

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



SONOMA COUNTY JUNIOR COLLEGE
DISTRICT,

Employer,

and

SERVICE EMPLOYEES INTERNATIONAL
UNION, LOCAL 1021,

Exclusive Representative.

Case No. SF-UM-790-E

PERB Order No. Ad-474

August 12, 2019

Appearances: Weinberg, Roger & Rosenfeld by Matthew Gauger, Attorney, for Service Employees International Union, Local 1021; Erin Stagg, Associate General Counsel, Sonoma County Junior College District.

Before Banks, Shiners, and Krantz, Members.

DECISION

KRANTZ, Member: This case is before the Public Employment Relations Board (PERB or Board) on an appeal by Service Employees International Union, Local 1021 (SEIU) to an administrative determination by the Office of General Counsel (OGC). In that determination, OGC dismissed SEIU's unit modification petition relating to the classified bargaining unit at Sonoma County Junior College District (District).

While SEIU's appeal was pending before the Board, the parties settled their dispute. In the wake of that settlement, SEIU filed a written request with the Board asking to withdraw its appeal and the underlying unit modification petition, and further asking that PERB vacate OGC's administrative determination in this matter. The District affirmatively notified PERB that it did not oppose SEIU's request.

As part of the Board's authority to take any action in a pending case that the Board deems necessary to discharge its duties and effectuate the purposes of the labor relations laws that PERB enforces, the Board has discretion to grant or deny requests to withdraw or dismiss exceptions, appeals, and cases pending before the Board, as well as to vacate or otherwise withdraw administrative determinations and other decisions or orders issued at any level of PERB. (EERA, § 3541.3, subds. (i) and (n);¹ *City of Santa Rosa (Fire Department)* (2019) PERB Decision No. 2653-M, p. 2 (*Santa Rosa*); *City of Hayward et al.* (2019) PERB Decision No. 2620-M, p. 4.) In this case, the Board finds SEIU's unopposed request to be consistent with EERA's purpose of promoting harmonious labor relations. (*Santa Rosa, supra*, PERB Decision No. 2653-M, p. 2.)

ORDER

We GRANT the request by Service Employees International Union, Local 1021 to withdraw its appeal of the administrative determination in Case No. SF-UM-790-E, to withdraw the underlying unit modification petition, and to vacate OGC's administrative determination denying that petition. We further direct that this matter is closed and that no further action be taken in this case.

Members Banks and Shiners joined in this Decision.

¹ The Educational Employment Relations Act (EERA) is codified at Government Code section 3540 et seq.