

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



SAN RAMON VALLEY UNIFIED SCHOOL)	
DISTRICT,)	
)	Case No. SF-CO-394
Charging Party,)	
)	Stay of Hearing
v.)	
)	PERB Order No. Ad-212
SAN RAMON VALLEY EDUCATION)	
ASSOCIATION, CTA/NEA,)	September 10, 1990
)	
Respondent.)	
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Before Hesse, Chairperson; Shank and Camilli, Members.

ORDER

HESSE, Chairperson: This case is before the Public Employment Relations Board (Board) on appeal by the San Ramon Valley Education Association, CTA/NEA (Association) from an administrative law judge's (ALJ) refusal to dismiss a complaint, filed by the San Ramon Valley Unified School District (District), and defer the underlying unfair practice charge to final and binding arbitration. A hearing on the unfair practice charge is scheduled to begin on September 27, 1990.

Following the issuance of the ALJ's ruling on its Motion to Dismiss Complaint and Defer to Binding Arbitration, the Association filed a timely appeal of the decision and a request for a stay of the unfair practice charge hearing in accordance with Regulations 32646(b) and 32370.¹ However, the filings of the appeal, request for stay and responses thereto, will not be

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

complete and before the Board until September 21, 1990.² A stay of the hearing pending the outcome of this appeal is therefore appropriate in that the hearing will be unnecessary should the Board reverse the ALJ's ruling in Case No. SF-CO-394.

In the interest of economy, the Board, on its own motion, ORDERS that the hearing in San Ramon Valley Unified School District, Case No. SF-CO-394, be STAYED pending the Board's decision on the Association's appeal of the ALJ's denial of its Motion to Dismiss Complaint and Defer to Binding Arbitration.

Members Shank and Camilli participated in this Decision.

²If the District mails a response by certified mail on Friday, September 21, 1990, the Board may not receive the response until the week the hearing is scheduled. (See Regulation 32135.)