

**STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD**



MARK BRADLEY,

Charging Party,

v.

PUBLIC EMPLOYEES UNION LOCAL 1,

Respondent.

Case No. SF-CO-812-E

Request for Reconsideration
PERB Decision No. 2639

PERB Decision No. 2639a

September 3, 2019

Appearance: Mark Bradley, on his own behalf.

Before Banks, Shiners, and Paulson, Members.

DECISION¹

PAULSON, Member: This case is before the Public Employment Relations Board (PERB or Board) on a request for reconsideration by Charging Party Mark Bradley (Bradley), of the Board's decision in *Public Employees Union, Local 1 (Bradley)* (2019) PERB Decision No. 2639. That decision affirmed the Office of the General Counsel's dismissal of Bradley's unfair practice charge against Public Employees Union, Local 1.

PERB Regulation 32410 allows a party to request reconsideration of a Board decision under certain circumstances. But this procedure is only available to a party challenging a Board decision "arising out of exceptions to a proposed decision by an [administrative law judge] after a formal hearing." (*Berkeley Federation of Teachers, Local 1078 (Crowell)* (2015))

¹ PERB Regulation 32320, subdivision (d) provides, in pertinent part: "Effective July 1, 2013, a majority of the Board members issuing a decision or order pursuant to an appeal filed under Section 32635 [Review of Dismissals] shall determine whether the decision or order, or any part thereof, shall be designated as precedential." The Board has not designated the decision herein as precedential because it meets none of the criteria enumerated in the regulation. PERB Regulations are codified at Cal. Code Regs., tit. 8, § 31001 et seq.

PERB Decision No. 2405a, p. 14.) The reconsideration procedure does not apply to a Board decision “arising out of a dismissal of a charge by the Office of the General Counsel.” (*Id.* at p. 15.) We therefore must deny Bradley’s request for reconsideration of our decision affirming the Office of the General Counsel’s dismissal of his unfair practice charge.

ORDER

Mark Bradley’s request for reconsideration of the Public Employment Relations Board’s decision in *Public Employees Union, Local 1 (Bradley)* (2019) PERB Decision No. 2639 is DENIED.

Members Banks and Shiners joined in this Decision.