

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



SANGER UNIFIED TEACHERS )  
ASSOCIATION, CTA/NEA )  
 )  
Charging Party, ) Case No. S-CE-1356  
 )  
v. ) PERB Decision No. 837  
 )  
SANGER UNIFIED SCHOOL DISTRICT ) September 11, 1990  
 )  
Respondent. )  
\_\_\_\_\_ )

Before Hesse, Chairperson; Shank and Cunningham, 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. The Sanger Unified Teachers Association, CTA/NEA (Association) alleges that the Sanger Unified School District (District) violated sections 3543.5 (b), (c) and (e) of the Educational Employment Relations Act (EERA)<sup>1</sup> by engaging in regressive bargaining.

The PERB General Counsel has 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 eliminate,

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

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 should be granted.

Therefore, upon review of the entire record, the Board ORDERS that Case No. S-CE-1356 be REMANDED to the General Counsel for further investigatory proceedings.

Members Shank and Cunningham joined in this Decision.