STATE OF CALIFORNIA DECISION OF THE PUBLIC EMPLOYMENT RELATIONS BOARD



In the Matter of:

Unit Determination for Employees of the Regents of the University of California.

Case No. SF-RR-1002-H et al.

PERB Order No. Ad-114a-H

April 20, 1982

Appearances: Philip H. Weir for Independent Tool & Die Craftsmen; Andrew Thomas Sinclair, Attorney for American Federation of State, County and Municipal Employees, AFL-CIO, Local 371; Patrick J. Szymanski, Attorney (Beeson, Tayer, Kovach & Silbert) for Brotherhood of Teamsters and Auto Truck Drivers, Local 70; Kenneth C. Absalom for California Nurses' Association; Christine A. Bologna, Attorney for California State Employees Association, California State Employees Association/Librarians, California State Employees Association/Society of Professional Scientists and Engineers; Douglas H. Barton, Attorney (Corbett, Kane & Berk) for the Regents of the University of California; Lawrence Rosenzweig, Attorney (Levy & Goldman) for International Union of Operating Engineers, Local 501; Les Chisholm and Glenn Rothner, Attorney (Reich, Adell & Crost) for American Federation of State, County & Municipal Employees, AFL-CIO; Robert J. Bezemek. Attorney (Bennett & Bezemek) for University Council, American Federation of Teachers, AFL-CIO Local 1474, University Council, American Federation of Teachers, AFL-CIO Local 1990 and University Council, American Federation of Teachers, AFL-CIO Local 1966; Stewart Weinberg, Attorney (Van Bourg, Allen, Weinberg & Roger) for Printing Trades Alliance, Alameda County Building & Construction Trades Council, AFL-CIO, International Union of Operating Engineers, Stationary Engineers, Local 39, Alameda County Building & Construction Trades Council, AFL-CIO & International Association of Machinists & Aerospace Workers, Bay Area District Lodge No. 115, AFL-CIO, Los Angeles County Employees Union, Local 434, SEIU, AFL-CIO, San Francisco Building & Trades Council, United Health Care Employees, Local 102 SEIU, AFL-CIO, United Health Care Employees, Local 250, SEIU, AFL-CIO, United Health Care Employees, Local 535, SEIU,

AFL-CIO, United Health Care Employees, Local 660, SEIU, AFL-CIO, United Health Care Employees, Local 434, SEIU, AFL-CIO, and Franklin Silver, Attorney (Beeson, Tayer, Kovach and Silbert) for Physicians National Housestaff Association.

Before Gluck, Chairperson, Jaeger, Moore, and Tovar, Members.

DECISION AND ORDER

On September 4, 1981, the Public Employment Relations Board issued its Order No. Ad-114-H, directing the chief administrative law judge to defer the commencement of hearings on exclusions of managerial, supervisory and confidential employees of the University of California from representation units until after issuance of the hearing officers' recommendations as to appropriate units for employees of the University. Those recommendations having now been issued and served on all the parties, the Board now ORDERS:

- 1. The matter of the determination of appropriate units of employees of the University of California is remanded to the chief administrative law judge for hearings on the following:
- a. The appropriate unit placement of residents and interns; and
- b. exclusionary issues, including questions of managerial, supervisory, confidential or casual status or status as a student as defined in section 3562(f), except that no evidence is to be taken on the employee-student status of residents and interns.

- 2. The matter of the unit placement of interns and residents shall be given priority.
- 3. At the conclusion of that portion of the hearings concerning the unit placement of interns and residents, including time for submission of briefs by the parties, the chief administrative law judge shall submit the record of such hearings together with the parties' briefs directly to the Board itself for final disposition.
- 4. At the conclusion of the exclusionary hearings, the chief administrative law judge shall submit the record, including the parties' briefs, directly to the Board for final disposition.

PER CURIAM