



reduction in retaliation against Heyburn for exercising rights guaranteed by SEERA. A complaint was issued and Heyburn availed himself of PERB's evidentiary hearing process. An ALJ assessed the factual and legal assertions and, in his proposed decision that issued May 3, 1984, he reached the conclusion that the FTB had not taken action against Heyburn because of any protected activity in which he may have engaged. To the contrary, the ALJ specifically found Heyburn's failure to perform the duties required of his job to be the cause of the pay reduction he received.

In the instant case, Heyburn wants the Board to extend the time period during which exceptions to the ALJ's proposed decision can be submitted to the Board. Because Heyburn believes that testimony heard in conjunction with an appeal before the Workers' Compensation Appeals Board (WCAB) will bear on his unfair practice charge, he has requested that the deadline for filing exceptions be extended to thirty days after the date a decision is reached by the WCAB.

The ALJ's proposed decision details various self-assigned projects that caused Heyburn to ignore his job duties and which prompted the pay reduction. We find nothing in Heyburn's assertions or in the documentary evidence attached to his request which supports the contention that the ALJ's conclusions are likely to be upset by any testimony presented in the WCAB forum.

Accordingly, we AFFIRM the executive director's denial of Heyburn's request for an extension of time.

Chairperson Hesse and Member Tovar joined in this Decision.