

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



EAST WHITTIER CITY ELEMENTARY
SCHOOL DISTRICT,

Employer,

and

EAST WHITTIER ADMINISTRATORS
AND SUPERVISORS ASSOCIATION,

Petitioner.

Case Nos. LA-RR-1102-E
LA-RR-1103-E

PERB Decision No. 1887

February 27, 2007

Appearance: Eric Bathen, Attorney, for East Whittier City Elementary School District.

Before Duncan, Chairman; McKeag and Neuwald, Members.

DECISION

NEUWALD, Member: This case is before the Public Employment Relations Board (PERB or Board) on exceptions filed by the East Whittier City Elementary School District (District) to a Board agent's proposed decision. The Board agent ruled that under the Educational Employment Relations Act (EERA)¹ and PERB Regulation 33050² the following units are appropriate for meeting and negotiating with the District; a Classified Supervisory Unit consisting of the Director of Food Services; Director of Maintenance, Operations and Facilities; Assistant Manager of Personnel Services; Assistant Manager of Operations; Data Processing Supervisor; Maintenance Supervisor; and Food Services Supervisor; a Certificated Supervisory Unit consisting of the Director of Special Education; Coordinator II-Categorical

¹EERA is codified at Government Code section 3450, et seq.

²PERB regulations are codified at California Code of Regulations, title 8, section 31001, et seq.

Programs and Technology ; Principals; and Assistant Principals. With this ruling, on November 22, 2005, recognition was granted to the East Whittier Administrators and Supervisors Association (Association) in the Classified Supervisory Unit and the Certificated Supervisory Unit.

The parties in a stipulation dated February 15, 2007, agree to the following: The Association "hereby withdraw[s] their request for recognition as exclusive bargaining representatives for both the classified and certificated units, based on a vote of the members of each unit." The District "hereby withdraws its exceptions to the proposed decision." The parties request that PERB order the Board agent's proposed decision "be vacated."

Having reviewed the record in this matter, the Board finds the withdrawal to be in the best interest of the parties and to be consistent with the purpose of EERA. Accordingly, the Board grants this request.

ORDER

It is hereby ORDERED that the Board agent's proposed decision in Case Nos. LA-RR-1102-E and LA-RR-1103-E is VACATED. The requests by the parties to withdraw: (1) recognition to the East Whittier Administrators and Supervisors Association as the exclusive bargaining representatives for both the Classified Supervisory Unit and the Certificated Supervisory Unit; and (2) the District's exceptions to the proposed decision are hereby GRANTED. The appeal is, therefore, DISMISSED WITH PREJUDICE.

Chairman Duncan and Member McKeag joined in this Decision.