

**STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD**



ANNETTE (BARUDONI) DEGLOW,

Charging Party,

v.

LOS RIOS COMMUNITY COLLEGE DISTRICT,

Respondent.

ANNETTE (BARUDONI) DEGLOW,

Charging Party,

v.

LOS RIOS COLLEGE FEDERATION OF
TEACHERS, LOCAL 2279,

Respondent.

Case No. SA-CE-2912-E
Request for Reconsideration

PERB Decision No. 2614

PERB Decision No. 2614a

August 8, 2019

Case No. SA-CO-622-E

Appearances: Annette (Barudoni) Deglow, on her own behalf; Churchwell White by Meg Wilson, Attorney, for Los Rios Community College District.

Before Banks, Krantz, and Paulson, Members.

DECISION

KRANTZ, Member: This case is before the Public Employment Relations Board (PERB or Board) on a request by Annette Deglow (Deglow) for the Board to reconsider its decision in *Los Rios Community College District and Los Rios College Federation of Teachers, Local 2279* (2018) PERB Decision No. 2614 (*Los Rios CCD*).

In the underlying matter, Deglow appealed the Office of General Counsel's (OGC) decision to dismiss two unfair practice charges Deglow filed on March 14, 2018, Case Nos. SA-CE-2912-E and SA-CO-622-E (March 2018 charges). In her March 2018 charges and on appeal, Deglow sought "immediate re-consideration" of two unfair practice charges that the

Los Rios Teachers Association, CTA/NEA had filed, in 1986, against the Los Rios Community College District (District) and the Los Rios College Federation of Teachers, Local 2779 (Federation), respectively (the 1986 charges). PERB dismissed the 1986 charges in 1987.

In *Los Rios CCD, supra*, PERB Decision No. 2614, we affirmed OGC’s decision to dismiss the March 2018 charges. We explained that Deglow lacked standing to appeal PERB’s dismissal of the 1986 charges and that any such appeal was untimely by more than a quarter century. (*Id.* at p. 4.) Deglow now seeks reconsideration.

A party may ask the Board to reconsider a final decision if: “(1) the decision of the Board itself contains prejudicial errors of fact, or (2) the party has newly discovered evidence which was not previously available and could not have been discovered with the exercise of reasonable diligence.” (PERB Reg. 32410, subd. (a));¹ *Regents of the University of California (Davis)* (2011) PERB Decision No. 2101a-H, p. 3.) A party may not use the reconsideration process to register its disagreement with the Board’s legal analysis, to relitigate issues that have already been decided, or simply to ask the Board to “try again.” (*Chula Vista Elementary School District* (2004) PERB Decision No. 1557a, p. 2; see also *Redwoods Community College District* (1994) PERB Decision No. 1047a, pp. 2-3.)

Deglow has not established any prejudicial errors of fact in *Los Rios CCD, supra*, PERB Decision No. 2614, nor has Deglow pointed to any newly discovered evidence that would alter our decision. Instead, Deglow seeks to relitigate issues we have already decided. Her reconsideration request is therefore frivolous.

Request for Sanctions

The District renews its request for sanctions. Deglow has a lengthy history of filing repetitive unfair practice charges that feature frivolous claims and/or which seek to relitigate

¹ PERB Regulations are codified at California Code of Regulations, title 8, section 31001 et seq.

issues that have already been resolved, and the Board has previously threatened to impose monetary sanctions for further filings. (See, e.g., *Los Rios CCD, supra*, PERB Decision No. 2614, pp. 5-6, and earlier cases cited therein.) In *Los Rios CCD*, we deferred any decision regarding monetary sanctions until Deglow’s additional charges—pending with OGC—have been resolved. We take the same approach now, and reiterate our previous notice to Deglow that she may be subject to monetary sanctions should she continue to abuse PERB processes.

Moreover, the litigation sanctions ordered in *Los Rios CCD, supra*, PERB Decision No. 2614 remain in effect. Thus, in future proceedings at any level of PERB regarding matters brought by Deglow, all other parties to such matters remain advised that they may refrain from any and all responsive filings unless and until PERB directs otherwise. With respect to any unfair practice charge that Deglow has on file, or files in the future, a respondent need not file a response unless and until OGC notifies the respondent that the charge raises colorable new allegations of violations, and that a response is therefore required. In contrast, if a new or pending charge merely seeks to litigate or relitigate frivolous allegations, OGC should proceed to process the case according to PERB Regulation 32620, subdivision (d), without requiring any respondent to file a response.

ORDER

Annette (Barudoni) Deglow’s Request for Reconsideration of *Los Rios Community College District and Los Rios College Federation of Teachers, Local 2279* (2018) PERB Decision No. 2614 is DENIED. The District’s renewed request for monetary sanctions in Case Nos. SA-CE-2912-E and SA-CO-622-E is DENIED WITHOUT PREJUDICE. The litigation sanctions imposed pursuant to PERB Decision No. 2614 remain in effect. Members Banks and Paulson joined in this Decision.