

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



ACADEMIC PROFESSIONALS OF
CALIFORNIA,

Charging Party,

v.

TRUSTEES OF THE CALIFORNIA STATE
UNIVERSITY,

Respondent.

Case No. LA-CE-668-H

PERB Decision No. 1789-H

December 9, 2005

Appearances: Rothner, Segall & Greenstone by Bernhard Rohrbacher, Attorney, for Academic Professionals of California; Office of the General Counsel by Marc D. Mootchnik, Attorney, for Trustees of the California State University.

Before Shek, McKeag and Neuwald, Members.

DECISION

SHEK: This case is before the Public Employment Relations Board (Board) on appeal by the Academic Professionals of California (APC) of a Board agent's dismissal of its unfair practice charge. The unfair practice charge alleged that the Trustees of the California State University (CSU) violated the Higher Education Employer-Employee Relations Act (HEERA)¹ by unilaterally implementing an "Ombuds Program" at the California State University Long Beach, California State University Northridge, Cal Poly State University San Luis Obispo, and California State University Monterey Bay campuses. APC alleged that this conduct constituted a violation of HEERA section 3571(a), (b) and (c).

¹HEERA is codified at Government Code section 3560, et seq. Unless otherwise indicated, all statutory references herein are to the Government Code.

By letter dated November 8, 2005, APC and CSU informed the Board that they had mutually agreed to resolve the charge, and requested that the Board consider the matter closed.

Having reviewed the record in this matter, the Board finds it appropriate to construe APC and CSU's joint request stated above as a request to withdraw APC's appeal. Since the Board finds the withdrawal to be in the best interests of the parties and to be consistent with the purposes of HEERA, the Board grants the withdrawal.

ORDER

The joint request by Academic Professionals of California and the Trustees of the California State University to withdraw the unfair practice charge in Case No. LA-CE-668-H is hereby GRANTED. The appeal is, therefore, DISMISSED WITHOUT PREJUDICE.

Members McKeag and Neuwald joined in this Decision.