

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



CALIFORNIA SCHOOL EMPLOYEES
ASSOCIATION & ITS CHAPTER 549,

Charging Party,

v.

TAMALPAIS UNION HIGH SCHOOL
DISTRICT,

Respondent.

Case No. SF-CE-2459-E

PERB Decision No. 1786

December 8, 2005

Appearances: California School Employees Association by Madalyn J. Frazzini, Attorney, and Stanley Bransgrove, Labor Relations Representative, for California School Employees Association & its Chapter 549; School and College Legal Services of California by Nancy L. Klein, Associate General Counsel, for Tamalpais Union High School District.

Before Duncan, Chairman; Whitehead and McKeag, Members.

DECISION

McKEAG, Member: This case is before the Public Employment Relations Board (Board) on appeal by the California School Employees Association and its Chapter 549 (Association) of a Board agent's dismissal of its unfair practice charge. The unfair practice charge alleged that the Tamalpais Union High School District violated the Educational Employment Relations Act (EERA)¹ by unilaterally changing a health benefit plan. The Association alleged that this conduct constituted a violation of EERA section 3543.5(a), (b) and (c).

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

By letter dated September 9, 2005, the Association petitioned the Board to withdraw, without prejudice, its appeal of the dismissal because the parties have developed a mutually satisfactory resolution of the issues.

Having reviewed the record in this matter, the Board finds the withdrawal to be in the best interests of the parties and to be consistent with the purposes of EERA. Accordingly, the Board grants the withdrawal.

ORDER

The request by the California School Employees Association and its Chapter 549 to withdraw the unfair practice charge in Case No. SF-CE-2459-E is hereby GRANTED. Accordingly, the appeal and unfair practice charge are WITHDRAWN WITHOUT PREJUDICE.

Chairman Duncan and Member Whitehead joined in this Decision.