

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



COALITION OF UNIVERSITY EMPLOYEES,

Charging Party,

v.

REGENTS OF THE UNIVERSITY OF
CALIFORNIA (SANTA BARBARA),

Respondent.

Case No. SF-CE-956-H

PERB Decision No. 2254-H

April 25, 2012

Appearances: Beeson, Tayer & Bodine by Susan k. Garea, Attorney, for Coalition of University Employees; Angela D. Roach, Employee & Labor Relations Specialist and Mia L. Belk, Attorney, for Regents of the University of California (Santa Barbara).

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

DECISION

DOWDIN CALVILLO, Member: This case is before the Public Employment Relations Board (PERB or Board) on appeal by the Coalition of University Employees (CUE) from PERB's Office of the General Counsel's dismissal of their unfair practice charge. The charge alleged that the Regents of the University of California (Santa Barbara) violated the Higher Education Employer-Employee Relations Act (HEERA)¹ by: (1) retaliating against employee and bargaining unit member Loan Piela for her protected activity; (2) unlawfully interfering with the ability of CUE representative Ken Rivas to represent CUE; and (3) making an unlawful unilateral change to the past practice of the parties. The Board agent dismissed the charge on the basis that it failed to state a prima facie violation of HEERA.

¹ HEERA is codified at Government Code section 3560 et seq.

By letter dated April 3, 2012, CUE notified the Board that it wished to withdraw the charge in this matter with prejudice, pursuant to a global settlement agreement between the parties.

The Board has the discretion to grant or deny requests to withdraw and dismiss cases pending before the Board itself. (PERB Reg. 32320, subd. (a)(2)² [“The Board itself may . . . take such other action as it considers proper.”]; *State of California (Department of Personnel Administration)* (2010) PERB Decision No. 2152-S; *Grossmont-Cuyamaca Community College District* (2009) PERB Order No. Ad-380; *Oakland Unified School District* (1988) PERB Order No. Ad-171; *ABC Unified School District* (1991) PERB Decision No. 831b.) Based on our review of CUE’s letter and the entire record in this matter, the Board finds withdrawal of the charge is in the best interests of the parties and consistent with the purposes of HEERA. Accordingly, the Board grants CUE’s request to withdraw the charge with prejudice.

ORDER

The request by the Coalition of University Employees to withdraw the unfair practice charge with prejudice in Case No. SF-CE-956-H is hereby GRANTED.

Chair Martinez and Member Huguenin joined in this Decision.

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