

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



CESSALY D. HUTCHINSON,)
)
 Charging Party,) Case No. SF-CO-39-S
)
 v.) Request for Reconsideration
) PERB Order No. Ad-299-S
 CALIFORNIA STATE EMPLOYEES)
 ASSOCIATION,) PERB Order No. Ad-299a-S
)
 Respondent.) December 21, 1999
)
 _____)

Appearance: Cessaly D. Hutchinson, on her own behalf.

Before Caffrey, Chairman; Dyer and Amador, Members.

DECISION

CAFFREY, Chairman: This case is before the Public Employment Relations Board (PERB or Board) on a request by Cessaly D. Hutchinson (Hutchinson) that the Board reconsider its decision in California State Employees Association (Hutchinson) (1999) PERB Order No. Ad-299-S (CSEA (Hutchinson)). In CSEA (Hutchinson), the Board denied Hutchinson's request that the Board accept her late filed amendments to her appeal of the dismissal in Case No. SF-CO-39-S.

DISCUSSION

PERB Regulation 32410(a)¹ permits any party to a decision of the Board itself, "because of extraordinary circumstances," to request that the Board reconsider its decision. Regulation 32410(a) states, in pertinent part:

¹PERB regulations are codified at California Code of Regulations, title 8, section 31001 et seq.

The grounds for requesting reconsideration are limited to claims that: (1) the decision of the Board itself contains prejudicial errors of fact, or (2) the party has newly discovered evidence which was not previously available and could not have been discovered with the exercise of reasonable diligence.

In considering requests for reconsideration, the Board has strictly applied the limited grounds described in PERB Regulation 32410 to avoid the use of the reconsideration process to relitigate issues which have already been decided. (Redwoods Community College District (1994) PERB Decision No. 1047a; Madera County Office of Education (1999) PERB Decision No. 1334a.)

In her request for reconsideration, Hutchinson does not claim that the Board's decision contains prejudicial error of fact, or that she has discovered new evidence. Consequently, Hutchinson's request for reconsideration fails to demonstrate grounds sufficient to comply with PERB Regulation 32410.

ORDER

The request for reconsideration in California State Employees Association (Hutchinson) (1999) PERB Order Ad-299-S is hereby DENIED.

Members Dyer and Amador joined in this Decision.