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October 11, 2021

Via Electronic & U.S. Mail

Public Employee Relations Board
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Re: Proposed Revisions to Regulation 32147

Dear Board Members:

This letter is in response to the Board's request for public comment regarding the proposed changes to Regulation 32147, which governs expediated cases. Mastagni Holstedt strongly supports the proposed revisions. These changes to Regulation 32147 will bring transparency to the process for requesting expediated review.

The proposed revisions clarify the criteria PERB will consider in determining whether a case should be expediated. Enumerating these criteria will assist practitioners in evaluating if they should request expediated review on a particular case and what factors to emphasize in making such requests. Further, unlike the current version of the Regulation, the revisions specify the process for filing motions to expediate including who the charge should be filed with and how it should be labeled. Perhaps most importantly, the revisions provide a five (5) day timeline for response to the motion and require "extraordinary circumstances" in order to grant a continuance. The addition of these timelines ensures that expediated cases will heard in a timely manner and prevents respondents from delaying proceedings after PERB has granted expediated review.

In sum, adopting the proposed revisions will bring much needed clarity to the process. Therefore, we urge the Board to adopt the proposed revisions to Regulation 32147.

Sincerely,
MASTAGNI HOLSTEDT, A.P.C.

/s/ Kathleen Mastagni Storm

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Attorney at Law

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