

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



TONY PETRICH,)
)
Charging Party,) Case No. LA-CE-2359
)
v.) Requests for Reconsideration
)
RIVERSIDE UNIFIED SCHOOL DISTRICT,) PERB Order No. IR-51
)
Respondent.) September 23, 1987
)

Appearance: Tony Petrich, on his own behalf.

Before Hesse, Chairperson; Porter and Craib, Members.

DECISION

HESSE, Chairperson: The Public Employment Relations Board (PERB or Board) has received two requests from charging party that the Board reconsider its decision of June 20, 1986, concerning Injunctive Relief Request No. 239, and its decision of January 30, 1987, concerning Injunctive Relief Request No. 250, both of which denied charging party's requests for injunctive relief.

The requests for reconsideration were received by the Board on May 21, 1987 and August 5, 1987. PERB Regulation 32410(a)¹ clearly sets forth that a Request for Reconsideration must be filed "within 20 days following the date of the service of the decision." Charging party's requests are, therefore, untimely.

¹PERB Regulations are codified at California Administrative Code, title 8, part III, section 31001 et seq.

Furthermore, we note that the grounds for reconsideration are limited to claims that the Board's decision contained "prejudicial errors of fact, or newly discovered evidence or law which was not previously available and could not have been discovered with the exercise of reasonable diligence."

Charging party's requests allege no such grounds. While charging party may believe that he will suffer irreparable harm unless injunctive relief is granted, we remain bound to the standards set forth in Modesto City Schools v. PERB (1982) 136 Cal.App.3d 881. Charging party has shown neither that it is probable that an unfair practice has been committed, nor that injunctive relief is just and proper.

ORDER

For the above reasons, charging party's Requests for Reconsideration of Injunctive Relief Request Nos. 239 and 250 are hereby **DENIED**.