

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



YOSEMITE FACULTY ASSOCIATION,

Charging Party,

v.

YOSEMITE COMMUNITY COLLEGE  
DISTRICT,

Respondent.

Case No. SA-CE-2146-E

PERB Decision No. 1684

September 7, 2004

Appearances: Law Offices of Robert J. Bezemek by Martin Fassler, Attorney, for Yosemite Faculty Association; Law Office of Marilyn Kaplan by Marilyn Kaplan, Attorney, for Yosemite Community College District.

Before Duncan, Chairman; Whitehead and Neima, Members.

DECISION

NEIMA, Member: This case is before the Public Employment Relations Board (Board) on appeal by the Yosemite Faculty Association (Association) from a Board agent's dismissal of its unfair practice charge. The charge alleged that the Yosemite Community College District (District) violated the Educational Employment Relations Act (EERA)<sup>1</sup> by discriminating against David Shrock for his protected activities.

By letter dated August 26, 2004, the Association informed the Board that a mutual settlement had been reached with the District in this matter. Pursuant to the settlement, the Association requested that this appeal be withdrawn. There is no indication that the settlement and withdrawal are not in the best interests of the parties or that they are inconsistent with the purposes of the EERA. Accordingly, the Board grants the withdrawal.

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

ORDER

The request of the Yosemite Faculty Association to withdraw its appeal in Case No. SA-CE-2146-E is hereby GRANTED. Accordingly, the appeal and unfair practice charge are WITHDRAWN WITH PREJUDICE.

Chairman Duncan and Member Whitehead joined in this Decision.