

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



DAVID GLICKBERG,)
)
 Charging Party,) Case No. LA-CO-514
)
 v.) PERB Decision No. 846
)
 UNITED TEACHERS - LOS ANGELES,) October 30, 1990
)
 Respondent.)
 _____)

Appearances: Mark Henry Shafron, Attorney, for David Glickberg; Taylor, Roth, Bush and Geffner by Jesus E. Quinonez, Attorney, for United Teachers - Los Angeles.

Before Hesse, Chairperson; Shank, Camilli and Cunningham, Members.

DECISION AND ORDER

This case is before the Public Employment Relations Board (PERB or Board) on appeal by David Glickberg (Glickberg) of a Board agent's dismissal of his charge that the United Teachers - Los Angeles (UTLA) violated the Educational Employment Relations Act (EERA).¹

PERB Regulation 32635,² which governs review of dismissals, states, in pertinent part:

The appeal shall:

(1) State the specific issues of procedure, fact, law or rationale to which the appeal is taken;

¹EERA is codified at Government Code section 3540 et seq. Unless otherwise indicated, all statutory references herein are to the Government Code.

²PERB Regulations are codified at California Administrative Code, title 8, section 31001 et seq.

(2) Identify the page or part of the dismissal to which each appeal is taken;

(3) State the grounds for each issue stated.

Glickberg's appeal, in its entirety, reads as follows:

Claimant David Glickberg hereby appeals the decision by the Public Employment Relations Board, dated June 29, 1990, Dismissing and Refusing to issue a complaint in the above-captioned matter.

This appeal does not comply with PERB Regulation 32635, as it does not identify which portions of the dismissal are challenged, nor does it indicate the grounds for the appeal. The Board has held that compliance with regulations governing appeals is required to afford the respondent and the Board an adequate opportunity to address the issues raised, and noncompliance will warrant dismissal of the appeal. (Oakland Education Association (Baker) (1990) PERB Decision No. 827, p. 2; United Teachers - Los Angeles (Abboud. et al.) (1989) PERB Decision No. 738, p. 2.) The Board therefore rejects the appeal and finds it unnecessary to determine whether the charge was otherwise sufficient to state a prima facie case.³

³The Board notes that Glickberg has alleged that UTLA discriminated against him on the basis of his age. Age discrimination is not cognizable under the EERA, and therefore PERB has no jurisdiction over such allegations.

The unfair practice charge in Case No. LA-CO-514 is hereby
DISMISSED WITHOUT LEAVE TO AMEND.

By the Board⁴

"Member Craib did not participate in this Decision.