trial Courts	3
State of California	1
Los Angeles City and County	
Private Sector and Other SMCS Specified	592
Other	
Representation and Election Cases:	44
Workplace Conflict or Training and Facilitation Assignments:	47
Miscellaneous Cases Related to Education, Outreach, and Internal Mediation of Program Administration Projects:	36

2025 – 2026 LITIGATION ACTIVITY

Litigation projects completed by PERB's Office of the General Counsel remained steady in Fiscal Year 2025-2026. PERB filed 12 appellate briefs and motions in 2025-2026, compared to 13 in 2024-2025. PERB attorneys also appeared at four appellate oral arguments in 2025-2026, compared to one in 2024-2025. PERB also filed five briefs or motions in the trial courts in 2025-2026, compared to seven in 2024-2025.

County of Santa Clara v. Public Employment Relations Board; SEIU Local 521 et al.

Filed: November 16, 2023

Case Information: California Court of Appeal, Sixth Appellate District, Case No. H051570; PERB Dec. No. 2876-M [PERB Case No. SF-CE-1796-M]

Issue: Whether the Board erred when it found that the County violated the MMBA when it responded to the COVID-19 pandemic by changing policies and assignments without affording the unions adequate notice and opportunity to bargain over the County's decisions and/or their negotiable effects. (Partially affirmed, partially remanded to PERB for further analysis.)

State of California (California Department of Corrections and Rehabilitation) v. California Correctional Peace Officers Association [PERB Amicus]

Filed: January 25, 2024

Case Information: California Court of Appeal, Third Appellate District, Case No. C100353 [Sacramento Superior Court Case No. 34-2022- 00327434-CU-PA-GDS] [Related to SA-CE-2173-S]

Issue: Whether the superior court erred when it found that an arbitrator lacked jurisdiction to overturn discipline upheld by the State Personnel Board where the arbitrator has determined that the employer violated the Dills Act. (Reversed.)

County of Santa Clara v. PERB; Service Employees International Union, Local 521

Filed: May 23, 2024

Case Information: California Court of Appeal, Sixth Appellate District, Case No. H052154, PERB Dec. No. 2900-M [SF-CE-1859-M]

Issue: Whether the Board erred when it found that the County unlawfully refused to bargain with SEIU, Local 521, before the County Board of Supervisors approved by-law revisions for its medical staff, which included new standards for SEIU-represented physician assistants to receive or maintain practice privileges at County hospitals. (Remanded to PERB for further analysis.)

Trustees of the California State University v. PERB; California Faculty Association (CFA)

Filed: September 18, 2024

Case Information: California Court of Appeal, Second Appellate District, Case No. B340818; PERB Dec. No. 2915-H / SA-CE-442-H]

Issue: Whether the Board erred when it concluded that CSU unlawfully implemented a new policy related to student immunizations without affording CFA advance notice and opportunity to bargain over the policy's effects on faculty health and safety. (Board decision partially affirmed.)

Rebecca Wu v. PERB; Sacramento City Unified School District; Sacramento City Teachers Association

Filed: October 21, 2024

Case Information: California Court of Appeal, Third Appellate District, Case No. C102338 (Sacramento Superior Court, Case No. 24WM000037); PERB Dec. No. 2886 [SA-CE-3122-E & SA-CO-666-E]

Issue: Whether the superior court erred by granting the demurrer to Wu's writ petition seeking to overturn PERB's decision not to issue a complaint. (Pending.)

Clovis Unified School District v. PERB; Association of Clovis Educators

Filed: November 13, 2024

Case Information: California Court of Appeal, Fifth Appellate District; PERB Decision No. 2904 [PERB Case Nos. SA-CE-3040-E, SA-CE-3047-E, SA-CE-3051-E, and SA-CO-655-E (Consolidated)].

Issue: Whether the Board erred when it ordered the CUSD superintendent to record a spoken notice reading. (Petition voluntarily dismissed.)

Long Beach Unified School District v. Public Employment Relations Board; California School Employees Association, Chapter 2

Filed: February 25, 2025

Case Information: California Court of Appeal, Second Appellate District, Division 7, Case No. B344197; PERB Dec. No. 2937 [PERB Case No. LA-CE-6818-E]

Issue: Whether the Board erred when it found that the District violated EERA by unilaterally approving a reduction in assigned time for three employees without providing CSEA prior notice and an opportunity to negotiate the decision and/or the effects of the decision. (Petition denied.)

County of Shasta v. Public Employment Relations Board

Filed: March 17, 2025

Case Information: Shasta County Superior Court, Case No. 25CV0207275

Issue: Whether Government Code section 3550, prohibiting public agencies from deterring or discouraging public employees from becoming or remaining members of an employee organization, and section 3553(b), requiring that employers meet and confer with unions before sending out certain mass

communications, are unconstitutional as applied to elected members of the County Board of Supervisor, and county employees. (Demurrer granted without leave to amend.)

PERB v. Regents of the University of California (UCLA); American Federation of State, County, and Municipal Employees, Local 3299

Filed: April 24, 2025

Case Information: Los Angeles County Superior Court; Case No. 25STCV11945, PERB Case No. SF-CE-1504-H

Issue: Whether UCLA should be enjoined from preventing three union organizers from accessing its campus. (Preliminary injunction granted; pending.)

City and County of San Francisco v. PERB; Municipal Attorneys Association of San Francisco

Filed: May 23, 2025

Case Information: California Court of Appeal, First Appellate District, Case No. A168540; PERB Dec. No. 2958-M [Case No. SF-CE-2157-M]

Issue: Whether the Board erred in finding that the City and County of San Francisco violated its Charter and the MMBA by refusing interest arbitration for the Municipal Attorneys Association's job protection proposals. (Board decision reversed.)

Berkeley Unified School District v. PERB; Berkeley Council of Classified Employees

Filed: May 28, 2025

Case Information: California Court of Appeal, First Appellate District, Case No. A173340; PERB Dec. No. 2959 [Case No. SF-CE-3556-E]

Issue: Whether the Board erred in finding that the District violated the EERA by involuntarily transferring a bargaining unit employee in retaliation for her protected activity. (Petition denied.)

Rebecca Wu v. PERB; Twin Rivers School District

Filed: June 9, 2025

Case Information: California Supreme Court, Case No. S291351, Third Appellate District, Case No. C103421; PERB Dec. No. 2945 [SA-CE-2888-E]

Issue: Whether the Third Appellate District erred by denying Wu's application for leave to file a petition for writ of extraordinary relief as a vexatious litigant. (Petition denied.)

Rebecca Wu v. PERB; Twin Rivers School District

Filed: June 13, 2025

Case Information: Third Appellate District, Case No. C103712; PERB Dec. No. 2951 [SA-CE2867-E]

Issue: Whether the Board erred in affirming the ALJ's decision that Wu did not prove that the District retaliated against her by refusing to offer her an employment contract. (Petition dismissed.)

Alliance College Ready Public Schools v. Public Employment Relations Board; UTLA

Filed: June 30, 2025

Case Information: California Supreme Court, Case No. S291693; California Court of Appeal, Second Appellate District, Case No. B333393; PERB Decision No. 2879 (Case No. LA-CE-6728-E) and PERB Dec. No. Ad-491 (Case No. LA-RR1293-E)

Issue: Petition for review of Court of Appeal's summary denial of petition challenging Board decision finding that Alliance's refusal to recognize UTLA as the exclusive bargaining representative at two schools violated EERA. (Petition denied.)

Alliance Marc & Eva Stern Math and Science High School, et al. v. PERB; UTLA

Filed: July 18, 2025

Case Information: United States Supreme Court, Case No. 25-66; California Supreme Court, Case No. S289058; California Court of Appeal, Second Appellate District, Division 2, Case No. B316745; PERB Decision No. 2795 [PERB Case Nos. LA-CE-6362-E, LA-CE-6366-E, LA-CE-6372-E and LA-CE-6377-E]

Issue: Petition for writ of certiorari challenging Court of Appeal's decision that Government Code section 3550 does not violate the free speech protections under the UNITED STATES and California Constitutions. (Petition denied.)

East Bay Regional Park District v. PERB; AFSCME Council 57, Local 2428

Filed: July 25, 2025

Case Information: California Court of Appeal, First Appellate District, Case No. 173853, PERB Dec. No. 2969 [SF-CE-1993-M]

Issue: Whether the Board erred when it found the District violated the MMBA by: (1) unilaterally changing its telework policy without bargaining in good faith to impasse or agreement with AFSCME; (2) engaging in unlawful direct dealing when it bypassed AFSCME and required unit employees to complete new telework agreements or else work fully in-person; (3) interfering with protected rights by muting the microphone of AFSCME's lead negotiator during the public comment portion of a District Board of Directors meeting; and (4) derivatively interfering with protected rights by the direct dealing and unilateral change violations. (Petition voluntarily dismissed.)

Freedom Foundation v. Turner et al.; PERB, United Teachers Los Angeles

Filed: August 7, 2025

Case Information: United States Supreme Court, Case No. 25-156, United States Court of Appeals for the Ninth Circuit, Case No. 24-768; United States District Court, Central District of California, Case No. 2:23-cv-03286-PA-JPR [PERB Case No. LA-LT-6-E]

Issue: Whether Government Code section 3556, which prevents anyone but incumbent unions from accessing new employee orientations, is unlawful viewpoint discrimination under the First Amendment. (Petition denied.)

Krieger et al. v. Banks et al.

Filed: August 19, 2025

Case Information: United States Court of Appeals for the Ninth Circuit, Case No. 25- 5326 ([United States District Court, Central District of California, Case No. 2:24-cv-08589-SVW-SK)

Issue: Whether the District Court erred when it granted PERB’s motion to dismiss and UTLA’s motion for judgment on the pleadings, concluding that EERA’s system of exclusive representation does not violate plaintiffs’ rights to free exercise of religion. (Pending.)

County of Shasta v. Public Employment Relations Board

Filed: October 10, 2025

Case Information: California Court of Appeal, Third Appellate District, Case No. C104883 (Shasta County Superior Court, Case No. 25CV0207275)

Issue: Whether the superior court erred by granting PERB’s demurrer and rejecting the County’s argument that Government Code section 3550, prohibiting public agencies from deterring or discouraging public employees from becoming or remaining members of an employee organization, and section 3553, requiring that employers meet and confer with unions before sending out certain mass communications, are unconstitutional as applied to elected members of the County Board of Supervisor, and county employees. (Pending.)

National Labor Relations Board v. State of California & Public Employment Relations Board

Filed: October 15, 2025

Case Information: United States District Court, Eastern District of California, Case No. 2:25-CV-02979-TLN-CKD

Issue: Whether Assembly Bill 288, which grants PERB jurisdiction over certain private sector cases otherwise subject to the National Labor Relations Act, is preempted by federal law. (Pending; preliminary injunction granted.)

Rebecca Wu v. PERB; Twin Rivers School District

Filed: October 28, 2025

Case Information: United States Supreme Court, Case No. 25-7293 (California Supreme Court, Case No. S291351, Third Appellate District, Case No. C103421); PERB Dec. No. 2945 [SA-CE-2888-E]

Issue: Petition for writ of certiorari challenging the California Court of Appeal's denial of Wu's application for leave to file a petition for writ of extraordinary relief as a vexatious litigant. (Petition dismissed.)

Rocklin Unified School District v. Public Employment Relations Board; Rocklin Teachers Professional Association

Filed: November 12, 2025

Case Information: California Supreme Court, Case No. S293922 (California Court of Appeal, Third Appellate District, Case No. C103184); PERB Dec. No. 2939 [PERB Case No. SA-CE-3136-E]

Issue: Petition for review of Court of Appeal's summary denial of petition challenging the Board's decision finding that the District committed an unfair practice when it adopted a policy requiring parental notification of students' transgender or gender-nonconforming status. (Petition denied.)

Anthony Garcia v. PERB; Sunline Transit Agency

Filed: January 15, 2026

Case Information: Riverside County Superior Court; Case No. CVR-12600030, PERB Order No. Ad-535-M [LA-CE-1536-M]

Issue: Whether PERB erred by finding that Sunline complied with the order in PERB Dec. No. 2928. (Demurrer granted without leave to amend.)

Nalo Pelago v. Public Employment Relations Board; Sierra Joint Community College District

Filed: March 5, 2026

Case Information: California Court of Appeal, Third Appellate District, Case No. C105810; PERB Dec. No. 3002 [SA-CE-3214-E]

Issue: Whether the Board erred by dismissing Pelago's unfair practice charge for failure to state a prima facie case. (Dismissed.)

Rocklin Unified School District v. PERB; Rocklin Teachers Professional Association

Filed: April 14, 2026

Case Information: United States Supreme Court, Case No. 25-1189 (California Supreme Court Case No. S293922, California Court of Appeal, Third Appellate District, Case No. C103184); PERB Dec. No. 2939 [PERB Case No. SA-CE-3136-E])

Issue: Petition for writ of certiorari of California appellate courts' denial of petitions challenging the Board's finding that the District committed an unfair practice when it adopted a policy requiring parental notification of students' transgender or gender-nonconforming status. (Petition denied.)

David Ferrer v. PERB; Downey Unified School District

Filed: April 28, 2026

Case Information: Los Angeles County Superior Court, Case No. 26STCP01647; PERB Decision No. 3018 [LA-CE-6977-E]

Issue: Whether the Board erred by dismissing Ferrer’s unfair practice charge for failure to state a prima facie case. (Pending.)

Nalo Pelago v. PERB; Sierra Joint Community College District

Filed: June 9, 2026

Case Information: Sacramento County Superior Court, Case No. 26WM000144; PERB Dec. No. 3002 [SA-CE-3214-E]

Issue: Whether the Board erred by dismissing Pelago’s unfair practice charge for failure to state a prima facie case. (Pending.)

Winncy Du v. PERB; Trustees of the California State University (San Jose)

Filed: June 15, 2026

Case Information: California Court of Appeal, Sixth Appellate District, Case No. H054473; PERB Dec. No. 3019-H [SF-CE-1470-H]

Issue: Whether the Board erred by dismissing Du’s unfair practice charge for failure to state a prima facie case. (Pending.)

Rebecca Wu v. PERB; Twin Rivers School District

Filed: June 23, 2026

Case Information: California Supreme Court, Case No. S297206, Third Appellate District, Case No. C103712; PERB Dec. No. 2951 [SA-CE-2867-E]

Issue: Petition for review of the Court of Appeal’s dismissal of Wu’s writ petition for failure to file an opening brief. (Pending.)

2025 – 2026 BOARD DECISIONS

1. 2888a-S	Decision No. 2888a-S Caption: <i>American Federation of State, County & Municipal Employees Local 2620 v. State of California (California Correctional Health Care Services)</i> Non-precedential Description: This matter came before the Public Employment Relations Board for a second time. CCHCS terminated one of its pharmacists, Sean Kane, but the State Personnel Board later reduced the discipline to a 30-day suspension. In an initial proposed decision, the administrative law judge (ALJ) found the termination retaliated against Kane for protected activity, while also finding that CCHCS would have suspended Kane for at least 30 days even absent any protected activity. The Board’s first decision in this case, <i>State of California (California Correctional Health Care Services)</i> (2024) PERB Decision No. 2888-S (CCHCS), found the record was insufficient to decide what level of discipline CCHCS would have chosen absent protected activity. The Board remanded for further proceedings on that issue. (<i>Id.</i> at p. 34.) After remand, the ALJ found that CCHCS would have issued Kane at least a 30-day suspension even absent protected activity. The ALJ ordered CCHCS to rescind the termination to the extent it had not already done so, as well as cease and desist from further retaliation. CCHCS filed exceptions, arguing that the case should be dismissed. Disposition: In a non-precedential decision, the Board exercised its discretion to close the case given its unusual facts and procedural posture.
2. 2915Ha	Decision No. 2915a-H Caption: <i>California Faculty Association v. Trustees of the California State University</i> Precedential Description: This case came before the Board a second time. In <i>Trustees of the California State University</i> (2024) PERB Decision No. 2915-H (<i>Trustees I</i>), the Board affirmed the administrative law judge’s conclusion that California State University (CSU) unlawfully began to implement a new policy that reduced the number of immunizations students must obtain without affording California Faculty Association (CFA) notice and opportunity to bargain over its reasonably foreseeable effects on faculty health and safety. CSU filed a writ petition, and the appellate court then issued <i>Trustees of the California State University v. Public Employment Relations Bd.</i> (2026) 118 Cal.App.5th 90 (<i>Trustees II</i>), which partially affirmed and partially reversed <i>Trustees I</i>. The court affirmed the Board’s finding that CSU’s decision to relax its student vaccination policy had reasonably foreseeable impacts on faculty health and safety, thus requiring CSU to afford CFA an adequate opportunity to engage in effects bargaining before CSU began implementing the decision. However, the court reversed the Board’s conclusion that CSU breached its bargaining duty.

Disposition: Based on Trustees II, supra, 118 Cal.App.5th 90, the Board vacated the following portions of Trustees I, supra, PERB Decision No. 2915-H: the first full paragraph on page 3; Part I(B) and Part II of the Discussion; the Order; and the Appendix. The Board's second decision supersedes the vacated portions of Trustees I and sets forth amended factual findings and legal conclusions consistent with Trustees II. First, the Board confirmed that CFA has the right to bargain over reasonably foreseeable health and safety effects of a student vaccination policy. Next, the Board considered the court's conclusion that where the employer establishes the union obtained actual notice of a decision with bargainable effects, the burden is on the union if it claims there was insufficient time for good faith negotiations before the employer began implementation. Applying that principle, the Board found CFA failed to show that when it learned of CSU's decision to relax its immunization policy, there was insufficient time for good faith bargaining before the beginning of implementation. Finally, the Board considered the court's conclusion that where an employer reaches a decision falling outside the scope of bargaining and has a good faith basis for doubting the union's claim that the decision has bargainable effects, the employer may satisfy its duty to seek clarification either at the bargaining table or through an informal exchange between the parties. Applying that principle, the Board held that CSU did not violate its duty to bargain because CFA refused CSU's offer to informally discuss whether there were negotiable effects.

3. 2955a

Decision No. [2955a](#)

Caption: *Cynthia Ruiz v. Hughson Unified School District*
Precedential

Description: In Hughson Unified School District (2025) PERB Decision No. 2955 (Hughson), the Board affirmed a dismissal of an unfair practice charge by PERB's Office of the General Counsel. Thereafter, Charging Party Cynthia Ruiz filed a document titled "Request for Judicial Review." The Board's Appeals Office accepted Ruiz's filing as a request that the Board reconsider its decision in Hughson.

Disposition: The Board denied Ruiz's request. First, EERA section 3542(a)(1) and PERB Regulation 32500 explain when it is possible to file a request for judicial review: a party dissatisfied with a final PERB unit determination may ask the Board to join in a request for judicial review. But these provisions do not apply in unfair practice cases. While the Appeals Office accepted Ruiz's filing as a reconsideration request, there is no right to request reconsideration of a Board decision resolving a dismissal appeal. Rather, in such cases there is an extremely limited right to seek judicial review. Specifically, a dissatisfied charging party may file a superior court petition for writ of mandate only if: (1) the Board's decision violated a constitutional right; (2) the Board exceeded its statutory powers; or (3) the Board's decision was based on an erroneous statutory construction.

4. 2959a	Decision No. 2959a Caption: <i>Berkeley Council of Classified Employees v. Berkeley Unified School District</i> Non-precedential Description: Charging Party Berkeley Council of Classified Employees (BCCE) filed a request to reverse the non-precedential designation of the Board’s decision in <i>Berkeley Unified School District</i> (2025) PERB Decision No. 2959 (<i>Berkeley</i>). Additionally, BCCE requested that the Board correct an apparent typographical error in the Order. Respondent Berkeley Unified School District opposed the request to reverse the non-precedential designation. Disposition: In a non-precedential decision, the Board granted in part BCCE’s request to reverse the non-precedential designation. The Board designated the Factual and Procedural Background, Parts I and II of the Discussion, the Order, and the Appendix of the decision in <i>Berkeley</i> as non-precedential. Part III of the Discussion is precedential. Additionally, the Board granted the request to correct the Order at page 23.
5. 2971	Decision No. 2971 Caption: <i>Patrick Reilly v. Sacramento City Teachers Association, CTA/NEA</i> Non-precedential Description: Charging Party Patrick Reilly filed an unfair practice charge alleging that Respondent Sacramento City Teachers Association, CTA/NEA (SCTA) violated the Educational Employment Relations Act (EERA) by various conduct, including when it directed him to cease copying union representatives on certain e-mails, when two employees who were SCTA representatives filed complaints against Reilly with their employer, when SCTA failed or refused to assist Reilly in filing complaints against SCTA representatives, and by the manner in which SCTA represented Reilly during two investigatory interviews. PERB’s Office of the General Counsel (OGC) dismissed the charge because it determined that some of Reilly’s allegations were untimely, and the others failed to state a prima facie case of a violation of EERA. Reilly appealed. Disposition: In a non-precedential decision, the Board affirmed OGC’s dismissal of the charge without leave to amend.
6. 2972	Decision No. 2972 Caption: <i>United Steelworkers Local 8599 v. Fontana Unified School District</i> Non-precedential Description: Charging Party United Steelworkers Local 8599 (USW) alleged that Respondent Fontana Unified School District failed to pay certain employees overtime, in violation of the Education Code. The charge, as amended, did not allege a violation of the Educational Employment Relations Act (EERA). PERB’s Office of the General Counsel (OGC) dismissed the amended charge on the basis that PERB has no authority to enforce or order remedies for violations of the Education Code. Rather, PERB only interprets Education Code provisions

	when necessary to administer EERA or harmonize it with external law. USW appealed the dismissal. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal.
7. 2973-M	Decision No. 2973-M Caption: <i>Albert De Guzman v. Service Employees International Union Local 1021</i> Non-precedential Description: Charging Party Albert De Guzman alleged that SEIU Local 1021 violated its duty of fair representation when: (1) it supported the decision of De Guzman's employer, City and County of San Francisco, to change overtime procedure in a way that unfavorably impacted De Guzman; and (2) one of its representatives declined to help De Guzman file an unfair practice charge against SEIU. PERB's Office of the General Counsel (OGC) found that De Guzman did not state a prima facie case of any MMBA violation and accordingly dismissed the amended charge. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal of the amended charge.
8. 2974	Decision No. 2974 Caption: <i>United Teachers Los Angeles v. Alliance College-Ready Public Charter Schools</i> Non-precedential Description: United Teachers Los Angeles (UTLA) filed an unfair practice charge against Alliance College-Ready Public Schools alleging that Alliance violated the Prohibition on Public Employers Deterring or Discouraging Union Membership (PEDD). Specifically, UTLA alleged that Alliance violated the PEDD when Alliance Chief Executive Officer Pablo Villavicencio sent a communication to all certificated employees at Alliance schools on April 25, 2022, stating, among other things, that UTLA held an "anti-charter agenda that includes policies that would stop [Alliance] schools from existing" and that UTLA's organizing campaign was "divisive." PERB's Office of the General Counsel (OGC) issued a complaint and afforded Alliance 20 calendar days to file its required answer. Two weeks after issuing the complaint, OGC notified the parties that it would hold the case in abeyance until the second informal conference, per the agreement of the parties. Around the time of the second informal conference, the parties jointly agreed to place this matter in abeyance pending resolution of an appeal in another case. The matter eventually came out of abeyance, and Alliance filed its answer 47 days later. After the matter was assigned to an ALJ, the ALJ issued an order to show cause why the allegations in the complaint should not be deemed admitted due to Alliance's untimely answer and a proposed decision issued on that basis. Both parties were given an opportunity to respond, and thereafter the ALJ issued a proposed decision concluding that Alliance had not shown good cause for filing an untimely answer

	and that Alliance had waived its right to challenge the allegations in the complaint. Alliance timely excepted. Disposition: While Alliance’s exceptions were pending, the parties notified PERB that they had reached a settlement of the unfair practice charge. As a result, the parties jointly requested withdrawal and dismissal of the charge, dismissal of the exceptions, and closure of the case. In a non-precedential decision, the Board granted the requests by UTLA to withdraw its charge and by Alliance to dismiss its exceptions, and dismissed the complaint and underlying charge with prejudice.
9. 2975-M	Decision No. 2975-M Caption: <i>Service Employees International Union Local 521 v. County of Kern, et al.</i> Precedential Description: The Constitutionally Mandated Employees Union, Local 148 (CMEU) submitted a petition to Kern County to sever Deputy Public Defenders from the County’s professional unit, sever Public Defender Investigators from the County’s technical unit, and form a new unit consisting only of these two classifications. SEIU, which represents the professional and technical units, opposed CMEU’s petition. The County’s Civil Service Commission found that CMEU’s proposed new unit was appropriate, and thereafter the County moved toward holding a severance election. SEIU obtained a stay of representation proceedings pending litigation of its charge. After a formal hearing, the ALJ found in SEIU’s favor as to certain limited claims but found no cause to dismiss CMEU’s petition. SEIU filed exceptions. Disposition: The Board analyzed CMEU’s proposed severance based on the MMBA, the County’s local rules, and applicable precedent. Finding the proposed severance to be inconsistent with these authorities, the Board ordered the County to dismiss CMEU’s petition.
10.2976-M	Decision No. 2976-M Caption: <i>Compton Firefighters, IAFF Local 2216 v. City of Compton</i> Non-precedential Description: Charging Party Compton Firefighters, International Association of Fire Fighters Local 2216 (Local 2216) filed an unfair practice charge over the City of Compton’s decision to prohibit employees from engaging in physical fitness workouts during business hours. Local 2216 alleged that the City’s change in policy was announced and implemented without providing Local 2216 notice and an opportunity to bargain. Local 2216 also alleged that the City prohibited employees from working out in retaliation for Local 2216’s protected activities, including taking a no confidence vote against the City Fire Chief and filing PERB charges. A PERB administrative law judge (ALJ) issued a proposed decision that found violations, and ordered standard remedies. Local 2216 also sought attorney fees, claiming that the City maintained a frivolous defense. The ALJ denied Local 2216’s request for attorney fees. Local 2216 filed exceptions to the ALJ’s denial of attorney fees.

	Disposition: In a non-precedential decision, the Board upheld the proposed decision and declined to award Local 2216 attorney fees.
11.2977	Decision No. <u>2977</u> Caption: <i>United Steelworkers Local 8599 v. Fontana Unified School District</i> Non-precedential Description: An administrative law judge (ALJ) issued a proposed decision finding that Fontana Unified School District violated EERA by directing an employee not to contact other employees. Prevailing party United Steelworkers Local 8599 (USW) filed exceptions urging the Board to correct two small errors in the proposed decision. Disposition: USW did not show sufficient cause for the Board to consider its exceptions, which did not impact the outcome of the case. (PERB Reg. 32300(e).) The Board dismissed USW's exceptions and followed its practice in such circumstances by ordering PERB's Appeals Office to issue a decision declaring that the proposed decision is final.
12.2978	Decision No. <u>2978</u> Caption: <i>Cynthia Ruiz v. Hughson Educators Association</i> Non-precedential Description: Cynthia Ruiz alleged that her bargaining unit's exclusive representative Hughson Educators Association breached its duty of fair representation when it discontinued representing her after her contract grievance reached the arbitration stage. PERB's Office of the General Counsel (OGC) dismissed Ruiz's charge for failure to state a prima facie case of any EERA violation. Ruiz appealed. Disposition: In a non-precedential decision, the Board affirmed OGC's determination and dismissed Ruiz's charge.
13.2979-M	Decision No. <u>2979-M</u> Caption: <i>Service Employees International Union Local 1021 v. County of Sacramento</i> Non-precedential Description: Charging Party Service Employees International Union Local 1021 (SEIU) filed an unfair practice charge alleging the Respondent County of Sacramento (County) violated the Meyers-Milias-Brown Act (MMBA) when it unilaterally changed its scheduling policy without bargaining in good faith with SEIU to impasse or agreement prior to implementing changes. SEIU alleged the County unilaterally placed bargaining unit members in the Department of Child, Family, and Adult Services on holiday-in-lieu (HIL) schedules and changed its Holiday Time Off process for bargaining unit members in the Department of Human Assistance.

	An administrative law judge (ALJ) issued a proposed decision finding the County unilaterally changed its HIL scheduling policy without negotiating with SEIU to agreement or a bona fide impasse. The ALJ dismissed SEIU’s second allegation, finding the County to have negotiated to impasse before implementing the Holiday Time Off Process and SEIU did not establish that the County otherwise bargained in bad faith, as it provided SEIU with notice and opportunity to bargain over its proposals prior to implementation. SEIU filed exceptions to the dismissal of the second allegation. Disposition: In a non-precedential decision, the Board affirmed the ALJ’s conclusion that the County of Sacramento violated the MMBA.
14.2980	Decision No. 2980 Caption: <i>Patrick Reilly v. Sacramento City Teachers Association, CTA/NEA</i> Non-precedential Description: In these consolidated cases, Patrick Reilly alleged that Sacramento City Teachers Association, CTA/NEA (SCTA) violated the Educational Employment Relations Act by breaching the duty of fair representation in various ways. In Case No. SA-CO-681-E, Reilly alleged that SCTA refused to represent him in “validation” and investigatory meetings with his employer, the Sacramento City Unified School District, as well as in a PERB hearing involving the District. The charge also alleged that SCTA wrongfully directed Reilly to stop copying SCTA representatives on certain e-mails, that SCTA site representatives filed harassment complaints against Reilly with the District, and that SCTA refused to represent him during a meeting with a District lawyer. In Case No. SA-CO-685-E, Reilly repeated the same allegations as those in SA-CO-681-E, except that he omitted the allegation contained in the first-filed charge that SCTA refused to represent him during a meeting with a District lawyer. In Case No. SA-CO-691-E, Reilly alleged that SCTA declined to represent him in a <i>Skelly</i> hearing. PERB’s Office of the General Counsel dismissed the charges, as amended, finding that none of them stated a prima facie case for breach of the duty of fair representation. Reilly timely appealed. Disposition: In a non-precedential decision, the Board affirmed OGC’s dismissal in each case, referring to its reasoning in <i>Sacramento City Teachers Association, CTA/NEA (Reilly)</i> (2025) PERB Decision No. 2971 (non-precedential), which involved the same parties.
15.2981	Decision No. 2981 Caption: <i>Patrick Reilly v. Sacramento City Unified School District</i> Non-precedential Description: Patrick Reilly alleged that the Sacramento City Unified School District violated the Educational Employment Relations Act by failing to provide him accurate and timely information regarding credentialing, in retaliation for his protected activity. PERB’s Office of the General Counsel dismissed the charge, as amended, explaining that the allegations did not state a prima facie case of retaliation or interference. Reilly appealed, submitting new material and raising new charge allegations.

	Disposition: In a non-precedential decision, the Board affirmed the dismissal, noting also that Reilly had not shown good cause for presenting new allegations and evidence on appeal that OGC did not have an opportunity to consider.
16.2982-S	Decision No. 2982-S Caption: <i>Service Employees International Union Local 1000 v. State of California (Department of Public Health)</i> Non-precedential Description: Service Employees International Union, Local 1000 (SEIU) filed an unfair practice charge alleging that the State of California (Department of Public Health) (CDPH) violated the Ralph C. Dills Act (Dills Act) when it interfered with protected activity and retaliated against three SEIU-represented Health Facilities Evaluator Nurses (HFEN) for engaging in protected activity. After a formal hearing, a PERB administrative law judge (ALJ) issued a proposed decision dismissing each of SEIU's claims. SEIU filed exceptions asking the Board to reverse the proposed decision with respect to two discrimination allegations. Disposition: In a non-precedential decision, the Board affirmed the ALJ's dismissal of the retaliation allegations.
17.2983	Decision No. 2983 Caption: <i>Shell Sawyer v. California School Employees Association</i> Non-precedential Description: Shell Sawyer filed a charge in March 2025 that alleged his exclusive representative, California School Employees Association (CSEA), breached its duty of fair representation by declining to pursue and withdrawing a 2018 grievance filed on his behalf. PERB's Office of the General Counsel (OGC) dismissed Sawyer's charge, finding that he failed to file his charge within the statute of limitations because, had Sawyer exercised reasonable diligence, he would have known more than six months before he filed his charge that he would not likely receive further assistance from CSEA on the grievance. Sawyer filed an appeal. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal of the charge.
18.2984	Decision No. 2984 Caption: <i>James Bragg v. Service Employees International Union Local 1021</i> Non-precedential Description: James Bragg alleged that Respondent Service Employees International Union, Local 1021 (SEIU) violated EERA by breaching its duty to fairly represent Bragg during a grievance appealing the termination of his employment with the Oakland Unified School District. After PERB's Office of General Counsel (OGC) issued Bragg a warning letter, Bragg amended his charge. OGC dismissed the amended charge because the charge did not state a prima facie violation of EERA. Bragg timely appealed.

	Disposition: In a non-precedential decision, the Board affirmed the dismissal of Bragg's charge without leave to amend.
19.2985	Decision No. 2985 Caption: <i>Olivia Bernardy v. Poway Federation of Teachers</i> Non-precedential Description: Charging Party Olivia Bernardy filed an appeal from a determination by PERB's Office of the General Counsel (OGC) to dismiss her unfair practice charge. The charge, as amended, primarily alleges that Respondent Poway Federation of Teachers (PFT) breached its duty of fair representation and thereby violated the Educational Employment Relations Act (EERA). In her charge, Bernardy raises multiple issues, including alleged interference and retaliation, Americans with Disabilities Act (ADA) interactive process and workplace safety concerns, hiring concerns, and concerns regarding how PFT addressed scheduling and workload in bargaining. After reviewing Bernardy's charge, its three amendments, and the District's responses, OGC issued Bernardy a warning letter indicating she did not state a prima facie case for breach of the duty of fair representation and raised certain allegations that fell outside of PERB's jurisdiction or the applicable statute of limitations. After Bernardy amended her charge a fourth time, OGC found it had neither cured the deficiencies set forth in the warning letter nor stated a prima facie case of any EERA violation. OGC dismissed the charge. Bernardy appealed. Disposition: In a non-precedential decision, the Board affirmed the OGC's determination and dismissed Bernardy's charge.
20.2986	Decision No. 2986 Caption: <i>Patrick Reilly v. Sacramento City Unified School District</i> Non-precedential Description: Patrick Reilly alleged that Sacramento City Unified School District violated the Educational Employment Relations Act (EERA) by failing to send monthly contributions for his retirement account even though the District made deductions from his paycheck. OGC issued a warning letter stating that Reilly's charge did not state a prima facie case. Reilly filed an amended charge, and OGC determined that the amended charge sufficiently alleged that Reilly had engaged in protected activity by filing charges with PERB, but it did not sufficiently state a prima facie case. OGC concluded that Reilly had not cured the deficiencies detailed in the warning letter and dismissed the amended charge. Reilly appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal.

21.2987-H	Decision No. <u>2987-H</u> Caption: <i>Esther Hessong, et al. v. Regents of the University of California (Irvine)</i> Non-precedential Description: An administrative law judge (ALJ) determined that University of California, Irvine (UCI) interfered with employee rights in violation of HEERA section 3571(a) by refusing to process Charging Parties' grievances. The ALJ ordered UCI to cease and desist interfering with employee rights, to post a notice of the final decision and order, and to process Charging Parties' grievances through their chosen representative. Charging Parties, five employees of UCI, filed exceptions to the Proposed Decision contesting the ALJ's use of a stipulated record and disputing the awarded remedies. UCI responded urging the Board to affirm the Proposed Decision but filed no exceptions of its own. Disposition: In a non-precedential decision, the Board found the remedy ordered by the ALJ sufficiently resolves the matter, and Charging Parties' exceptions do not impact the outcome of the case. Charging Parties exceptions are denied.
22.2988-M	Decision No. <u>2988-M</u> Caption: <i>Compton Firefighters, IAFF Local 2216 v. City of Compton</i> Non-precedential Description: The City of Compton and the Compton Firefighters Association, IAFF, Local 2216 were simultaneously involved in two sets of negotiations, occurring at separate bargaining tables with different teams. At one table, the parties were negotiating over a proposed change in job specifications for firefighter applicants. At the other table, the parties were negotiating for a successor to their comprehensive MOU. The City declared impasse in successor MOU negotiations, and the Association refused to continue negotiations over the City's proposed job specification changes. The City filed Case No. LA-CO-279-M, alleging that the Association's refusal to bargain over job specifications for firefighter applicants violated the MMBA. After the City approved the job specification changes, the Association filed Case No. LA-CE-1676-M, claiming that the City violated its bargaining duty under the MMBA, mainly by changing firefighter job specifications without exhausting its duty to bargain in good faith to impasse or agreement. A PERB ALJ held a consolidated formal hearing and issued a proposed decision dismissing both parties' charges. The City and the Association filed exceptions. Disposition: In a non-precedential decision, the Board affirmed the ALJ's determination to dismiss both charges.
23.2989	Decision No. <u>2989</u> Caption: <i>Trona Teachers Association v. Trona Joint Unified School District</i> Non-Precedential

	Description: Trona Teachers Association, CTA/NEA (Association) filed an unfair practice charge alleging that the Trona Joint Unified School District violated the Educational Employment Relations Act (EERA) when it unilaterally refused to process an Association grievance to arbitration. After the parties agreed to submit the case on a stipulated record, an administrative law judge (ALJ) issued a proposed decision finding that the District unilaterally changed policy within the scope of representation without providing the Association a meaningful opportunity to bargain over the changes. The ALJ found that under the collective bargaining agreement (CBA) and the American Arbitration Association rules incorporated into the CBA, the District had mandatory obligation to forward a Level Three grievance to arbitration and defer any arbitrability issues to the arbitrator. The ALJ concluded that by refusing to arbitrate the grievance based on arbitrability, the District violated EERA. The District filed exceptions asking the Board to reverse the proposed decision because: (1) the Association lacked standing to pursue the charge; and (2) the District was permitted to refuse to arbitrate because former employees were not unit members under the CBA. Disposition: In a non-precedential decision, the Board rejected the District's exceptions and affirmed the ALJ's conclusion that the District violated EERA.
24.2990-S	Decision No. 2990-S Caption: <i>Nievien Youakeem v. Service Employees International Union, Local 1000</i> Non-precedential Description: Nievien Youakeem filed an unfair practice charge alleging that Service Employees International Union, Local 1000 violated the Ralph C. Dills Act (Dills Act) by breaching its duty to fairly represent her in her employment relations with the State of California Employment Development Department. After PERB's Office of the General Counsel (OGC) issued a warning letter, Youakeem amended her charge. OGC dismissed the amended charge for failure to state a prima facie case. Youakeem appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Youakeem's charge without leave to amend.
25.2991-E	Decision No. 2991 Caption: <i>Temecula Valley Educators Association, CTA/NEA v. Temecula Valley Unified School District</i> Non-precedential Description: Charging Party Temecula Valley Educators Association, California Teachers Association/National Education Association (TVEA) filed an appeal from the partial dismissal of its unfair practice charge by PERB's Office of the General Counsel (OGC). The charge, as amended, alleged that Respondent Temecula Valley Unified School District violated the Educational Employment Relations Act (EERA) and the Prohibition on Employers Deterring or Discouraging Union Membership (PEDD). TVEA alleged that the District violated EERA and the PEDD when District governing board members made comments

	at multiple board meetings disparaging TVEA, discouraging membership, and denigrating members' participation in protected activity. TVEA also alleged that the District retaliated against certificated teachers who supported TVEA. TVEA also alleged that the District violated EERA during a December school board meeting when board members discussed modifying or reducing a designated agenda item called "the spotlight" which allows TVEA representatives to address the school board. OGC issued a complaint for this allegation alone and dismissed the remaining allegations for failure to state a prima facie case. TVEA appealed. Disposition: In a non-precedential decision, the Board denied the appeal. All claims made by Charging Party except for those in the August 28, 2025 complaint, that District governing board members voted to reduce "spotlight" time allotted to TVEA in violation of EERA, were dismissed without leave to amend. The Board remanded the matter to PERB's Division of Administrative Law.
26.2992-M	Decision No. 2992-M Caption: <i>Service Employees International Union Local 521 v. Kern County Hospital Authority</i> Non-precedential Description: Charging Party Service Employees International Union, Local 521 (SEIU) filed an unfair practice charge alleging that Respondent Kern County Hospital Authority (KCHA) violated the Meyers-Milius-Brown Act (MMBA) when it began strictly enforcing its dress code to prohibit employees from wearing SEIU T-shirts on working time without first providing notice and an opportunity to bargain. SEIU also alleged that KCHA's restriction on SEIU T-shirts interfered with employee and employee organization rights, and that KCHA retaliated against an employee for protected activity when it issued him a written reprimand for wearing an SEIU T-shirt. Disposition: In a non-precedential decision, the Board remanded the matter to the Division of Administrative Law for further proceedings.
27.2993-S	Decision No. 2993-S Caption: <i>Kevin M. Healy v. State of California (Department of Corrections and Rehabilitation and California Correctional Health Care Services)</i> Non-precedential Description: In October 2023, Charging Party Kevin Healy learned of efforts by Respondent State of California to investigate and discipline Healy for actions he took in his role as a union steward. In October 2024, Healy filed an unfair practice charge alleging that the conduct he had uncovered a year earlier constituted unlawful interference and retaliation for protected activities. PERB's Office of the General Counsel dismissed Healy's charge, concluding that he did not file it within the statute of limitations. Disposition: In a non-precedential decision, the Board affirmed the dismissal.

28.2994-M	Decision No. <u>2994-M</u> Caption: <i>Esroruleh Mohammad v. Service Employees International Union, Local 721</i> Non-precedential Description: Charging Party Esroruleh Mohammad filed an appeal from the dismissal of his unfair practice charge by PERB’s Office of the General Counsel (OGC). Charging Party alleged in his amended unfair practice charge that his representative, Respondent Service Employees International Union, Local 721 violated the Meyers-Milas-Brown Act by breaching the duty of fair representation. OGC issued a warning letter informing Charging Party that PERB does not have jurisdiction over unfair practice charges involving the City or County of Los Angeles, and the charge would be dismissed unless Charging Party amended the charge to add or clarify facts that would correct the deficiencies stated in the warning letter. Charging Party filed an amended charge and added the County of Los Angeles as an additional respondent alleging additional facts to support his assertion PERB should have jurisdiction over his charge. OGC evaluated the amended charge and concluded it did not cure the deficiencies stated in the warning letter. OGC dismissed the charge as to both respondents. Charging Party appealed. Disposition: In a non-precedential decision, the Board dismissed Charging Parties amended charge without leave to amend.
29.2995	Decision No. <u>2995</u> Caption: <i>Christina Garcia v. Atwater Elementary Teachers Association, CTA/NEA</i> Non-precedential Description: Charging Party Christina Garcia appealed the dismissal by the Office of the General Counsel’s (OGC) dismissal of her unfair practice charge. Garcia’s unfair practice charge, as amended, alleged that Respondent Atwater Elementary Teachers Association, CTA/NEA (AETA) violated the Educational Employment Relations Act (EERA) by breaching its duty of fair representation. Garcia also alleged that AETA engaged in age discrimination and retaliated against her. OGC determined that Garcia’s charge failed to state a prima facie case and that not all of her allegations were timely. OGC dismissed her charge and Garcia appealed. Disposition: The Board affirmed OGC’s dismissal, issuing a precedential decision because Garcia fabricated all of the legal citations in her appeal. The fabricated legal authorities were created by generative artificial intelligence (AI) tools that Garcia used to draft her appeal. The Board therefore issued the decision to resolve the instant matter, but also as a warning that no charge, appeal, response, reply or any other filing before PERB should contain any citations or statements of law, whether provided by AI or any other source, which are fabricated. The Board declined to issue monetary sanctions, but held that inclusion of fabricated cases or statements of law, before any division of PERB, will warrant serious consequences, such as striking the filing from the

	record, dismissal of the charge, or monetary sanctions. Further, the Board held that even if Garcia had not relied on nonexistent cases and fabricated statements of law, her case must be dismissed because she failed to establish a prima facie case.
30.2996-E	Decision No. 2996 Caption: <i>Stanislav Dubrovskiy v. Coast Community College District</i> Non-precedential Description: Charging Party Stanislav Dubrovskiy filed exceptions to a proposed decision of an administrative law judge (ALJ). The complaint alleges that Respondent Coast Community College District violated the Educational Employment Relations Act (EERA) when it issued Dubrovskiy an unsatisfactory evaluation, denied his tenure, and terminated his employment because of his protected activity asserting his contractual rights during a dispute with the Office of Disabled Students Programs and Services. The ALJ issued a proposed decision dismissing Dubrovskiy's complaint and charge. Dubrovskiy filed exceptions to reverse the proposed decision. The District did not file cross-exceptions and urged the Board to affirm the proposed decision. Disposition: In a non-precedential decision, the Board affirmed the ALJ's proposed decision dismissing the complaint and charge.
31.2997	Decision No. 2997 Caption: <i>Patrick Reilly v. Sacramento City Teachers Association, CTA/NEA</i> Non-precedential Description: Patrick Reilly filed an unfair practice charge alleging that Sacramento City Teachers Association, CTA/NEA violated the Educational Employment Relations Act (EERA) by causing a teacher employed by the Sacramento City Unified School District to file a harassment complaint against Reilly. After PERB's Office of the General Counsel (OGC) issued a warning letter, Reilly amended his charge. OGC dismissed the amended charge for failure to state a prima facie case. Reilly appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Reilly's charge without leave to amend.
32.2988-M	Decision No. 2998-M Caption: <i>Eileen Villaruel v. City and County of San Francisco</i> Non-precedential Description: Eileen Villaruel alleged that the City and County of San Francisco violated the Meyers-Milias-Brown Act by retaliating against her for filing the instant charge with PERB. PERB's Office of the General Counsel dismissed the charge, as amended, explaining that Villaruel had not alleged facts that would establish causation between the alleged adverse actions and the protected activity, i.e., filing her initial charge. Villaruel appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal.

33.2999-M	Decision No. <u>2999-M</u> Caption: <i>Joseph Pickar v. County of San Diego</i> Non-precedential Description: Charging Party Joseph Pickar appealed the dismissal of his unfair practice charge by PERB's Office of the General Counsel (OGC). Charging Party alleged that Respondent County of San Diego violated the Meyers-Milias-Brow Act (MMBA) by rejecting him during probation for unlawful reasons. Respondent asserted that the charge was time-barred, it did not contain sufficient facts to demonstrate retaliation or discrimination under the MMBA, and PERB has no jurisdiction to enforce the County's civil service rules and policies. OGC issued a warning letter stating Charging Party did not allege a prima facie case of retaliation or discrimination and he failed to file his charge within the statute of limitations. Charging Party amended his charge, however, OGC found the amended charge did not establish a continuing violation and dismissed the charge. Charging Party appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Charging Party's charge without leave to amend.
34.3000-M	Decision No. <u>3000-M</u> Caption: <i>Bahram Kavousi v. International Union of Operating Engineers, Stationary Engineers Local 39</i> Non-precedential Description: Charging Party Bahram Kavousi appealed a dismissal of his unfair practice charge by PERB's Office of the General Counsel (OGC). Charging Party alleged that Respondent International Union of Operating Engineers, Stationary Engineers Local 39, breached its duty of fair representation and violated the Meyers-Milias-Brown Act by failing to advocate for Charging Party during the termination of his employment and failing to respond to his complaints and requests for assistance. After Kavousi amended his charge, OGC dismissed the charge. Kavousi appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Charging Party's charge without leave to amend.
35.3001	Decision No. <u>3001</u> Caption: <i>Nicole Perrotta v. Lynwood Teachers Association; Ivonne Lopez v. Lynwood Teachers Association</i> Precedential Description: Charging Parties Nicole Perrotta and Ivonne Lopez alleged that they did not have a meaningful opportunity to express their views on an agreement that their employer, Lynwood Unified School District, negotiated with Lynwood Teachers Association regarding a single employment term. PERB's Office of the General Counsel found that the facts alleged, if proven, would not establish a prima facie case that the Association breached its duty of fair representation. Charging Parties appealed.

	Disposition: The Board affirmed. Even if the facts alleged were proven true, the Association would still meet the legal threshold of showing some consideration of the views of various groups of employees and some access for communication of those views.
36.3002	Decision No. 3002 Caption: <i>Nalo Pelago v. Sierra Joint Community College District</i> Non-precedential Description: Charging Party Nalo Pelago alleged that Respondent Sierra Joint Community College District interfered with protected activities and retaliated against him for such activities in violation of EERA. The main retaliatory act Pelago alleged is the District's decision to terminate his employment before the end of his probationary period. PERB's Office of the General Counsel dismissed the charge explaining that Pelago had not alleged facts that would establish causation between the termination and his protected activities or that the District had otherwise violated EERA. Pelago appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal.
37.3003-H	Decision No. 3003-H Caption: <i>American Federation of State, County & Municipal Employees Local 3299 v. Regents of the University of California</i> Precedential Description: Employees of the Respondent Regents of the University of California, Los Angeles (University) Facilities Management department conducted two unscheduled "delegations" to department management, to complain about the impacts of staffing practices used by the department. At least one employee at each delegation made a video recording with a smartphone. The employees later received counseling memoranda and negative comments in performance evaluations referencing one of those delegations, asserting that the employees had behaved in a "confrontational" manner and violated the University's values and the collective bargaining agreement, and that the recording violated "State law." The University also posted notices in the employees' workplaces with similar statements, and admonished employees not to speak to managers about their concerns without scheduling a meeting through the University's labor relations office. The University also sent those employees' exclusive representative, Charging Party American Federation of State, County & Municipal Employees Local 3299 (AFSCME) "Warning Letters" with similar statements. AFSCME alleged that the University's conduct violated the Higher Education Employer Employee Relations Act (HEERA) by interfering with employee and organization rights, retaliating against employees for protected activity, and unilaterally changing terms and conditions of employment. The University also sent AFSCME a "warning letter" asserting that AFSCME did not comply with University access rules when it held a tabling event in an outdoor area on campus. AFSCME further alleged that this conduct violated

	HEERA by interfering with employee and organization rights, and unilaterally changing terms and conditions of employment. A PERB administrative law judge (ALJ) held a formal hearing and issued a proposed decision upholding AFSCME's interference and retaliation allegations but rejecting the unilateral change allegations. The University filed exceptions and AFSCME filed cross-exceptions. Disposition: The Board reversed the proposed decision in part and found that the University's responses to the employee delegation retaliated against employees for protected activity, interfered with employee and organization rights, and unilaterally changed terms and conditions of employment, and that its response to AFSCME's tabling event interfered with employee and organization rights. The Board also modified the ALJ's proposed remedy to require a live reading of the notice of the decision to employees, and other measures intended to effectuate the purposes of HEERA.
38.3004-M	Decision No. 3004-M Caption: <i>International Brotherhood of Electrical Workers Local 18 v. City of Azusa</i> Precedential Description: International Brotherhood of Electrical Workers Local 18 (IBEW) filed a charge alleging that the City of Azusa violated the Meyers-Milias-Brown Act (MMBA) by changing the job duties of water workers, failing to meet and confer over the decision to implement the change in policy and/or the effects of the change in policy, interfering with the rights of bargaining unit employees to be represented by IBEW, and denying IBEW the right to represent unit members. After a hearing and briefing by the parties, the ALJ determined that the City had violated the MMBA, and ordered that the City cease and desist the misconduct and post a notice that it had violated the MMBA. The ALJ also issued a notice reading, also known as spoken notice, requiring that a City representative read aloud PERB's notice of findings and remedial order. IBEW filed exceptions to the ALJ's remedy, requesting that the Board order make-whole relief for the affected employees who performed work outside of their job classifications. The City filed cross-exceptions to the ALJ's decision itself, arguing that the work was within the scope of the employees' job classifications, that the City did not fail to meet and confer regarding the decision and its effects, and that IBEW had waived its right to bargain effects. Disposition: The Board affirmed the ALJ's conclusion that the City violated the MMBA. The Board sustained IBEW's exceptions and concluded that the ALJ erred in failing to order a make whole remedy, awarding backpay consistent with similar terms that the City had bargained in prior instances where employees worked outside of their job classifications. The Board removed the spoken notice from the order, however.
39.3005	Decision No. 3005

	Caption: <i>Service Employees International Union, Local 521 v. Standard Elementary School District</i> Non-precedential Description: A group of employees of the Standard Elementary School District filed a decertification petition with PERB to remove Charging Party Service Employees International Union, Local 521 (SEIU) as the exclusive representative of the District’s classified bargaining unit. SEIU filed a charge alleging that the District violated the Educational Employment Relations Act (EERA) by providing unlawful assistance or breaching its duty of strict neutrality, denying SEIU access to new employee orientations, and unilaterally changing terms and conditions of employment concerning health and welfare premium deductions. PERB’s Office of the General Counsel (OGC) issued a complaint on those allegations. SEIU also alleged that the District violated EERA when it used PERB’s electronic filing portal to file the list of employees in the bargaining unit utilized by OGC in verifying the decertification petitioner’s proof of support for the decertification petition, causing the list to be served on representatives of the group of employees and SEIU. SEIU alleged that by failing to keep the employee list confidential, the District provided unlawful support to the decertification petitioner, and breached its duty of strict neutrality. OGC determined that employee lists are not confidential, and dismissed from the charge SEIU’s allegations relating to the service of that list. SEIU appealed the partial dismissal to the Board. Disposition: In a non-precedential decision, the Board affirmed OGC’s partial dismissal of the charge.
40.3006-M	Decision No. 3006-M Caption: <i>Teamsters Local 911 v. County of San Diego</i> Precedential Description: The dispute arose during bargaining between the County of San Diego and Teamsters, after Teamsters decertified and replaced the prior exclusive representative. The County, applying the terms of its compensation ordinance and the predecessor union’s collective bargaining agreement, refused to credit bargaining team members’ release time for purposes of determining overtime eligibility. PERB’s Office of the General Counsel issued a complaint alleging the County thereby violated MMBA section 3505.3(a), which requires release time to be “without loss of compensation or other benefits.” The parties agreed to forego an evidentiary hearing and instead submit the matter based on a stipulated record. When briefing was complete, the Board transferred the record to the Board itself for decision pursuant to PERB Regulations 32215 and 32320(a)(1). Disposition: The Board found that the County’s ordinance and the predecessor union’s contract violated the MMBA. While the number of employees to be released and the amount of release time allowed are bargainable topics, the right to release time without loss of compensation and benefits constitutes a minimum statutory guarantee that is not waivable. Accordingly, the County violated section 3505.3, as its policy led to a loss in compensation (compared to

	employees' regular compensation) in those instances in which released employees would have earned overtime by working over 40 hours within a single work week, absent negotiations.
41.3007-M	Decision No. <u>3007-M</u> Caption: <i>International Brotherhood of Electrical Workers Local 6 v. City and County of San Francisco (San Francisco Municipal Transportation Agency)</i> Non-precedential Description: Respondent City and County of San Francisco (San Francisco Municipal Transportation Agency) (SFMTA) assigned primary maintenance duties for a battery-electric bus (BEB) pilot to employees in the 7381 Automotive Mechanics classification, represented by Joint Party International Association of Machinists & Aerospace Workers, Local 1414 (IAM). Charging Party International Brotherhood of Electrical Workers, Local 6 (IBEW), alleged that SFMTA violated the Meyers-Milias-Brown Act (MMBA) when it failed to assign maintenance work on BEBs, which are electrically-powered transit vehicles, to employees in the 7371 Electrical Transit System Mechanics classification within IBEW's bargaining unit. A previous Board decision found that SFMTA violated the MMBA when it failed to provide necessary and relevant information regarding the BEB assignment decision and remanded for further hearing on the BEB assignment decision itself. After remand, the Chief ALJ issued a proposed decision dismissing the remaining complaint allegations and incorporating the previous request for information order. Disposition: In a non-precedential decision, the Board affirmed the Chief ALJ's proposed decision dismissing the remaining complaint and charge allegations. The decision incorporated the order from the previous request for information finding.
42.3008	Decision No. <u>3008</u> Caption: <i>Atif Chaudhry v. Coast Federation of Classified Professionals, Local 4794</i> Non-precedential Description: Atif Chaudhry alleged that Respondent Coast Federation of Classified Professionals, Local 4794 (the Federation) violated EERA by breaching its duty of fair representation when its president represented Chaudhry during a meeting with his supervisor. After PERB's Office of General Counsel (OGC) issued Chaudhry a warning letter, Chaudhry amended to include an allegation that the Federation failed to file a grievance on his behalf. OGC dismissed the amended charge because it did not state a prima facie violation of EERA. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Chaudhry's charge without leave to amend.
43.3009	Decision No. <u>3009</u> Caption: <i>Lormen A. Lincoln v. Administrators Association of San Diego</i> Non-precedential

	Description: Charging Party Lormen Lincoln appealed the dismissal of his unfair practice charge by PERB’s Office of the General Counsel (OGC). Charging Party alleged that Respondent Administrators Association of San Diego breached its duty of fair representation and violated the Educational Employment Relations Act by failing to disclose a conflict of interest, refusing to file a grievance on his behalf, and refusing to proceed to arbitration for his grievance. OGC issued a warning letter stating that Charging Party’s allegations were either untimely or did not allege a prima facie violation of the duty of fair representation. Charging Party amended his charge. OGC found that the amended charge did not correct the deficiencies described in the warning letter and did not allege a prima facie violation, and dismissed the charge. Charging Party appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Charging Party’s charge without leave to amend.
44.3010-H	Decision No. 3010-H Caption: <i>University Professional and Technical Employees, Communication Workers of America Local 9119 v. Regents of the University of California</i> Precedential Description: University Professional and Technical Employees, Communication Workers of America Local 9119 (UPTe) alleged in part that Regents of the University of California (UC) violated HEERA by refusing to bargain over wages for a recently accreted Research and Development Engineer (RDE) classification during successor agreement bargaining. On December 16, 2024, UPTe requested that PERB determine that impasse existed in successor bargaining and appoint a mediator; PERB subsequently appointed a mediator. On December 30, 2024, PERB issued a Unit Modification Order accreting RDE employees into UPTe’s TX unit. In early January 2025, UC repeated its request to bargain accreted classification wages separately from successor bargaining, although UPTe had previously requested that bargaining over accreted wages occur in successor bargaining. After UPTe reiterated its previous request and pointed out that the parties should discuss accretion wages with the impasse mediator, UC continued to demand separate bargaining and accused UPTe of bad faith bargaining. PERB’s Office of General Counsel dismissed the allegation because the duty to bargain in good faith was dormant during impasse, citing <i>Victor Valley Union High School District</i> (1986) PERB Decision No. 565, pp. 7-8 (<i>Victor Valley</i>), and UC did not refuse to bargain over RDE wages. Disposition: The Board reversed OGC’s partial dismissal and remanded for a complaint to issue. While Victor Valley is correct that the duty to bargain is “dormant” during impasse resolution procedures, the Board found that the decision fails to explain that parties engaged in impasse processes are bound by a very similar duty to participate in impasse procedures in good faith, and PERB applies the same per se and totality of conduct tests irrespective of which duty applies. The Board therefore overruled Victor Valley and Regents of the University of California (1996) PERB Decision No. 1157-H to the extent they suggest that the duty to participate in impasse procedures in good faith differs in

	its nature from the duty to bargain, as well as to the extent the decisions failed to apply the per se and totality of conduct tests. Analyzing the prima facie case under the facts as alleged, the Board first rejected OGC's finding that UPTE failed to establish that UC refused to bargain RDE wages, as such a reading did not match PERB's obligation before a complaint issues to view facts in a light most favorable to the charging party. Second, the fairest reading of UC's January 2025 communications demonstrates that UC refused to discuss any accreted wages, including the RDE classification, as part of the impasse resolution stage. Applying the same per se and totality tests to the instant dispute, the Board found that UC's refusal to include a mandatory subject of bargaining (wages) in impasse resolution procedures and insist on bargaining a mandatory subject separately, at minimum, are evidence of several totality of circumstances factors, including piecemeal bargaining, dilatory and evasive conduct, and conduct that tends to frustrate negotiations. And because there is a colorable theory that UC's conduct had the practical effect of an outright refusal to participate in impasse procedures regarding a mandatory subject, a prima facie per se violation also exists.
45.3011	Decision No. 3011 Caption: <i>Sharlett Downing v. Sequoia District Teachers Association</i> Non-precedential Description: Charging Party Sharlett Downing appealed the dismissal of her unfair practice charge by PERB's Office of the General Counsel (OGC). Charging Party alleged that Respondent Sequoia District Teachers Association violated the Educational Employment Relations Act (EERA) by breaching its duty of fair representation by misrepresenting to her employer, the Sequoia Union High School District, the status of her leave; excluding her from union communications after she was placed on the 39-month reemployment list; and declining to advocate for restoration of her work e-mail access after she was separated. OGC issued Charging Party a warning letter explaining the facts alleged would not establish that Respondent had breached its duty of fair representation or violated EERA and that PERB is prohibited from issuing a complaint with respect to any charge based upon an alleged unfair practice occurring more than six months before the charge was filed. The warning letter also informed Charging Party that all charge allegations that were known or should have been known were outside EERA's six-month statute of limitations. Charging Party amended her charge two times, however OGC determined she had not cured the deficiencies explained in the warning letter. OGC dismissed Charging Party's second amended charge. Charging Party appealed the dismissal. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Charging Party's amended charge without leave to amend.
46.3012	Decision No. 3012 Caption: <i>Patrick Reilly v. Sacramento City Teachers Association, CTA/NEA</i>

	Non-precedential Description: Charging Party Patrick Reilly appealed the dismissal of his unfair practice charge by PERB's Office of the General Counsel (OGC). Charging Party alleged that Respondent Sacramento City Teachers Association, CTA/NEA violated the Educational Employment Relations Act (EERA) by breaching its duty of fair representation when it refused to represent him in an administrative hearing. OGC dismissed the charge. Charging Party appealed. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Charging Party's charge without leave to amend.
47.3013	Decision No. 3013 Caption: <i>Samuel C. McCoy v. California Teachers Association</i> Non-precedential Description: Charging Party SCM alleged that Respondents United Teachers of Santa Clara (UTSC) and California Teachers Association (CTA) breached their duty of fair representation by engaging in a pattern of conduct to deny SCM meaningful access to grievance remedies, thereby violating EERA. After PERB's Office of General Counsel (OGC) issued SCM a warning letter, he amended the charge and subsequently included supporting exhibits. OGC dismissed the amended charge because it did not state a prima facie violation of EERA. SCM appealed the dismissal and requested review of OGC's denial of his request to proceed under a pseudonym. Disposition: In a non-precedential Decision, the Board affirmed OGC's dismissal and pseudonymity determination, and dismissed Charging Party's charge without leave to amend.
48.3014-M	Decision No. 3014-M Caption: <i>Andre Santana v. San Francisco Deputy Sheriffs' Association</i> Non-precedential Description: Charging Party Andre Santana filed an unfair practice charge against Respondent San Francisco Deputy Sheriffs' Association alleging that the Association retaliated and discriminated against him and breached its duty of fair representation in violation of the Meyers-Milias-Brown Act. PERB's Office of the General Counsel (OGC) dismissed Santana's charge. Santana appealed OGC's dismissal to the Board. Disposition: In a non-precedential decision, the Board denied Santana's appeal and dismissed the charge.
49.3015-M	Decision No. 3015-M Caption: <i>Gabriel Valdivia v. Amalgamated Transit Union Local 1277</i> Non-precedential Description: Charging Party Gabriel Valdivia alleged that Respondent Amalgamated Transit Union Local 1277 violated the Meyers-Milias-Brown Act

	by breaching its duty of fair representation. Charging Party alleged that Respondent approved pension contribution rates above actuarial recommendations without adequate justification or disclosure, failed to disclose material facts affecting member wages, relied on misleading and outdated plan documentation, and failed to meaningfully investigate or respond to member concerns regarding excess pension contributions. PERB's Office of the General Counsel (OGC) issued a warning letter informing Charging Party that PERB does not have jurisdiction over this charge and provided Charging Party with the opportunity to amend the charge to cure its deficiencies. Charging Party did not amend his charge, and OGC dismissed the charge. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal without leave to amend. The Board explained that although PERB does have jurisdiction to enforce the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA) (Pub. Util. Code, §§ 99560-99570.4), that statute applies only to supervisory employees of LAMetro. (Pub. Util. Code, § 99560.3, see also <i>Los Angeles County Metropolitan Transportation Authority</i> (2023) PERB Decision No. 2916-T.) Because Valdivia is not a supervisory employee under TEERA, or otherwise under PERB's jurisdiction, the Board affirmed the dismissal.
50.3016-H	Decision No. 3016-H Caption: <i>Daniel Frederick McKeown v. American Federation of Teachers Local 1474</i> Non-precedential Description: Daniel Frederick McKeown filed an unfair practice charge against University Council – American Federation of Teachers (UC-AFT) but did not file proof of service of the charge on UC-AFT. PERB's Office of the General Counsel (OGC) sent McKeown a letter advising McKeown that service and proof of service of the charge were needed and provided an opportunity for McKeown to cure the deficiency. McKeown did not respond to OGC's letter, and thereafter OGC dismissed the charge. McKeown appealed. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal of the charge.
51.3017	Decision No. 3017 Caption: <i>Associated Chino Teachers v. Chino Valley Unified School District</i> Precedential Description: Associated Chino Teachers (ACT) filed an unfair practice charge alleging that Chino Valley Unified School District violated the Educational Employment Relations Act when it (1) issued new regulations prohibiting most displays of flags in a manner that could reasonably be interpreted to prohibit EERA-protected activities, (2) unilaterally adopted those regulations without affording ACT adequate advance notice and an opportunity to bargain, (3) unilaterally adopted policies and regulations requiring employees to notify parents or guardians of student requests to change their gender identity, and (4) unilaterally replaced the parental notification policy with a revised policy and

	regulation. After a formal hearing, an administrative law judge issued a proposed decision finding that the District’s flag display policy interfered with protected rights under EERA, and that the District violated EERA when it unilaterally adopted that policy. The proposed decision further found that the District violated EERA when it unilaterally adopted the student gender identity parental notification policy, and when it adopted some portions of the revised policy and regulation. The District filed exceptions challenging the interference finding as to the flag display policy, and the proposed decision’s reliance on the Board’s decision in <i>Rocklin Unified School District</i> (2025) PERB Decision No. 2939. Disposition: In a precedential decision, the Board found that the proposed decision did not err by finding that the District’s flag display policy interfered with employee rights to display union insignia and ACT’s right of reasonable access to District facilities to communicate with employees. The Board further found that the proposed decision did not err in relying on the Board’s precedential decision in <i>Rocklin Unified School District</i> (2025) PERB Decision No. 2939.
52.3018	Decision No. 3018 Caption: <i>David Ferrer v. Downey Unified School District</i> Precedential Description: David Ferrer primarily alleged that Downey Unified School District interfered with protected activities and retaliated against him for such activities. In a fifth amended charge, Ferrer withdrew his earlier allegations and instead alleged for the first time that the District had retaliated against and interfered with protected activities by suing him in retaliation for pursuing earlier versions of his charge. PERB’s Office of the General Counsel (OGC) dismissed the fifth amended charge on two grounds. First, OGC found that the charge could not proceed because Ferrer was not a District employee when the District sued him. In the alternative, OGC found that Ferrer’s charge did not state a prima facie case of interference or retaliation because the facts Ferrer had alleged would not establish that the District’s lawsuit both lacked a reasonable basis and was filed for an unlawful purpose. Ferrer appealed. Disposition: The Board affirmed OGC’s dismissal. First, the Board held that an employee’s post-separation allegations are actionable if they are integrally tied to the employment relationship and satisfy all other substantive and procedural requirements. For an employee’s charge against an employer, “integrally tied” normally requires that the post-separation conduct arise directly from the employment relationship or its termination. (See, e.g., <i>Hartnell Community College District</i>, <i>supra</i>, PERB Decision No. 2452, pp. 30-33.) When the respondent is a union, “integrally tied” normally requires that the post-separation conduct directly involves the union’s acts or omissions in a matter in which it owes the employee a duty of fair representation. (See, e.g., <i>SEIU (Lacy)</i> (2016) PERB Decision No. 2486-M, adopting proposed decision at pp. 4-7.) The Board was not required to decide whether Ferrer sufficiently alleged that the District’s lawsuit was integrally tied to his employment relationship, for the Board affirmed OGC’s dismissal on the alternate ground.

53.3019-H	Decision No. 3019-H Caption: <i>Winncy Du v. Trustees of the California State University (San Jose)</i> Non-precedential Description: Winncy Du filed an unfair practice charge against Trustees of the California State University, San Jose (SJSU), alleging that SJSU violated the Higher Education Employer-Employee Relations Act (HEERA) when it placed two letters of reprimand in her personnel file, added three students to a course she was teaching, and refused to consider her for the position of Mechanical Engineering department chair. After issuing a warning letter advising Du that the charge allegations were untimely or did not state a prima facie case, PERB’s Office of the General Counsel dismissed the charge. Du appealed. Disposition: In a non-precedential decision, the Board affirmed OGC’s dismissal of the charge.
54.3020-H	Decision No. 3020-H Caption: <i>George Georgiou v. Trustees of the California State University</i> Non-precedential Description: Charging Party George Georgiou appealed the dismissal of his unfair practice charge by PERB’s Office of the General Counsel (OGC). Charging Party alleged that Respondent Trustees of the California State University engaged in unlawful retaliation and interfered with his protected rights. Charging Party subsequently filed two separate amended charges. OGC issued a warning letter stating that Charging Party’s allegations, as amended, did not state a prima facie case of retaliation or interference. Following receipt of the warning letter, Charging Party amended his charge for a third time. OGC dismissed the third amended charge because it did not correct the deficiencies described in the warning letter and the new allegations in the amended charge did not state a prima facie case. Charging Party appealed. Charging Party then filed a request to correct the record to remove sensitive information. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Charging Party’s unfair practice charge without leave to amend. Additionally, the Board ordered that sensitive information identified by Charging Party be redacted from the record pursuant to PERB Regulation 32125.
55.3021-P	Decision No. 3021-P Caption: <i>Tewodros Haile v. Service Employees International Union Local 1021</i> Non-precedential Description: Charging Party Tewodros Haile alleged that Respondent Service Employees International Union Local 1021 violated Chapter 4 of the San Francisco Bay Area Rapid Transit District (BART) Act (Pub. Util. Code, §§ 28848 et seq.) by failing to restore his “union seniority” after he was reinstated to employment with BART. PERB’s Office of the General Counsel (OGC) sent Haile a warning letter advising that PERB lacks jurisdiction over internal union matters having no substantial impact on employees’ relationship to their

	employer. Haile amended the charge, but OGC found that he failed to correct the deficiencies identified in the warning letter and dismissed the charge. Haile appealed. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal of the charge.
56.3022-M	Decision No. 3022-M Caption: <i>Hoang Duong v. Service Employees International Union Local 2015</i> Non-precedential Description: Hoang Duong attempted to file an unfair practice charge against SEIU Local 2015. PERB's Office of the General Counsel (OGC) found that the submission was deficient. The substance of the charge stated only "See attached Statement of Facts and Remedy," and Duong neglected to file any such attachment. OGC afforded Duong an opportunity to cure the faulty submission, but Duong never filed an attachment or otherwise asserted any factual allegations. OGC therefore closed the case without allowing Duong's charge to be filed. Duong appealed. Disposition: The Board dismissed the case without prejudice because Duong failed to submit any factual allegations for review and OGC accordingly never allowed Duong's deficient charge to be filed.
57.3023	Decision No. 3023 Caption: <i>Verita Lynee Downing v. Los Angeles Unified School District</i> Non-precedential Description: Charging Party Verita Lynee Downing alleged that Respondent Los Angeles Unified School District violated the Educational Employment Relations Act by not re-electing her to a position as a Career Technical Education (CTE) teacher in retaliation for protected activity. Downing also alleged that the District had a pattern of failing to re-elect other CTE educators. PERB's Office of the General Counsel (OGC) issued Downing a warning letter stating her charge did not allege a prima facie case and she could not bring a charge on behalf of other CTE teachers unless they were added as named charging parties. The warning letter offered Downing an opportunity to amend her charge. Downing amended her charge, however OGC determined that she had not cured the defects outlined in the warning letter and therefore dismissed the charge. Downing appealed. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal without leave to amend.
58.3024	Decision No. 3024 Caption: <i>Alfred Charles Valrie v. Los Angeles Unified School District; California School Employees Association</i> Non-precedential

	Description: Charging Party Alfred Charles Valrie appealed the dismissal of his two unfair practice charges by PERB's Office of the General Counsel (OGC). In Case No. LA-CE-7015-E, Valrie alleged that Respondent Los Angeles Unified School District violated the Educational Employment Relations Act (EERA) by constructively discharging Valrie, notating his resignation as "Resigned to Avoid Discipline," and suing Valrie in retaliation for his protected activity. In Case No. LA-CO-1899-E, Valrie alleges that Respondent California School Employees Association breached its duty of fair representation, thereby violating EERA, when it refused to assist Valrie regarding his constructive discharge and resignation notation. OGC issued warning letters in both cases, finding that the charge against the District was untimely and both charges failed to state prima facie violates of EERA. Valrie amended his charges, and OGC dismissed them, finding that Valrie did not cure the deficiencies outlined in the warning letters. Disposition: In a non-precedential decision, the Board affirmed the dismissal of Valrie's charges without leave to amend.
59.3025	Decision No. 3025-M Caption: <i>Brian H. Taylor v. Casitas Municipal Water District</i> Non-precedential Description: Charging Party Brian H. Taylor alleged Respondent Casitas Municipal Water District violated the Meyers-Milias-Brown Act when it unilaterally changed its payroll methodology without providing notice and an opportunity to bargain. After reviewing Taylor's charge and the District's response, PERB's Office of the General Counsel (OGC) issued a warning letter stating Taylor did not allege a prima facie case that the District had committed a unilateral change or engaged in bad faith bargaining. OGC dismissed the charge on the basis that individual employees lack standing to allege that an employer violated statutory sections that protect collective bargaining rights of employee organizations, including unilateral change violations and allegations of bad faith bargaining. Taylor appealed. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal without leave to amend.
60.3026-M	Decision No. 3026-M Caption: <i>Juan Chumacero v. Orange County Fire Authority</i> Non-precedential Description: Charging Parties Juan Chumacero and John Robert Bodo each appealed the dismissal of their respective unfair practice charges by PERB's Office of the General Counsel (OGC). Charging Parties alleged that Respondent Orange County Fire Authority retaliated and discriminated against them and interfered with their protected rights. OGC issued a warning letter in each case, stating that Charging Parties' allegations did not state a prima facie case. Charging Parties thereafter filed amended charges. OGC dismissed the amended charges because they did not correct the deficiencies identified in the warning letters and did not otherwise state a prima facie case. Charging Parties appealed. The Board consolidated these cases for the purpose of this decision.

	Disposition: In a non-precedential decision, the Board affirmed the dismissal of the unfair practice charge without leave to amend in each of the consolidated cases.
61.3027-S	Decision No. 3027-S Caption: <i>Amber Rodelande v. State of California (Department of Corrections and Rehabilitation)</i> Non-precedential Description: Amber Rodelande alleged that the State of California (Department of Corrections and Rehabilitation) violated the Dills Act by requiring her to perform work outside her duties and train her supervisor and subordinate. Rodelande further alleged that her manager responded to her concerns about these extra duties by belittling, bullying, and harassing her. After reviewing Rodelande's charge, OGC issued her a warning letter, explaining that based on the facts Rodelande alleged, her claim appeared to be untimely and to allege issues falling outside PERB's jurisdiction. The warning letter gave Rodelande an opportunity to amend her charge. Rodelande did so, but OGC concluded that Rodelande had not sufficiently cured the deficiencies explained in the warning letter. OGC therefore dismissed the amended charge. Rodelande appealed. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal of the charge.
62.3028	Decision No. 3028 Caption: <i>Twin Rivers United Educators v. Twin Rivers Unified School District</i> Non-precedential Description: Charging Party Twin Rivers United Educators (TRUE) filed a charge alleging that Respondent Twin Rivers Unified School District violated the Educational Employment Relations Act (EERA) when it failed or refused to provide information about the start and end times of bargaining unit members' workdays. Following a formal hearing, an administrative law judge issued a proposed decision finding that the District responses to TRUE's request for information were deficient, and that the District violated EERA. The District filed exceptions to the proposed decision. Disposition: In a non-precedential decision, the Board affirmed the proposed decision.
63.3029	Decision No. 3029-M Caption: <i>United Public Employees v. County of Sacramento</i> Non-precedential Description: Charging Party United Public Employees (UPE) appealed the dismissal of its unfair practice charge against Respondent County of Sacramento by PERB's Office of the General Counsel (OGC). UPE's charge alleged that the County discriminated against a bargaining unit member's

	exercise of protected activity when it delayed her merit step increase because of her participation in a one-day strike. UPE alleged that the County did not delay employees' merit step increases because of unpaid leave taken for other, unprotected reasons. OGC determined that UPE had not alleged sufficient facts to show that the County delayed the bargaining unit member's merit step increase because of her protected activity, and dismissed the charge. Disposition: In a non-precedential decision, the Board reversed OGC's dismissal of the charge, and remanded with instructions to OGC to issue a complaint.
64.3030	Decision No. <u>3030</u> Caption: <i>Letecia Miller v. Los Angeles Unified School District</i> Non-precedential Description: Letecia Miller alleged that the Los Angeles Unified School District retaliated against her in violation of EERA primarily by deciding not to re-elect her as a Career Technical Education teacher, a position she held pursuant to a one-year contract. After reviewing Miller's charge and subsequent amendments, PERB's Office of the General Counsel (OGC) issued her a warning letter, explaining that the facts Miller alleged, if proven, would not establish that the District had declined to re-elect her to the CTE position because of her protected activities or that the District had otherwise violated EERA. The warning letter gave Miller an opportunity to amend her charge. Miller did so, but OGC concluded that Miller had not sufficiently cured the deficiencies explained in the warning letter. OGC therefore dismissed the amended charge. Miller appealed. Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal.
65.3031	Decision No. <u>3031</u> Caption: <i>Letecia Miller v. United Teachers of Los Angeles</i> Non-precedential Description: Letecia Miller alleged that United Teachers Los Angeles (UTLA) breached its duty of fair representation when it failed or refused to file a grievance challenging the Los Angeles Unified School District's decision not to re-elect her as a Career Technical Education teacher, a position she held pursuant to a one-year contract. After reviewing Miller's charge and subsequent amendments, PERB's Office of the General Counsel (OGC) issued her a warning letter, explaining that the facts Miller alleged, if proven, would not establish that UTLA had breached its duty of fair representation or otherwise violated EERA. The warning letter gave Miller an opportunity to amend her charge. Miller did so, but OGC concluded that Miller had not sufficiently cured the deficiencies explained in the warning letter. OGC therefore dismissed the amended charge. Miller appealed.

	Disposition: In a non-precedential decision, the Board affirmed OGC's dismissal.
66.3032	Decision No. 3032 Caption: <i>Service Employees International Union Local 99 v. Santa Monica-Malibu Unified School District</i> Non-precedential Description: During a decertification campaign by Joined Party Santa Monica-Malibu Classified Employees Association (SMMCEA), confidential human resources employee Nedra Ford and other employees, speaking at breaks in mandatory trainings, encouraged classified employees to decertify Charging Party Service Employees International Union Local 99 (SEIU) and support SMMCEA. The complaint alleged that Ford and the other SMMCEA-aligned employees acted as agents of Respondent Santa Monica-Malibu Unified School District, and the District thereby violated the Educational Employment Relations Act (EERA) and the Prohibition on Public Employer Deterring or Discouraging Union Membership (PEDD). The ALJ issued a proposed decision dismissing the complaint, finding that SEIU did not establish any agency relationship between the District and the employees. SEIU filed exceptions, requesting in part that the Board find that agency existed between Ford and the District. The District and SMMCEA urged the Board to affirm the proposed decision. Disposition: In a non-precedential decision, the Board affirmed the proposed decision's dismissal of the complaint and charge.