

STATE OF CALIFORNIA
EDUCATIONAL EMPLOYMENT RELATIONS BOARD

ORDER

San Diego Federation of Teachers,)
Local 370)

in appeal of)
Administrative Decision)

Case No. LA-R-89

EERB Order No. Ad-4

The decision of the Los Angeles Regional Director, in the above captioned matter, not to order the San Diego Unified School District to provide release time for the purpose of organizational campaigns and elections is sustained by the Board itself.

The Board finds that the Regional Director has correctly interpreted Section 3543.1(c) of the Act.

Educational Employment Relations Board

by



STEPHEN BARBER
Executive Assistant to the Board

2/7/77

EDUCATIONAL EMPLOYMENT RELATIONS BOARD

Los Angeles Regional Office
3550 Wilshire Boulevard, Suite 1708
Los Angeles, California 90010
(213) 736-3127



January 11, 1977

Mr. Wayne Spicer, Manager Employee Relations
San Diego Unified School District
4100 Normal Street
San Diego, CA 92103

Mr. Hugh P. Boyle, President
San Diego Teachers Association
10393 San Diego Mission Road
San Diego, CA 92108

Mr. Mike Rigdon, Vice President
San Diego Federation of Teachers, Local 370
4891 Ronson Court, Suite J
San Diego, CA 92111

Re: LA-R-89 and Consent Election Agreement

Gentlemen:

Pursuant to a letter dated December 15, 1976 from Mr. Spicer informing us that a number of teachers would not be involved in "Professional Growth Day" and thus entirely free to vote as would the large majority of teachers, I arranged for Mr. Jeff Paule, our attorney on the staff, to meet with representatives of all the parties on January 5, 1977 to try to work out an acceptable accommodation. Mr. Paule reported that it was not possible to get an agreement from all parties, but that the District's representative assured him that arrangements will be made to allow those employees who are teaching on February 4 to vote at the nearest polling site.

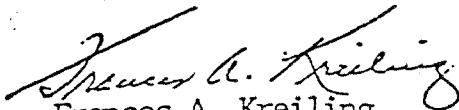
Therefore, I have decided that we will proceed with the election as set forth in the Agreement signed by each of you on December 8, 1976.

In response to the letter from Frances M. Slowiczek dated December 27, 1976 concerning releasing teachers for a period of time prior to the election, I refer you to Section 3543.1 of the Rodda Act which does not require the employer to provide release time for the purpose of organization campaigns and elections. I, therefore, decline to "overturn the decision of the San Diego Superintendent".

EDUCATIONAL EMPLOYMENT RELATIONS BOARD
LA-R-89 and Consent Election Agreement
January 11, 1977

An appeal to my decision(s) may be made within ten calendar days of receipt of this letter, stating the facts upon which the appeal is based and filed with the Executive Director, Mr. Charles Cole, at 923-12th Street, Suite 200, Sacramento, CA 95814. Copies of any appeal must be served upon all other parties to this action with an additional copy to the Los Angeles Regional Office.

Very truly yours,


Frances A. Kreiling
Regional Director

FAK:an

cc: Dr. Tom Goodman, Superintendent, SDUSD
Mr. Louis Boitano, Executive Director, SDTA
Mr. Dick Arnold, AFT
Ms. Frances M. Slowiczek, San Diego Federation of Teachers