STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD

HOWARD 0. WATTS, Complainant, v. LOS ANGELES UNIFIED SCHOOL DISTRICT, Respondent.	Case No. LA-PN-121 Request for Reconsideration PERB Decision No. 964 PERB Decision No. 964a February 5, 1993

Appearance: Howard 0. Watts, on his own behalf.

Before Hesse, Chairperson; Caffrey and Carlyle, Members.

DECISION

CAFFREY, Member: This case is before the Public Employment Relations Board (PERB or Board) on a request for reconsideration filed by Howard 0. Watts (Watts) of the Board's decision in Los Angeles Unified School District (1992) PERB Decision No. 964. In that decision the Board reversed the Board agent's finding that the Los Angeles Unified School District (District) violated section 3547(a) and (b) of the Educational Employment Relations Act (EERA)[1] by failing to provide adequate public notice in

[1]EERA is codified at Government Code section 3540 et seq. Section 3547 states, in pertinent part:

> (a) All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at a public meeting of the public school employer and thereafter shall be public records.
>
> (b) Meeting and negotiating shall not take place on any proposal until a reasonable time

June 1991 of the initial proposal it made to United Teachers-Los Angeles (UTLA).

The Board found that the District's initial proposal, made in an interest-based bargaining format, fulfilled EERA's public notice requirements. The Board dismissed the complaint which had originally been filed by Watts in July 1991.

In his request for reconsideration, Watts asserts that the Board was wrong in concluding that the District's initial proposal adequately informed the public of the issues to be negotiated. He argues that the District should do more to ensure that the public is "really informed of the initial proposals" particularly when the interest-based bargaining approach is being utilized.

DISCUSSION

PERB Regulation 32410(a)[2] states, in pertinent part:

> The grounds for requesting reconsideration are limited to claims that the decision of the Board itself contains 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.

In his reconsideration request, Watts restates his belief that the District did not meet its public notice requirement in

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> has elapsed after the submission of the proposal to enable the public to become informed and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.

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

this case. He does not, however, present any new evidence or law to support that position. Nor does Watts claim that the Board decision contains prejudicial errors.

The Board considered the entire record in this case, including listening to the tape recordings of the District Board of Education meetings at which the initial proposal to UTLA was presented. Watts has presented no information which would suggest that reconsideration of this case is appropriate.

ORDER

The request for reconsideration in PERB Decision No. 964 is hereby DENIED.

Chairperson Hesse and Member Carlyle joined in this Decision.[3]

[3]By joining in this decision, Member Carlyle has not rejected the views expressed in his dissent in the original decision.