

**STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD**

PART-TIME FACULTY UNITED, AMERICAN
FEDERATION OF TEACHERS,

Charging Party,

v.

VICTOR VALLEY COMMUNITY COLLEGE
DISTRICT/VICTOR VALLEY COLLEGE
FACULTY ASSOCIATION, CTA/NEA
(INTERVENOR),

Respondents.

Case No. LA-CE-4349-E

Administrative Appeal

PERB Order No. Ad-317

October 30, 2002

Appearances: Law Offices of Robert Bezemek by Martin Fassler, Attorney, for Part-Time Faculty United, American Federation of Teachers; Liebert Cassidy Whitmore by Mary Dowell, Attorney, for Victor Valley Community College District; California Teachers Association by Michael D. Hersh, Staff Counsel, for Victor Valley College Faculty Association, CTA/NEA.

Before Baker, Whitehead and Neima, Members.

DECISION

BAKER, Member: This case is before the Public Employment Relations Board (PERB or Board) on a motion by the Part-Time Faculty United, American Federation of Teachers (AFT), that the Board transfer this case to the Board itself for issuance of a decision pursuant to PERB Regulation 32215.¹

¹ PERB regulations are codified at California Code of Regulations, title 8, section 31001, et seq. Regulation 32215 reads as follows:

A Board agent shall issue a written proposed decision or submit the record of the case to the Board itself for decision pursuant to instructions from the Board itself. The Board shall serve the proposed decision on each party. Unless expressly adopted by the Board itself, a proposed or final Board agent decision,

After reviewing AFT's request and the oppositions filed by the Victor Valley Community College District and the Victor Valley College Faculty Association, CTA/NEA, the Board declines to exercise its discretion to transfer this case to the Board itself for decision, based upon a finding that it is in the best interest of Educational Employment Relations Act (EERA)² and the parties that this case proceed through the issuance of a proposed decision by a PERB administrative law judge.

ORDER

The request by the Part-Time Faculty United, American Federation of Teachers that the Board transfer Case No. LA-CE-4349-E to the Board itself for issuance of a decision is hereby DENIED.

Members Whitehead and Neima joined in this Decision.

including supporting rationale, shall be without precedent for future cases.

² EERA is codified at Government Code section 3540, et seq.