

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



GREGORY K. MANDELL,

Charging Party,

v.

SAN LEANDRO UNIFIED SCHOOL DISTRICT,

Respondent.

Case No. SF-CE-2589-E

Administrative Appeal

PERB Order No. Ad-366

July 10, 2007

Appearance: Gregory K. Mandell on his own behalf.

Before Shek, McKeag and Neuwald, Members.

DECISION

McKEAG, Member: This case is before the Public Employment Relations Board (PERB or Board) on appeal by Gregory K. Mandell (Mandell) of an administrative determination that the fourth addendum to Mandell's appeal of a Board agent's dismissal in the above-referenced case was not timely filed.

BACKGROUND

Mandell was served with the Board agent's dismissal of his unfair practice charge on March 19, 2007. Pursuant to the express terms of the dismissal letter, Mandell had until April 13, 2007 to timely file his appeal. Mandell filed his fourth addendum to the appeal on April 23, 2007 ten days after the April 13, 2007 deadline. On April 23, 2007, the Appeals Assistant denied the fourth addendum as untimely filed. Mandell appealed.

## DISCUSSION

PERB Regulation 32136<sup>1</sup> provides:

A late filing may be excused at the discretion of the Board for good cause only. A late filing which has been excused becomes a timely filing under these regulations.

In support of his appeal, Mandell merely states that he "just discovered" certain language in the Board agent's dismissal that caused him "serious concern." At a minimum, parties to an unfair practice charge have a duty to carefully review all documents filed in connection with their case. Mandell's alleged late discovery of statements contained in a dismissal letter is manifestly insufficient to warrant a finding of good cause in this matter. Accordingly, the Board does not find good cause to excuse the late-filed fourth addendum to Mandell's appeal of the dismissal and, therefore, declines to accept the document.

## ORDER

Gregory K. Mandell's request that the Public Employment Relations Board accept his late-filed fourth addendum to his appeal in Case No. SF-CE-2589-E is hereby DENIED.

Members Shek and Neuwald joined in this Decision.

---

<sup>1</sup>PERB regulations are codified at California Code of Regulations, title 8, section 31001, et seq.