

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



CALIFORNIA SCHOOL EMPLOYEES)
ASSOCIATION and its DELTA COLLEGE)
CHAPTER 359,)
Charging Party,)
v.)
SAN JOAQUIN DELTA COMMUNITY)
COLLEGE DISTRICT,)
Respondent.)

Case No. S-CE-360
PERB Decision No. 261
Request for Stay
INTERIM ORDER
PERB Decision No. 261a
January 20, 1983

Appearances: Peter A. Janiak, Attorney for the California School Employees Association and its Delta College Chapter 359; and J. Michael Phelps, Attorney for the San Joaquin Delta Community College District.

Before Gluck, Chairperson; Jaeger and Burt, Members.

DECISION AND ORDER

BURT, Member: On December 20, 1982, the San Joaquin Delta Community College District (District) filed a Request for Reconsideration of PERB Decision No. 261 pursuant to Board rule 32410.1 The District also requested a stay of the

¹PERB rules are codified at California Administrative Code, title 8, section 31001 et seq. Rule 32410 provides in pertinent part:

(a) Any party to a decision of the Board itself may, because of extraordinary circumstances, file a request to reconsider the decision within 20 days following the date of service of the decision. An original and 5 copies of the request for reconsideration shall be filed with the

effectiveness of that Decision . After a mutually agreed-upon extension of time within which to file its response, the California School Employees Association filed its response on January 17, 1983, which was received by the Board on January 19, 1983.

Because the deadline for the District's compliance with Decision No. 261 is January 21, 1983, the Board hereby ORDERS that compliance with that Decision be stayed pending our determination whether to grant reconsideration.

Chairperson Gluck and Member Jaeger joined in this Decision.

Board itself in the headquarters office and shall state with specificity the grounds claimed and, where applicable, shall specify the page of the record relied on. Service and proof of service of the request pursuant to Section 32140 are required. The grounds for requesting reconsideration are limited to claims that the decision of the Board itself contains prejudicial errors of fact, or newly discovered evidence or law which was not previously available and could not have been discovered with the exercise of reasonable diligence.

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