

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



LONG BEACH COMMUNITY COLLEGE)
DISTRICT,)
)
Employer,) Case No. LA-SV-130
)
and) Administrative Appeal
)
CALIFORNIA SCHOOL EMPLOYEES) PERB Order No. Ad-303
ASSOCIATION,)
)
Exclusive Representative,) April 28, 2000
)
and)
)
TEAMSTERS, LOCAL 911,)
)
and)
)
AFT COUNCIL OF CLASSIFIED)
EMPLOYEES,)
)
Employee Organizations.)
_____)

Appearances: Parker, Covert & Chidester by Spencer E. Covert, Attorney, for Long Beach Community College District; Alan S. Hersh, Attorney, and Michael J. Ganley, Director, for California School Employees Association; Lawrence Rosenzweig, Attorney, for AFT Council of Classified Employees.

Before Dyer, Amador and Baker, Members.

DECISION

DYER, Member: On November 5, 1999, a Public Employment Relations Board (PERB or Board) agent issued an administrative determination in Case Nos. LA-DP-324 and LA-SV-130.

In Case No. LA-DP-324, the Board agent denied the motion by the California School Employees Association (CSEA) to stay the representation election and dismiss a petition filed by the AFT Council of Classified Employees (AFT) seeking to decertify CSEA

as the exclusive representative of a unit of classified employees in the Long Beach Community College District.

In Case No. LA-SV-130, the Board agent ordered a petition filed by the Teamsters, Local 911, to sever a unit of blue collar workers from the unit of classified employees represented by CSEA to be held in abeyance until certification by PERB of the results of the representation election in Case No. LA-DP-324.

On December 1, 1999, CSEA filed both an appeal of the Board agent's administrative determination, and a motion to stay the representation election pending the appeal. AFT filed a response opposing CSEA's appeal and request for a stay of the representation election.

In Long Beach Community College District (2000) PERB Order No. Ad-301, the Board concluded that the purposes of the Educational Employment Relations Act (EERA)¹ would not be effectuated by staying the representation election. However, the Board ordered that the ballots cast in the representation election be impounded pending the Board's decision in CSEA's appeal of the Board agent's administrative determination.

On February 22, 2000, CSEA wrote to PERB requesting withdrawal of its appeal of the administrative determination in Case No. LA-DP-324; CSEA also requested that PERB immediately lift its order impounding the ballots in the representation election.

Having considered this request, the Board concluded, in

¹EERA is codified at Government Code section 3540 et seq.

Long Beach Community College District (2000) PERB Order

No. Ad-302, that it was in the best interests of the parties, and consistent with the purposes of EERA, to grant CSEA's request.

On April 3, 2000, CSEA wrote to PERB requesting withdrawal of its appeal of the administrative determination in Case No. LA-SV-130.

Having considered this request, the Board again concludes that it is in the best interests of the parties, and consistent with the purposes of EERA, to grant CSEA's request.

ORDER

It is hereby ORDERED that the appeal of the administrative determination in Case No. LA-SV-130 is hereby WITHDRAWN.

Members Amador and Baker joined in this Decision.