

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



MARIAN LAUER, )  
 )  
 Charging Party, ) Case No. SF-CO-363  
 )  
 v. ) PERB Decision No. 809  
 )  
 CALIFORNIA SCHOOL EMPLOYEES )  
 ASSOCIATION AND ITS CHAPTER #302, ) June 4, 1990  
 )  
 Respondent. )  
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Before Hesse, Chairperson; Craib and Camilli, Members.

DECISION AND ORDER

HESSE, Chairperson: This case is before the Public Employment Relations Board (PERB or Board) on appeal of a dismissal by a Board agent of an unfair practice charge. Marian Lauer alleges that the California School Employees Association and its Chapter #302 violated sections 3543.6(b) and 3544.9 of the Educational Employment Relations Act (EERA)<sup>1</sup> by coercing, restraining and otherwise discouraging her from exercising her rights to independent representation.

On May 30, 1990, the PERB General Counsel requested that this case be remanded for further investigation. The Board has adopted a procedure whereby the General Counsel conducts a routine review of cases dismissed by Board agents. As the Board noted in response to a similar request in California State Employees Association (Morrow) (1986) PERB Decision No. 568-S, the purpose of the review procedure is to minimize, and hopefully

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<sup>1</sup>EERA is codified at Government Code section 3540 et seq.

reduce, appellate litigation prompted by inadequacies in the processing of unfair practice charges. The request for remand reflects the General Counsel's reasoned conclusion that further investigation would serve that purpose. We conclude that the request for remand be granted.

Therefore, upon review of the entire record, the Board ORDERS that Case No. SF-CO-363 be REMANDED to the General Counsel for further investigatory proceedings.

Members Craib and Camilli joined in this Decision.