

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



SOLANO COMMUNITY COLLEGE DISTRICT,)
Employer,)
and)
SERVICE EMPLOYEES INTERNATIONAL)
UNION, LOCAL 614, AFL/CIO,)
Appellant,)
and)
INTERNATIONAL UNION OF OPERATING)
ENGINEERS, STATIONARY LOCAL #39,)
Employee Organization,)
and)
CALIFORNIA SCHOOL EMPLOYEES)
ASSOCIATION and its Chapter #211)
Employee Organization.)

Case No. SF-D-66 (R-394)

PERB Order No. Ad-94

ADMINISTRATIVE APPEAL

July 11, 1980

Appearances: William H. Wilson, Superintendent/President for Solano Community College District; Robert J. Bezemek, Attorney for Service Employees International Union, Local 614, AFL/CIO and International Union of Operating Engineers, Stationary Local #39, AFL/CIO; Steven T. Nutter, Attorney for California School Employees Association.

Before Gluck, Chairperson; Moore, Member.

DECISION AND ORDER

The Service Employees International Union Local 614 (hereafter SEIU) has appealed the dismissal, by the San Francisco regional director, of its decertification petition in the above-captioned case. Subsequent to the appeal SEIU asked that the Board remand

the case to the regional director.

Upon review of the reasoning and determination in this case the Board summarily affirms the decision of the regional director. The appeal and remand are DENIED.

PER CURIAM

PUBLIC EMPLOYMENT RELATIONS BOARD

San Francisco Regional Office
177 Post St., 9th Floor
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(415) 557-1350

April 15, 1980

Mr. Robert J. Bezemek, Esq.
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Superintendent
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California School Employees Association
and its Chapter #211
c/o Solano Community College District
P. O. Box 246
Suisun Valley Road
Suisun City, California 94585

Re: SF-D-66 (R-394)
SF-D-67 (R-394)
SF-R-394-1
SF-R-394X
SF-D-57 (R-394)

Dear Interested Parties:

On March 24, 1980, the following documents were received by this office:

- 1) A decertification petition pursuant to PERB Regulation 33240 from Service Employees International Union, Local 614 for a unit of office, technical and para-professional employees (SF-D-66, R-394);
- 2) A decertification petition pursuant to PERB Regulation 33240 from International Union of Operating Engineers, Stationary Local No. 39, AFL-CIO for a unit of operations and support services employees (SF-D-67, R-394);
- 3) A request for recognition pursuant to PERB Regulation 33050 from International Union of Operating Engineers, Stationary Local No. 39 and Service Employees International Union, Local 614 for the established unit of all classified employees (SF-R-394-1);
- 4) A request for recognition pursuant to PERB Regulation 33050 from International Union of Operating Engineers, Stationary Local No. 39 for a unit of operations and support services employees (SF-R-394X); and,



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- 5) A decertification petition pursuant to PERB Regulation 33240 from International Union of Operating Engineers, Stationary Local No. 39 and Service Employees International Union, Local 614 for the established unit of all classified employees (SF-D-57, R-394).

International Union of Operating Engineers, Stationary Local No. 39 and/or Service Employees International Union Local 614 indicated in the various decertification petitions and/or requests for recognition that:

- 1) the established classified unit in the Solano Community College District is a unit consisting of all classified employees;
- 2) California School Employees Association and its Chapter #211 was recognized on or about July 1, 1977 (our records show that CSEA was certified on October 3, 1977);
- 3) A written agreement currently exists between the exclusive representative and the employer; and,
- 4) the expiration date of that agreement is June 30, 1980.

Review of the various decertification petitions and requests for recognition has resulted in the administrative determination that SF-D-66 (R-394), SF-D-67 (R-394) and SF-R-394-1 should be dismissed since they have been improperly filed. In that both SF-D-66 and SF-D-67 seek to carve out new units from the established unit of all classified employees, the petitions should have been filed as requests for recognition pursuant to PERB Regulation 33050. SF-R-394-1 is also improperly filed because it requests recognition for an established unit which has an exclusive representative in place. This request should have been filed as a decertification petition pursuant to PERB Regulation 33240.

This office will proceed with both SF-R-394X and SF-D-57 since both have been properly filed.

An appeal of this decision may be made to the Board itself within ten (10) calendar days of service of this letter by filing a statement of the facts upon which the appeal is based with the Executive Assistant to the Board at 923 12th Street, Suite 201, Sacramento, California 95814. Copies of any appeal must be concurrently served upon all parties and the San Francisco Regional Office. Proof of service of the appeal must be filed with the Executive Assistant.

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Should you have any questions concerning this matter, please contact me.

Very truly yours, _____

James W. Tamm
Regional Director

AIM:JWT:ma

cc: Robert Russell
Walt Norris