



STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD

LABORERS INTERNATIONAL UNION OF
NORTH AMERICA, LOCAL 777

Charging Party,

v.

COUNTY OF RIVERSIDE,

Respondent.

Case No. LA-CE-685-M

PERB Decision No. 2248-M

April 6, 2012

Appearances: Edward R. Purcell, Labor Relations Consultant, for Laborers International Union of North America, Local 777; Zappia Law Firm by Brett M. Ehman, Attorney, for County of Riverside.

Before Martinez, Chair; Dowdin Calvillo and Huguenin, Members.

DECISION

HUGUENIN, Member: This case is before the Public Employment Relations Board (PERB or Board) on appeal by Laborers International Union of North America, Local 777 (LIUNA) of a Board agent's partial dismissal of its unfair practice charge. The charge, as amended, alleged that the County of Riverside (County) violated the Meyers-Milias-Brown Act (MMBA)¹ when it unilaterally changed retirement benefits for future retirees and failed to provide LIUNA with requested information. The charge alleged that by this conduct the County failed and refused to meet and confer in good faith with LIUNA, denied LIUNA the right to represent its members in their employment relations with the County, and denied employees the right to be represented by LIUNA in their employment relations with the County. The Board agent concluded that the allegation concerning unilateral change in

¹ The MMBA is codified at Government Code section 3500 et seq.

retirement benefits for future retirees failed to state a prima facie violation of the MMBA and dismissed this allegation.

By letter dated March 15, 2012, LIUNA notified the Board that it wished to withdraw its appeal of the partial dismissal of the charge because the parties had settled the dispute underlying the unfair practice charge, and LIUNA agreed to withdraw the appeal to the Board of the partial dismissal.² Based on our review of LIUNA's letter and the entire record in this matter, the Board finds withdrawal is in the best interests of the parties and consistent with the purposes of the MMBA. Accordingly, the Board grants LIUNA's request to withdraw the appeal of the partial dismissal.

ORDER

The request by Laborers International Union of North America, Local 777 to withdraw its appeal of the partial dismissal of its unfair practice charge in Case No. LA-CE-685-M is hereby GRANTED.

Chair Martinez and Member Dowdin Calvillo joined in this Decision.

² We note that the complaint which issued on other allegations in the charge was placed in abeyance pending the appeal which LIUNA here withdraws. If the parties have settled as well the dispute underlying the allegation on which the complaint issued, we expect PERB's Office of the General Counsel will receive a similar withdrawal request and at that time can provide for withdrawal of the charge.