

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



ROSA NELL HOODYE,)
)
 Charging Party,) Case No. LA-CE-2889
)
 v.) PERB Decision No. 847
)
 LOS ANGELES COMMUNITY COLLEGE)
 DISTRICT,) October 30, 1990
)
 Respondent.)
 _____)

Appearance: Rosa Nell Hoodye, on her own behalf.

Before Hesse, Chairperson; Shank, Camilli and Cunningham,
Members.

DECISION AND ORDER

This case is before the Public Employment Relations Board (PERB or Board) on appeal by Rosa Nell Hoodye (Hoodye) of a Board agent's dismissal of her charge that the Los Angeles Community College District (District) violated section 3543.5(a) of the Educational Employment Relations Act (EERA).¹

PERB Regulation section 32635,² which governs review of dismissals, states, in pertinent part:

The appeal shall:

(1) State the specific issues of procedure, fact, law or rationale to which the appeal is taken;

¹EERA is codified at Government Code section 3540 et seq. Unless otherwise indicated, all statutory references herein are to the Government Code.

²PERB Regulations are codified at California Code of Regulations, title 8, section 31001 et seq.

(2) Identify the page or part of the dismissal to which each appeal is taken;

(3) State the grounds for each issue stated.

Hoodye's appeal, in its entirety, reads as follows:

Unfair Practice Charge No. LA-CE-2889.

RE: REVIEW OF DISMISSAL AND FILING AN APPEAL TO THE BOARD.

Pursuant to Public Employment Relations Board regulations. (California Administrative Code, title 8, section 32635(a)).

This appeal does not comply with PERB Regulation section 32635, as it does not identify which portions of the dismissal are challenged, nor does it indicate the grounds for the appeal. The Board has held that compliance with regulations governing appeals is required to afford the respondent and the Board an adequate opportunity to address the issues raised, and noncompliance will warrant dismissal of the appeal. (Oakland Education Association (Baker) (1990) PERB Decision No. 827, p. 2; United Teachers - Los Angeles (Abboud. et al.) (1989) PERB Decision No. 738, p. 2.) The Board, therefore, denies the appeal and finds it unnecessary to determine whether the charge was otherwise sufficient to state a prima facie case.³

³The Board notes that Hoodye's allegations of racial discrimination and harassment against the District are not cognizable under the EERA, and therefore PERB has no jurisdiction over them.

The unfair practice charge in Case No. LA-CE-2889 is hereby
DISMISSED WITHOUT LEAVE TO AMEND.

By the Board⁴

⁴Member Craib did not participate in this Decision.