

TITLE 8. PUBLIC EMPLOYMENT RELATIONS BOARD

NOTICE OF PROPOSED RULEMAKING

The Public Employment Relations Board (PERB or Board) proposes to adopt and amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to adopt proposed new sections 32007, 32008, 95000, 95010, 95020, 95030, 95040, 95050, 95060, 95070, 95080, 95090, 95100, 95110, 95120, 95130, 95140, 95150, 95160, 95200, 95210, 95220, and 95230, and amend sections 31001, 32020, 32030, 32040, 32050, 32055, 32060, 32075, 32080, 32085, 32090, 32091, 32092, 32093, 32094, 32100, 32105, 32110, 32111, 32115, 32120, 32125, 32130, 32132, 32135, 32136, 32140, 32143, 32145, 32147, 32149, 32150, 32155, 32162, 32164, 32165, 32166, 32168, 32169, 32170, 32175, 32176, 32178, 32180, 32185, 32190, 32200, 32205, 32206, 32207, 32209, 32210, 32212, 32215, 32220, 32230, 32295, 32300, 32305, 32310, 32312, 32315, 32320, 32325, 32350, 32360, 32370, 32375, 32380, 32400, 32410, 32450, 32455, 32460, 32465, 32470, 32500, 32602, 32612, 32615, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32645, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 32700, 32720, 32721, 32722, 32724, 32726, 32728, 32730, 32732, 32734, 32735, 32736, 32738, 32739, 32740, 32742, 32744, 32746, 32748, 32750, 32752, 32754, 32761, 32762, 32763, 32770, 32772, 32774, 32776, 32781, 32783, 32784, 32786, 32791, 32792, 32793, 32795, and 32980.

Section 31001 provides for public meetings of the Public Employment Relations Board. Proposed section 32007 adopts a definition of "JCEERA," to mean the Judicial Council Employer-Employee Relations Act (Government Code section 3524.50 et seq.). Proposed section 32008 defines terms applicable for cases filed under the JCEERA. Section 32020 defines the term "Board." Section 32030 defines the term "Board itself." Section 32040 defines the term "Executive Director." Section 32050 defines the term "General Counsel." Section 32055 defines the term "Chief Administrative Law Judge." Section 32060 defines the term "headquarters office." Section 32075 defines the term "regional office." Section 32080 defines the term "day." Section 32085 defines the term "workday" under each of the statutes administered by PERB. Section 32090 provides for filing through PERB's electronic filing system. Section 32091 defines the term "electronic filing." Section 32092 defines the term "electronic signature." Section 32093 defines the term "electronic service." Section 32094 defines the term "filed." Section 32100 provides for when regulations contained in Chapter 1 apply to PERB proceedings. Section 32105 provides for the severability of PERB's regulations. Section 32110 provides the requirements when filing electronically with PERB. Section 32111 authorizes the Board to direct electronic posting of representation notices for remote workers. Section 32115 specifies in which "regional office" for filing representation petitions.

Section 32120 provides for the filing of written agreements or memorandums of understanding with the Board. Section 32125 addresses the filing of confidential documents with PERB. Section 32130 addresses the computation of time for filings with PERB. Section 32132 concerns the requirements for an extension of time in which to file documents with the Board. Section 32135 concerns non-electronic filing requirements. Section 32136 concerns late filing requirements. Section 32140 concerns service requirements. Section 32143 concerns placing cases in abeyance. Section 32145 concerns waiver of time period requirements for filing. Section 32147 provides for expediting matters before the Board. Section 32149 concerns the issuance of investigative subpoenas. Section 32150 concerns the issuance of subpoenas. Section 32155 concerns the circumstances for disqualifying a Board agent or Board Member from participating in PERB proceedings. Section 32162 concerns the confidentiality of Board investigations. Section 32164 concerns an application for joinder of parties. Section 32165 concerns an application to join a representation hearing as a limited party. Section 32166 concerns an application to join a representation hearing as a full party. Section 32168 concerns the conduct of hearings. Section 32169 concerns the taking of depositions. Section 32170 concerns the authority of a Board agent conducting a hearing. Section 32175 concerns the rules of evidence in representation cases. Section 32176 concerns the rules of evidence in unfair practice cases. Section 32178 concerns the burden of proof in unfair practice cases. Section 32180 addresses the rights of parties in PERB hearings. Section 32185 concerns ex parte communications with Board agents. Section 32190 concerns filings and rulings on motions. Section 32200 concerns the appeal of rulings on motions and other interlocutory matters. Section 32205 concerns requests for continuances. Section 32206 concerns the production of statements of witnesses after testimony. Section 32207 concerns the stipulation of facts for purposes of hearings. Section 32209 addresses the procedure for correction of hearing transcripts. Section 32210 concerns the filing of informational briefs and oral argument. Section 32212 concerns briefs and oral argument. Section 32215 concerns issuance of proposed decisions. Section 32220 concerns contemptuous conduct by a party or a party's agent. Section 32230 concerns the refusal of a witness to testify. Section 32295 concerns ex parte communications with members of the Board itself, or legal advisers to Board members. Section 32300 concerns the filing of exceptions to Board agent decisions. Section 32305 provides that proposed decisions become final if no timely exceptions are filed. Section 32310 provides for the filing of responses to exceptions. Section 32312 provides for the filing of a reply brief in support of exceptions. Section 32315 provides for oral argument on exceptions. Section 32320 concerns issuance of decisions by the Board itself. Section 32325 concerns the remedial powers of the Board. Section 32350 provides a definition of administrative decisions. Section 32360 concerns requirements for appeals of administrative decisions. Section 32370 concerns requests for a stay following an appeal. Section 32375 provides for responses to administrative appeals. Section 32380 provides for administrative decisions that are not appealable. Section 32400 provides that a motion for reconsideration is not required in order to exhaust administrative remedies. Section 32410 provides for the filing of requests for reconsideration. Section 32450 concerns the filing of requests for injunctive relief.

Section 32455 concerns the investigation of requests for injunctive relief. Section 32460 provides for recommendations by the General Counsel concerning requests for injunctive relief. Section 32465 provides for decisions by the Board itself concerning requests for injunctive relief. Section 32470 concerns the authority of the General Counsel regarding requests for injunctive relief where a quorum of the Board itself is unavailable. Section 32500 concerns procedures for requesting judicial review of a decision in a representation case. Section 32602 provides for the processing of unfair practice charges. Section 32612 specifies in which “regional office” unfair practice charge filings should be made. Section 32615 concerns the information required to be included in an unfair practice charge. Section 32620 concerns the processing of unfair practice charges. Section 32621 concerns the amending of unfair practice charges. Section 32625 concerns the withdrawal of unfair practice charges. Section 32630 concerns the dismissal of unfair practice charges. Section 32635 provides for the appeal of dismissals of unfair practice charges. Section 32640 concerns the issuance of complaints in unfair practice charge cases. Section 32644 provides for the filing of an answer in unfair practice charges where a complaint issues. Section 32645 concerns non-prejudicial errors in unfair practice charges and related documents. Section 32647 concerns amendments to complaints in unfair practice charge cases before hearing. Section 32648 concerns amendments to complaints in unfair practice charge cases during a hearing. Section 32649 concerns the filing of answers to amendments to complaints in unfair practice charge cases. Section 32650 concerns the conduct of informal settlement conferences in unfair practice charge cases. Section 32661 concerns the filing of repugnancy claims regarding unfair practice charge cases deferred to arbitration. Section 32680 concerns the conduct of hearings on unfair practice charges. Section 32690 concerns notice of hearing in unfair practice charge cases. Section 32700 concerns the requirements for valid proof of employee support in representation proceedings. Section 32720 concerns when an election will be conducted in representation matters under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.), and the Judicial Council Employer-Employee Relations Act (Government Code section 3524.50 et seq.). Section 32721 defines the term “parties” in representation matters under the Educational Employment Relations Act (Government Code section 3540 et seq.), the Ralph C. Dills Act (Government Code section 3512 et seq.), the Higher Education Employer-Employee Relations Act (Government Code section 3560 et seq.), the Transit Employer-Employee Relations Act (Public Utilities Code section 99560 et seq.), and the Judicial Council Employer-Employee Relations Act (Government Code section 3524.50 et seq.). Section 32722 concerns the preparation of ballots in representation matters. Section 32724 concerns service on the parties of a Directed Election Order or Consent Election Agreement regarding the conduct of an election, and notification to employees in a voting unit of an election. Section 32726 concerns the employer’s obligation to file a voter list with PERB. Section 32728 concerns the requirements for an employee to be eligible to vote in an election. Section 32730 concerns the parties’ right to station observers at an election, tally of

ballots, and service. Section 32732 concerns challenges to the eligibility of a voter. Section 32734 concerns the parties' right to station an authorized agent at the ballot count. Section 32735 concerns the resolution of challenged ballots. Section 32736 provides for a runoff election when no ballot choice receives a majority of votes. Section 32738 concerns party objections to the conduct of an election. Section 32739 concerns a Board agent's powers and duties concerning objections to the conduct of an election. Section 32740 provides for the withdrawal of objections to the conduct of an election. Section 32742 provides for hearing procedures to resolve objections to the conduct of an election or challenges to ballots. Section 32744 provides procedure for parties to file exceptions to a Board agent's proposed decision on objections to the conduct of an election or challenged ballots. Section 32746 concerns the revised tally of ballots following a ruling on challenged ballots. Section 32748 permits a party to file objections to a revised tally of ballots. Section 32750 concerns the certification of results of an election or of an exclusive representative. Section 32752 concerns when the Board may stay an election pending the resolution of an unfair practice charge relating to the voting unit. Section 32754 concerns when the Board must dismiss a petition requiring a representation election. Section 32761 provides for the filing of petitions by employee organizations requesting amendment of certification. Section 32762 concerns an employer's response to a petition for amendment of certification. Section 32763 concerns the Board's investigation of a petition for amendment of certification. Section 32770 provides for the filing of decertification petitions. Section 32772 provides for notification to employees in a voting unit of a decertification petition. Section 32774 concerns the process for the Board to determine proof of employee support for decertification petitions. Section 32776 concerns the procedure for investigating decertification petitions. Section 32781 provides for the filing of petitions to modify existing employee units and the manner in which employee units may be modified. Section 32783 concerns the filing of responses to petitions for unit modification. Section 32784 concerns the process for the Board to determine proof of employee support for petitions for unit modification. Section 32786 concerns the Board's investigation and disposition of a petition for unit modification. Section 32791 provides for the selection by the parties of a mediator. Section 32792 concerns the procedures for parties to request the Board determine the existence of impasse and appointment of a mediator. Section 32793 concerns the procedure for the Board to determine the existence of impasse. Section 32795 concerns subsequent requests by parties to the Board to determine the existence of impasse and appointment of a mediator after the Board's determination that an impasse does not exist. Section 32980 concerns enforcement of compliance with final decisions of the Board. Proposed section 95000 defines the term "window period," which is the time period when representation petitions may be filed during the term of a memorandum of understanding. Proposed section 95010 provides a process for employee organizations that are not the exclusive representative of employees of the Judicial Council to receive notice from PERB regarding representation petitions, election notices, or decisions affecting those employees. Proposed section 95020 defines the term "parties" to include entities that may be a party to a representation matter. Proposed section 95030 provides a procedure for employee organizations to petition to be certified as the exclusive representative of an appropriate unit of unrepresented

employees. Proposed section 95040 provides for the posting of the notice of the petition for certification. Proposed section 95050 provides a process for the Board to determine proof of employee support for certification petitions. Proposed section 95060 allows an employee organization to withdraw a petition for certification prior to a final decision by the Board. Proposed section 95070 concerns amendments to a petition for certification. Proposed section 95080 concerns the employer's response to a petition for certification. Proposed section 95090 provides for the Board's investigation of a petition for certification. Proposed section 95100 provides for the filing of a severance petition. Proposed section 95110 provides for the posting of the notice of the severance petition. Proposed section 95120 provides a process for the Board to determine proof of employee support for severance petitions. Proposed section 95130 concerns the employer's and exclusive representative's response to a severance petition. Proposed section 95140 concerns amendments to a severance petition. Proposed section 95150 provides for the withdrawal of a severance petition. Proposed section 95160 provides for the Board's investigation of a severance petition. Proposed section 95200 concerns the providing of notice to interested parties when the Board makes the determination to conduct a representation election. Proposed section 95210 provides a procedure for employee organizations to file an intervention to appear on the ballot for a representation election. Proposed section 95220 provides a process for the Board to determine proof of employee support for a representation election. Proposed section 95230 concerns PERB regulations applicable to representation elections.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Comments may also be submitted by facsimile (FAX) at (916) 327-6377 or by e-mail at ronald.pearson@perb.ca.gov. The written comment period closes on May 2, 2022, which is 45 days after the publication of this notice. The Board will only consider comments received at the Board offices by that time. Submit written comments to:

Ronald Pearson, Supervising Regional Attorney
Public Employment Relations Board
1031 18th Street
Sacramento, CA 95811

AUTHORITY AND REFERENCE

Pursuant to Government Code section 3541.3(g), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Educational Employment Relations Act (EERA; Government Code section 3540 et seq.). Pursuant to Government Code sections 3509(a) and 3541.3(g), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Meyers-Milias-Brown Act (MMBA; Government Code section 3500 et seq.). Government Code section 3513(h) authorizes the Board to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Ralph C. Dills Act (Dills Act; Government Code section 3512 et seq.). Government Code section 3563(f) authorizes the Board to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Higher Education Employer-Employee Relations Act (HEERA; Government Code section 3560 et seq.). Pursuant to Public Utilities Code section 99561(f), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA; Public Utilities Code section 99560 et seq.). Pursuant to Government Code sections 3541.3(g) and 71639.1(b), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Employment Protection and Governance Act (Trial Court Act; Government Code section 71600 et seq.). Pursuant to Government Code sections 3541.3(g) and 71825(b), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act; Government Code section 71800 et seq.). Government Code section 3524.52(a), authorizes the Board to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Judicial Council Employer-Employee Relations Act (JCEERA; Government Code section 3524.50 et seq.). Pursuant to Government Code sections 3541.3(g) and 3555.5(c), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Public Employee Communication Chapter (PECC; Government Code section 3555 et seq.). Pursuant to the Government Code sections 3541.3(g) and 3551(a), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Prohibition on Public Employers Detering or Discouraging Union Membership chapter (PEDD; Government Code section 3500 et seq.). Pursuant to Education Code sections 8431(e), the Board is authorized to adopt, amend and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Child Care and Development Act (Childcare Provider Act; Education Code section 8430 et seq.).

General reference for **section 31001** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3, 3551(a), 3555.5(c), 3563, 71639.1 and 71825, Government Code; and Section 99561, Public Utilities Code. General reference for **proposed section 32007**: Section 3524.50, Government Code. General reference for **proposed section 32008**: Section 3524.50, et seq., Government Code. General reference for **section 32020** of the Board's regulations: Sections 3501(f), 3509, 3513(h), 3524.52(a), 3540.1(a), 3541, 3551(a), 3555.5(c), 3562(b), 71639.1(a) and 71825(a), Government Code; and Section 99560.1(b), Public Utilities Code. General reference for **section 32030** of the Board's regulations: Sections 3501(f), 3509, 3513(h), 3524.52(a), 3540.1(a), 3541, 3551(a), 3555.5(c), 3562(b), 71639.1(a) and 71825(a), Government Code; and Section 99560.1(b), Public Utilities Code. General reference for **section 32040** of the Board's regulations: Section 3541(f), Government Code. General reference for **section 32050** of the Board's regulations: Section 3541(f), Government Code. General reference for **section 32055** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3551(a), 3555.5(c), 3563(j), 71639.1 and 71825, Government Code; and Section 99561(j), Public Utilities Code. General reference for **section 32060** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32075** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32080** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Section 99561(f), Public Utilities Code. General reference for **section 32085** of the Board's regulations: Sections 3509, 3524.52(a), 3541.3(n), 3563(m), 3513(h), 3541.3(g), 3563(f), 71639.1 and 71825, Government Code; and Section 99561(f), Public Utilities Code. General reference for **section 32090** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code; and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32091** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code; and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32092** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code, and Sections 99561 and 99561.2, Public Utilities Code. California Rule of Court 2.257. General reference for **section 32093** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code, and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32094** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code, and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32100** of the Board's regulations: Section 19604, Business and Professions Code; Section 57031, Food and Agricultural Code; Sections 3502.5, 3507, 3507.1, 3507.3, 3507.5, 3508,

3509, 3513(h), 3524.52(a), 3541.3, 3551(a), 3555.5(c), 3557, 3563, 3600, 3601, 3602, 3603, 3611, 71632.5, 71636, 71636.1, 71636.3, 71637, 71637.1, 71639.1, 71823 and 71825, Government Code; Section 2686, Labor Code; and Sections 25051, 25052, 28850, 28851, 30750, 30751, 30754, 30756, 40120, 40122, 50120, 50121, 70120, 70122, 90300, 95650, 95651, 98162.5, 99561, 100301, 100305, 100306, 101341, 101342, 101344, 102401, 102403, 103401, 103404, 103405, 103406, 125521, 125526, Appendix 1, Sections 4.2 and 4.4, and Appendix 2, Sections 13.90, 13.91, and 13.96, Public Utilities Code. General reference for **section 32105** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3, 3551(a), 3555.5(c), 3563, 71639.1 and 71825, Government Code; and Section 99561, Public Utilities Code. General reference for **section 32110** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code, and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32111** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3524.74, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code, and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32115** of the Board's regulations: Sections 3509, 3524, 3524.52(a), 3524.74, 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1, 71807 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32120** of the Board's regulations: Sections 3509, 3513(h), 3524, 3524.50, 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 3541.3(f), 3541.3(g), 71639.1 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32125** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3, 3544.7(b), 3551(a), 3555.5(c) 3563, 3577(b), 71639.1, and 71825, Government Code, and Sections 99561 and 99564.4(b), Public Utilities Code. General reference for **section 32130** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3, 3544.7(b), 3551(a), 3555.5(c), 3563, 3577(b), 71639.1 and 71825, Government Code; and Sections 99561 and 99564.4(b), Public Utilities Code. General reference for **section 32132** of the Board's regulations: Sections 3509, 3509.3, 3513(h), 3520.8, 3524.52(a), 3524.76, 3541.3(n), 3541.35, 3563(m), 3551(a), 3555.5(c), 3563.5, 71639.1, 71639.15, 71825 and 71825.05, Government Code; and Sections 99561(m) and 99561.4, Public Utilities Code. General reference for **section 32135** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32136** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Sections 12, 12(a) and 1013, Code of Civil Procedure; and Section 99561(m), Public Utilities Code. General reference for **section 32140** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32143** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Sections 12, 12(a) and 1013, Code of Civil Procedure; and Section 99561(m), Public Utilities Code. General reference for **section 32145** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a),

3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32147** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(n), 3551(a), 3555.5(c), 3563(m), 71639.1 and 71825, Government Code; and Section 99561(m), Public Utilities Code. General reference for **section 32149** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32150** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 3601, 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32155** of the Board's regulations: Sections 3509, 3509.5, 3513, 3520, 3524.52(a), 3524.73, 3541.3, 3542, 3551(a), 3555.5(c), 3557, 3563, 3564, 71639.1, 71639.4, 71825 and 71825.1, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561, 99562, 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32162** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32164** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32165** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(a), 3541.3(b), 3541.3(h), 3541.3(l), 3541.3(m), 3541.3(n), 3563(a), 3563(c), 3563(g), 3563(k), 3563(l), 71639.1 and 71825, Government Code; and Sections 99561(a), 99561(c), 99561(g), 99561(k) and 99561(l), Public Utilities Code. General reference to **section 32166** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(a), 3541.3(b), 3541.3(h), 3541.3(l), 3541.3(m), 3541.3(n), 3563(a), 3563(c), 3563(g), 3563(k), 3563(l), 71639.1 and 71825, Government Code; and Sections 99561(a), 99561(c), 99561(g), 99561(k) and 99561(l), Public Utilities Code. General reference for **section 32168** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3541.3(k), 3551(a), 3555.5(c), 3563(g), 3563(j), 71639.1 and 71825, Government Code; and Sections 99561(g) and 99561(j), Public Utilities Code. General reference for **section 32169** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32170** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3541.3(k), 3551(a), 3555.5(c), 3563(g), 3563(j), 71639.1 and 71825, Government Code; and Sections 99561(g) and 99561(j), Public Utilities Code. General reference for **section 32175** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(a), 3541.3(b), 3541.3(h), 3541.3(l), 3541.3(m), 3563(a), 3563(c), 3563(g), 3563(k), 3563(l), 71639.1 and 71825, Government Code; and Sections 99561(a), 99561(c), 99561(g), 99561(k) and 99561(l), Public Utilities Code. General reference for **section 32176** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3541.3(i), 3551(a), 3555.5(c), 3563(g), 3563(h), 71639.1 and 71825, Government Code; and Sections 99561(g) and 99561(h), Public Utilities Code. General reference for **section 32178** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a),

3541.3(h), 3541.3(i), 3551(a), 3555.5(c), 3563(g), 3563(h), 71639.1 and 71825, Government Code; and Sections 99561(g) and 99561(h), Public Utilities Code. General reference for **section 32180** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32185** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3541.3(i), 3541.3(n), 3551(a), 3555.5(c), 3563(g), 3563(h), 3563(m), 71639.1 and 71825, Government Code; and Sections 99561(g), 99561(h) and 99561(m), Public Utilities Code. General reference for **section 32190** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32200** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32205** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32206** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32207** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32209** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32210** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(a), 3541.3(b), 3541.3(e), 3541.3(g), 3541.3(h), 3541.3(i), 3541.3(l), 3541.3(m), 3541.3(n), 3551(a), 3555.5(c), 3563(a), 3563(b), 3563(e), 3563(f), 3563(g), 3563(h), 3563(k), 3563(l), 3563(m), 71639.1 and 71825, Government Code; and Section 99561, Public Utilities Code. General reference for **section 32212** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32215** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32220** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32230** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(h), 3551(a), 3555.5(c), 3563(g), 71639.1 and 71825, Government Code; and Section 99561(g), Public Utilities Code. General reference for **section 32295** of the Board's regulations: Sections 3509, 3513, 3514.5, 3524.52(a), 3524.55, 3541.3, 3541.5, 3551(a), 3555.5(c), 3563, 3563.2, 71639.1 and 71825, Government Code; and Sections 99561 and 99561.2, Public Utilities Code. General reference for **section 32300** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3551(a), 3555.5(c), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4,

13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32305** of the Board's regulations: Sections 3509, 3509.3, 3513(h), 3520.8, 3524.52(a), 3524.76, 3541.3(k), 3541.3(n), 3541.35, 3551(a), 3555.5(c), 3563(j), 3563(m), 3563.5, 71639.1, 71639.15, 71825 and 71825.05, Government Code; and Sections 99561(j), 99561(m) and 99561.4, Public Utilities Code. General reference for **section 32310** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3551(a), 3555.5(c), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32312** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Appendix I, Section 4.4 and Appendix 2, Section 13.91, Public Utilities Code. General reference for **section 32315** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3551(a), 3555.5(c), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32320** of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3524.52(a), 3524.55, 3541.3(k), 3541.3(n), 3551(a), 3555.5(c), 3563(j), 3563(m), 3563.2, 11425.60, 71639.1 and 71825, Government Code; and Sections 99561(j), 99561(m) and 99561.2, Public Utilities Code. General reference for **section 32325** of the Board's regulations: Sections 3509, 3509.5, 3514.5(c), 3520, 3524.55(c), 3524.73, 3541.5(c), 3542, 3551(a), 3555.5(c), 3563.3, 3564, 71639.1, 71639.4, 71825 and 71825.1, Government Code; Section 99561(f), Public Utilities Code; and *Firefighters Union, Local 1186 v. City of Vallejo* (1974) 12 Cal.3d 608. General reference for **section 32350** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3551(a), 3555.5(c), 3557, 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32360** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32370** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32375** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and

125521, Public Utilities Code. General reference for **section 32380** of the Board's regulations: Sections 3505.4, 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32400** of the Board's regulations: Sections 3509, 3509.5, 3520, 3524.73, 3542, 3551(a), 3555.5(c), 3564, 71639.4 and 71825.1, Government Code; and Section 99562, Public Utilities Code. General reference for **section 32410** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(k), 3541.3(n), 3551(a), 3555.5(c), 3563(j), 3563(m), 71639.1 and 71825, Government Code; and Sections 4.4, 13.91, 25052, 28851, 30751, 40122, 50121, 70122, 90300, 95651, 98162.5, 99561(j), 99561(m), 100301, 101344, 102403, 103401, 120505 and 125521, Public Utilities Code. General reference for **section 32450** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3551(a), 3555.5(c), 3541.3(j), 3541.3(n), 3563(i), 71639.1 and 71825, Government Code; and Section 99561(i), Public Utilities Code. General reference for **section 32455** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(j), 3551(a), 3555.5(c), 3563(i), 71639.1 and 71825, Government Code; and Section 99561(i), Public Utilities Code. General reference for **section 32460** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(j), 3541.3(n), 3551(a), 3555.5(c), 3563(i), 3563(m), 71639.1 and 71825, Government Code; and Sections 99561(i) and 99561(m), Public Utilities Code. General reference for **section 32465** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541.3(j), 3541.3(n), 3551(a), 3555.5(c), 3563(i), 3563(m), 71639.1 and 71825, Government Code; and Sections 99561(i) and 99561(m), Public Utilities Code. General reference for **section 32470** of the Board's regulations: Sections 3509, 3513(h), 3524.52(a), 3541(f), 3541(g), 3541.3(j), 3541.3(k), 3551(a), 3555.5(c), 3563(i), 3563(j), 71639.1 and 71825, Government Code; and Sections 99561(i) and 99561(j), Public Utilities Code. General reference for **section 32500** of the Board's regulations: Sections 3509, 3509.5, 3520, 3524.73, 3542, 3564, 71639.4 and 71825.1, Government Code; and Section 99562, Public Utilities Code. General reference for **section 32602** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71636, 71636.3, 71637.1, 71639.1, 71814, 71823 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32612** of the Board's regulations: Sections 3509, 3513(h), 3514.5, 3524.52(a), 3524.55, 3541.3(i), 3541.5, 3551(a), 3555.5(c), 3563(h), 3563.2, 71639.1, 71807 and 71825, Government Code; and Sections 99561(h) and 99561.2, Public Utilities Code. General reference for **section 32615** of the Board's regulations: Sections 3502.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32620** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519,

3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1 and 71825, Government Code; Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code; *Firefighters Union, Local 1186 v. City of Vallejo* (1974) 12 Cal.3d 608, and *Coachella Valley Mosquito and Vector Control District v. Public Employment Relations Board* (2005) 35 Cal.4th 1072. General reference for **section 32621** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71636, 71636.3, 71637.1, 71639.1, 71814, 71823 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32625** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513, 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32630** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32635** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32640** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32644** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32645** of the Board's regulations: Sections 3509, 3514.5(a), 3524.52(a), 3524.55, 3541.5(a), 3551(a), 3555.5(c), 3563.2, 71639.1 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7 and 99563.8, Public Utilities Code. General reference for **section**

32647 of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32648** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(g), 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32649** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32650** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32661** of the Board's regulations: Sections 3506.5, 3509, 3514.5, 3519, 3519.5, 3524.52(a), 3524.55, 3524.71, 3524.72, 3541.5, 3543.5, 3543.6, 3551(a), 3555.5(c), 3558.8, 3563.2, 3571, 3571.1, 3571.3, 3589, 71639.1 and 71825, Government Code; and Sections 99561(h), 99561.2, 99563.7, 99563.8 and 99567, Public Utilities Code. General reference for **section 32680** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(g), 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32690** of the Board's regulations: Sections 3502.5, 3506.5, 3509, 3513(h), 3514.5, 3515.7, 3519, 3519.5, 3523, 3524.52(a), 3524.55, 3524.59, 3524.71, 3524.72, 3524.78, 3541.3(i), 3541.3(n), 3541.5, 3543.5, 3543.6, 3546.5, 3547, 3547.5, 3551(a), 3555.5(c), 3563(h), 3563(m), 3563.2, 3571, 3571.1, 3571.3, 3584, 3587, 3595, 71632.5, 71639.1, 71814 and 71825, Government Code; and Sections 99561(g), 99561(h), 99561.2, 99563.7, 99563.8, 99566.3 and 99569, Public Utilities Code. General reference for **section 32700** of the Board's regulations: Sections 3513(h), 3515.7(d), 3520.5, 3524.52(a), 3524.74, 3544, 3544.1, 3544.3, 3544.5, 3544.7, 3546, 3573, 3574, 3575, 3576, 3577 and 3585.5, Government Code; and Sections 99561(c), 99561(e), 99561(k), 99561(l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code; and Sections 8431 and 8434, Education Code. General reference for **section 32720** of the

99561(l), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32754** of the Board's regulations: Sections 3513(h), 3520.5(b), 3524.52(a), 3524.74(a), 3524.74(b), 3524.74(d), 3541.3(c), 3544.1(a), 3544.3, 3544.7(a), 3546, 3563(c), 3574(a), 3577, 3579(e) and 3583.5, Government Code; and Sections 99561(c), 99561(k), 99564, 99564.1, 99564.2, 99564.3, 99564.4 and 99566.1, Public Utilities Code. General reference for **section 32761** of the Board's regulations: Sections 3513(h), 3524.52(a), 3541.3(m) and 3563(l), Government Code; and Section 99561(l), Public Utilities Code. General reference for **section 32762** of the Board's regulations: Sections 3513(h), 3524.52(a), 3541.3(m) and 3563(l), Government Code; and Section 99561(l), Public Utilities Code. General reference for **section 32763** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.74(b), 3541.3(h), 3541.3(m), 3563(g) and 3563(l), Government Code; and Section 99561(g) and 99561(l), Public Utilities Code. General reference for **section 32770** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.74(b), 3524.74(d), 3541.3(g) and 3563(k), Government Code; and Sections 99561(k) and 99564.3, Public Utilities Code. General reference for **section 32772** of the Board's regulations: Sections 3513(h), 3524, 3524.50, 3524.52(a), 3524.74(b), 3524.74(d), 3541.3(g) and 3563(k), Government Code; and Sections 99561(k) and 99564.3, Public Utilities Code. General reference for **section 32774** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.74 (b), 3524.74(d), 3541.3(g) and 3563(k), Government Code; and Sections 99561(k) and 99564.3, Public Utilities Code. General reference for **section 32776** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.74(a), 3524.74(b), 3524.74(d), 3541.3(g), 3520.5 and 3563(k), Government Code; and Sections 99561(k), 99564.3 and 99564.4, Public Utilities Code. General reference for **section 32781** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.53, 3524.74, 3541.3(a) and (e) and 3563(a), Government Code; and Section 99561(a), (e), Public Utilities Code. General reference for **section 32783** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.74(b), 3541.3(a), (e) and 3563(a), Government Code; and Section 99561(a), (e), Public Utilities Code. General reference for **section 32784** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.74(b), 3541.3(a), (e) and 3563(a), Government Code; and Section 99561(a), (e), Public Utilities Code. General reference for **section 32786** of the Board's regulations: Sections 3513(h), 3524.52(a), 3524.53, 3524.74, 3524.77, 3541.3(a), (e) and 3563(a), Government Code; and Section 99561(a), (e), (g), Public Utilities Code. General reference for **section 32791** of the Board's regulations: Sections 3518, 3524.68, 3548 and 3590, Government Code. General reference for **section 32792** of the Board's regulations: Sections 3518, 3524.68, 3548 and 3590, Government Code. General reference for **section 32793** of the Board's regulations: Sections 3518, 3524.68, 3548 and 3590, Government Code. General reference for **section 32795** of the Board's regulations: Sections 3518, 3524.68, 3548 and 3590, Government Code. General reference for **section 32980** of the Board's regulations: Sections 3509, 3509.5, 3514.5(c), 3520, 3524.52(a), 3524.55(c), 3524.73, 3541.5(c), 3542, 3551(a), 3555.5(c), 3563.3, 3564, 71639.1, 71639.4, 71825 and 71825.1, Government Code; and Sections 99561.3 and 99562, Public Utilities Code; and *Firefighters Union, Local 1186 v. City of Vallejo* (1974) 12 Cal.3d 608. General reference for **proposed section 95000**: Sections 3524.52(a), 3524.74, 3541.3(c) and

3541.3(l), Government Code. General reference for **proposed section 95010**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95020**: Section 3524.50, et seq., Government Code. General reference for **proposed section 95030**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95040**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95050**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95060**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95070**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95080**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95090**: Sections 3524.74, 3524.77, 3541.3(c), 3541.3(h) and 3541.3(l), Government Code. General reference for **proposed section 95100**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95110**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95120**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95130**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95140**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95150**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95160**: Sections 3524.74, 3524.77, 3541.3(c), 3541.3(h) and 3541.3(l), Government Code. General reference for **proposed section 95200**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95210**: Sections 3524.74, 3541.3(c) and 3541.3 (l), Government Code. General reference for **proposed section 95220**: Sections 3524.74, 3524.77, 3541.3(c) and 3541.3(l), Government Code. General reference for **proposed section 95230**: Sections 3524.74, 3541.3(c) and 3541.3(l), Government Code.

POLICY STATEMENT OVERVIEW

PERB is a quasi-judicial agency which oversees public sector collective bargaining in California. PERB presently administers fourteen collective bargaining statutes, ensures their consistent implementation and application, and adjudicates disputes between the parties subject to them. The statutes administered by PERB are: the Meyers-Miliias-Brown Act (MMBA) of 1968, which established collective bargaining for California's city, county, and local special district employers and employees; the Educational Employment Relations Act (EERA) of 1976 establishing collective bargaining in California's public schools (K-12) and community colleges; the State Employer-Employee Relations Act of 1978, known as the Ralph C. Dills Act (Dills Act), establishing collective bargaining for state government employees; the Higher Education Employer-Employee Relations Act (HEERA) of 1979 extending the same coverage to the California State University System, the University of California System and Hastings College of Law; the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA) of 2003, which covers supervisory employees of the Los Angeles County Metropolitan Transportation

Authority; the Trial Court Employment Protection and Governance Act (Trial Court Act) of 2000 and the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act) of 2002, which together provide for collective bargaining rights for most trial court employees; the Public Employee Communication Chapter (PECC) of 2017, which conferred PERB jurisdiction over violations of the PECC; the Prohibition on Public Employers Deterring or Discouraging Union Membership (PEDD) of 2018, which conferred PERB jurisdiction over violations of the PEDD; the Building a Better Early Care and Education System Act of 2019, known as the Childcare Provider Act (CCPA), establishes collective bargaining for family childcare providers who participate in a state-funded early care and education program. In 2020, the Legislature gave PERB jurisdiction over the Bay Area Rapid Transit District Act (BART Act), where the Board has jurisdiction over disputes relating to employer-employee relations at BART, and jurisdiction over the Orange County Transit District Act (OCTDA) in the Public Utilities Code giving PERB jurisdiction over unfair practice charges at the Orange County Transportation Authority. In 2021, the Legislature gave PERB jurisdiction over disputes relating to employer-employee relations of the Sacramento Regional Transit District (SacRT) for those exclusive representatives that have elected to move one or more of its bargaining units to the jurisdiction of PERB for unfair practice charges.

As a result of the enactment of Assembly Bill 83 (Stats. 2017, Ch. 835), effective January 1, 2018, PERB acquired responsibility for the administration and enforcement of the Judicial Council Employer-Employee Relations Act (JCEERA), which is codified at Chapter 10.4 of Title 1 of the Government Code, section 3524.50 et seq., covering employees of the Judicial Council. This new statutory enactment requires amendments to PERB's existing regulations and the adoption of new regulations in order to fully implement PERB's jurisdiction. As explained in more detail in the Informative Digest, the regulatory changes proposed by this notice address PERB's need to implement a process for resolving disputes arising under the JCEERA, including the filing and processing of unfair practice charges. The regulatory changes proposed by this notice also address PERB's need to implement rules and procedures regarding representation matters, including in the area of representation petitions, elections, decertification, and unit determinations.

INFORMATIVE DIGEST

A. Adoption of New Sections

Proposed Section 32007 adopts a definition of "JCEERA," the Judicial Council Employer-Employee Relations Act (Government Code section 3524.50 et seq.).

Proposed Section 32008 adopts a section defining terms applicable for matters arising under the JCEERA (Government Code section 3524.50 et seq.), which includes the definition for the term "employee organization," as used in Government Code section 3524.52, subdivision (c), and the term "election intervenor," which is not defined under the JCEERA.

Proposed Section 95000 defines the term “window period,” under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.), which is the time period when representation proceedings may be filed during the term of a memorandum of understanding. This proposed section provides clarity to the parties regarding when a representation proceeding may be initiated under JCEERA during the term of a memorandum of understanding.

Proposed Section 95010 provides a process for employee organizations that are not the exclusive representative of employees of the Judicial Council to receive notice from PERB regarding representation petitions, election notices, or decisions affecting those employees under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). This proposed section provides clarity to the parties regarding the procedures for filing a statement of interest with PERB.

Proposed Section 95020 defines the term “parties,” under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.), to include entities that may be a party to a representation matter. This proposed section provides clarity in the meaning of the term as it is used in proposed Chapter 10, which governs representation proceedings specific to the JCEERA.

Proposed Section 95030 provides a procedure for employee organizations to petition to be certified by PERB as the exclusive representative of an appropriate unit of unrepresented employees under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). This proposed section provides clarity to employee organizations and the Judicial Council of the procedure for employee organizations to petition to be certified as the exclusive representative of an appropriate unit of unrepresented employees.

Proposed Section 95040 provides for the posting of the notice of the petition for certification under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.), which provides notice to affected employees of the petition.

Proposed Section 95050 provides a process for the Board to determine proof of employee support for certification petitions filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). Proof of support is defined under Section 32700 of existing PERB regulations.

Proposed Section 95060 allows an employee organization to withdraw a petition for certification filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.), that the employee organization no longer wishes to pursue.

Proposed Section 95070 concerns amendments to a petition for certification filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.), which allows a petitioning party to correct mistakes in a petition for certification that are generally non-substantive in nature.

Proposed Section 95080 permits the employer to file a response in order to provide its position regarding a petition for certification filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.).

Proposed Section 95090 concerns the Board's investigation of a petition for certification filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). This proposed section enumerates the circumstances under which the Board will dismiss a petition.

Proposed Section 95100 provides for the filing of a severance petition under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). A severance petition is used where an employee organization wishes to become the exclusive representative of an appropriate unit consisting of employees who are already members of a larger established unit represented by an incumbent exclusive representative. This proposed section provides clarity to the parties regarding the Board's procedures for initiating severance.

Proposed Section 95110 provides for the posting of the notice of the severance petition under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.), which provides notice to affected employees of the petition.

Proposed Section 95120 provides a process for the Board to determine proof of employee support for severance petitions filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). Proof of support is defined under Section 32700 of existing PERB regulations.

Proposed Section 95130 permits the employer and exclusive representative of the established unit to each file a response in order to provide their positions regarding a severance petition filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.).

Proposed Section 95140 concerns amendments to a severance petition filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). This proposed section allows the petitioning employee organization to amend its petition to correct any technical errors or to delete or add job classifications or positions to the proposed unit. This proposed section also provides for the posting of the notice of the amendment to the petition and the opportunity for parties to provide a response.

Proposed Section 95150 allows an employee organization to withdraw a severance petition filed under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.), that the employee organization no longer wishes to pursue.

Proposed Section 95160 provides for the Board's investigation of a severance petition filed under proposed Chapter 10 for the JCEERA (Government Code section

3524.50 et seq.). This proposed section enumerates the circumstances under which the Board will dismiss a petition.

Proposed Section 95200 concerns the providing of notice to interested parties when the Board makes the determination to conduct a representation election under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). This proposed section ensures that all interested parties receive adequate notice of PERB's intent to conduct a representation election.

Proposed Section 95210 provides a procedure for employee organizations to file an intervention to appear on the ballot of a representation election conducted by PERB under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.).

Proposed Section 95220 provides a process for the Board to determine proof of employee support for representation elections and interventions under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.). Proof of support is defined under Section 32700 of existing PERB regulations.

Proposed Section 95230 concerns the election procedures contained in PERB's regulations that will apply to elections conducted under proposed Chapter 10 for the JCEERA (Government Code section 3524.50 et seq.).

B. Amendment to the Text of Existing Sections

Section 32085 provides a definition of the term "workday" for matters over which the Board has jurisdiction. The proposed amendment to the text of subdivision (h) provides a definition for the term "workday" for matters arising under the JCEERA.

Section 32100 provides for when regulations contained in Chapter 1 apply to PERB proceedings conducted under statutes within PERB's jurisdiction. The proposed amendment to the text of subdivision (a) extends the application of existing PERB regulations under Chapter 1 to proceedings conducted under the JCEERA, and to proposed Chapter 10, which governs representation matters under the JCEERA. The proposed amendment to the text of subdivision (f) provides that proposed Chapter 10, which governs representation matters under the JCEERA, does not apply to mediation, election or other services provided by mediators or conciliators pursuant to Government Code sections 3600 and 3601.

Section 32115 specifies the locations for filing documents with PERB in representation matters that are not filed electronically. The proposed amendment to the text of subdivision (d) extends its application to representation matters filed under the JCEERA.

Section 32120 provides for the filing of written agreements or memorandums of understanding with the Board. The proposed amendment to the text of this section extends its application to agreements entered into under the JCEERA.

Section 32130 addresses the computation of time for filings with PERB. Subdivision (a) includes a reference to Section 32776, which is an exception to the general rule for computing time. Section 32776 addresses when PERB must summarily dismiss a decertification petition under EERA, the Dills Act, HEERA, and TEERA. One instance is when the decertification petition is filed outside the designated “window period” in a memorandum of understanding between the employer and exclusive representative. Another instance is when the decertification petition is filed within 12 months of a representation election result being certified. The proposed amendment to the text of subdivision (a) includes a reference to proposed subdivision (g) in Section 32776, which addresses when PERB must summarily dismiss a decertification petition filed under the JCEERA.

Section 32147 provides for expediting matters before the Board. Subdivision (a) enumerates specific representation matters that may be expedited to quickly resolve matters involving employee choice of their representative. The proposed amendment to the text of subdivision (a) adds a reference to proposed Section 95030, which governs the filing of petitions for certification under the JCEERA, and proposed Section 95100, which governs the filing of severance petitions under the JCEERA. This proposed amendment will allow for the timely resolution of these types of petitions and provides consistency in PERB’s procedures.

Section 32155 concerns the circumstances for disqualifying a Board agent or Board Member from participating in PERB proceedings. Subdivision (f) provides that parties to cases arising under the MMBA, the Dills Act, EERA, HEERA, the Trial Court Act, the Court Interpreter Act, and TEERA may include the matter of the Board's determination regarding a motion for recusal in a writ of extraordinary relief seeking judicial review of the Board’s decision on the merits. This proposed amendment to the text of subdivision (f) adds a reference to Government Code section 3524.73 of the JCEERA that governs a party’s right to file a petition for a writ of extraordinary relief seeking judicial review. The proposed amendment will permit a party that is aggrieved by the Board’s decision under the JCEERA in a matter regarding recusal to challenge the Board’s decision in the same manner as the other statutes referenced.

Section 32305 provides that proposed decisions become final if no timely exceptions are filed. Subdivision (b) states that in representation matters arising under the EERA, the Dills Act, HEERA, MMBA, TEERA, the Trial Court Act, and the Court Interpreter Act, a Board agent’s decision becomes final unless the Board itself issues a decision not later than 180 days from the date exceptions were filed with the Board. The proposed amendment to the text of subdivision (b) extends the application of this subdivision to the JCEERA by including a reference to proposed Section 95030, which governs the filing of petitions for certification under the JCEERA, and proposed Section 95100, which governs the filing of severance petitions under the JCEERA.

Section 32602 provides for the processing of unfair practice charges. Subdivision (a) provides that alleged violations of statutes within PERB's jurisdiction will be processed as unfair practice charges. Government Code sections 3524.52, subdivision (a), and 3524.55 provide PERB with jurisdiction over the JCEERA, and the authority to process alleged violations of the JCEERA as unfair practice charges. The proposed amendment to the text of subdivision (a) provides that alleged violations of JCEERA will also be processed as unfair practice charges. Subdivision (c) of this section provides that alleged violations by an employer or exclusive representative of the public notice requirements set forth in Government Code sections 3523, 3547, 3547.5, 3595, and Public Utilities Code section 99569 will be processed as unfair practice charges and may be filed by any affected member of the public. The proposed amendment to the text of subdivision (c) extends the application of this subdivision to the JCEERA by adding a reference to Government Code section 3524.78, which sets forth public notice requirements under the JCEERA.

Section 32620 concerns the processing of unfair practice charges by Board agents. Subdivision (b)(5), in part, prohibits the issuance of a complaint where the conduct alleged to violate the applicable Act is also prohibited by the parties' written agreement, until the grievance machinery or other remedies have been exhausted under Government Code sections 3514.5 (Dills Act), 3541.5 (EERA), 3563.2 (HEERA), 71639.1(c) (Trial Court Act), 71825(c) (Court Interpreter Act), or Public Utilities Code section 99561.2 (TEERA). The proposed amendment to the text of subdivision (b)(5) extends the application of this subdivision to the JCEERA by adding a reference to Government Code section 3524.55.

Section 32661 concerns the filing of repugnancy claims regarding unfair practice charge cases that were deferred to arbitration because the dispute was covered by the parties' written agreement. Subdivision (a) provides that an unfair practice charge may be filed based on a claim that a settlement or arbitration award resulting from a deferred unfair practice charge is repugnant to the applicable Act. The proposed amendment to the text of subdivision (a) extends the application of this subdivision to the JCEERA by adding a reference to Government Code section 3524.55(a)(2).

Section 32720 concerns when an election will be conducted in representation matters under EERA, the Dills Act, HEERA, and TEERA. The proposed amendment to the text of this section adds a reference to proposed Chapter 10, Subchapter 1, which implements representation procedures for the JCEERA.

Section 32721 defines the term "parties" in representation matters under EERA, the Dills Act, HEERA, and TEERA. The proposed amendment to the text of this section extends the definition of "parties" to include employees, employee organizations, and the Judicial Council employer in representation matters arising under the JCEERA.

Section 32754 concerns when the Board must dismiss a petition requiring a representation election. Under EERA, the Dills Act, HEERA, and TEERA, a petition

requiring a representation election must be dismissed if either of the following conditions exist: (1) the petition is filed outside of a designated “window period” for a current collective bargaining agreement between the employer and exclusive representative; or (2) a representation election result has been certified affecting the described unit or a portion thereof within 12 months immediately preceding the date of filing of the petition. The former is colloquially referred to as “the contract bar” and the latter as the “certification bar.” The purpose of the contract bar is to balance the need for stability during the life of a collective bargaining agreement with the employees’ right to free choice of their representative. The purpose of the certification bar is to provide an insulating period of 12 months to permit the employee organization to represent its unit and negotiate with the employer without interference with its representational rights. Proposed subdivision (e) includes language to ensure that the contract bar and certification bar apply to representation petitions arising under the JCEERA.

Section 32772 provides for notification to employees in a voting unit of a decertification petition. Subdivision (c) sets forth the time that a notice of decertification petition must be posted. The proposed amendment to the text of subdivision (c) includes language requiring a notice of a decertification petition filed under the JCEERA to be posted for a minimum of 20 days.

Section 32776 concerns the Board’s procedure for investigating decertification petitions. The Board must dismiss a decertification petition under EERA, the Dills Act, HEERA, and TEERA if either of the following conditions exist: (1) the petition is filed outside of a designated “window period” for a current collective bargaining agreement between the employer and exclusive representative; or (2) a representation election result has been certified affecting the described unit or a portion thereof within 12 months immediately preceding the date of filing of the petition. The former is colloquially referred to as “the contract bar” and the latter as the “certification bar.” The purpose of the contract bar is to balance the need for stability during the life of a collective bargaining agreement with the employees’ right to free choice of their representative. The purpose of the certification bar is to provide an insulating period of 12 months to permit the employee organization to represent its unit and negotiate with the employer without interference with its representational rights.

Proposed subdivision (g) includes language to ensure that the contract bar and certification bar apply to petitions for decertification filed under the JCEERA. Proposed subdivision (h) (formerly subdivision (g)), defines “window period.” The proposed amendment to the text of this subdivision adds a reference to proposed Section 95000, which defines the “window period” for matters filed under the JCEERA.

Section 32781 provides a procedure for the filing of petitions to modify existing employee units and the manner in which employee units may be modified. Subdivision (b)(1) permits, in relevant part, the deletion of classifications or positions that are not covered by TEERA, EERA, HEERA, or the Dills Act. The proposed amendment to the text of subdivision (b)(1) adds a reference to the JCEERA to extend

the application of this subdivision to the JCEERA. Subdivision (b)(4) permits, in relevant part, the deletion of classifications or positions not subject to subdivision (b)(1), that are not covered by TEERA, EERA, HEERA, or the Dills Act. The proposed amendment to the text of subdivision (b)(4) adds a reference to the JCEERA to extend the application of this subdivision to the JCEERA. Subdivision (b)(4)(C) provides for the filing of unit modification petitions under subdivision (b)(4), provided that the petition is filed during the “window period” as defined for EERA, the Dills Act, HEERA, and TEERA. The proposed amendment to the text of subdivision (b)(4)(C) adds a reference to proposed Section 95000, which defines the “window period” for matters filed under the JCEERA.

Section 32792 concerns the procedures for parties to request the Board determine the existence of impasse and appointment of a mediator. Subdivision (a) makes clear that this Section applies only to the Dills Act, EERA, and HEERA. The proposed amendment to the text of subdivision (a) adds a reference to the JCEERA to extend the application of this subdivision to the JCEERA.

C. Amendments Only to the Authority and Reference Citations of Existing Regulations

Section 31001 provides for meetings of the Public Employment Relations Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32020 provides a definition for the term “Board.” The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32030 provides a definition for the term “Board itself.” The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32040 provides a definition for the term “Executive Director.” The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32050 provides a definition for the term “General Counsel.” The proposed changes do not make any changes to the text of this section, but only update the

authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32055 provides a definition for the term "Chief Administrative Law Judge." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32060 provides a definition for the term "headquarters office." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32075 provides a definition for the term "regional office." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32080 provides a definition for the term "day." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32090 provides a definition for the term "e-PERB." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32091 provides a definition for the term "electronic filing." The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32092 provides a definition for the term "electronic signatures" and when documents are determined to be electronically signed. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32093 provides a definition for the term “electronic service” where authorized or required by statute or within PERB’s regulations. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32094 provides a definition for the term “filed” as the term is used for the formal submission of documents with PERB. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32105 provides for the severability of PERB’s regulations. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32110 sets forth the requirements that govern the way parties electronically file documents with PERB through ePERB, as that term is defined by section 32090. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32111 authorizes the Board to direct parties to use electronic means to post and thereby notify remote workers that a representation petition has been filed. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32125 describes the filing requirements for documents with confidential information. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32132 concerns the requirements for an extension of time in which to file documents with the Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature’s extension of the Board’s responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32135 concerns filing requirements for non-electronic filings. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32136 concerns late filing requirements. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32140 concerns service requirements. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32143 concerns the placement of PERB cases in abeyance. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32145 concerns the waiver of time period requirements to expedite a matter. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32149 concerns the issuance of investigative subpoenas. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32150 concerns the issuance of subpoenas. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32162 concerns the confidentiality of Board investigations. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32164 concerns an application for joinder of parties. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32165 concerns an application to join a representation hearing as a limited party. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32166 concerns an application to join a representation hearing as a full party. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32168 concerns the conduct of hearings. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32169 concerns the taking of depositions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32170 concerns the authority of a Board agent conducting a hearing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32175 concerns the rules of evidence in representation cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32176 concerns the rules of evidence in unfair practice cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's

extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32178 concerns the burden of proof in unfair practice cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32180 concerns the rights of parties in PERB hearings. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32185 concerns ex parte communications with Board agents. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32190 concerns filing and rulings on motions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32200 concerns the appeal of rulings on motions and other interlocutory matters. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32205 concerns requests for continuances. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32206 concerns the production of statements of witnesses after testimony. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32207 concerns stipulation of facts for purposes of hearing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32209 concerns the procedure for correction of hearing transcripts. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32210 concerns the filing of informational briefs and oral argument. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32212 concerns briefs and oral argument. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32215 concerns issuance of proposed decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32220 concerns contemptuous conduct by a party or a party's agent. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32230 concerns the refusal of a witness to testify. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32295 concerns ex parte communications with members of the Board itself or legal advisers to Board members. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This

update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32300 concerns the filing of exceptions to Board agent decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32310 provides for the filing of responses to exceptions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32312 provides for the filing of a reply brief in support of exceptions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32315 provides for oral argument on exceptions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32320 concerns issuance of decisions by the Board itself. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32325 concerns the remedial powers of the Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32350 provides for a definition of administrative decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32360 concerns requirements for appeals of administrative decisions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32370 concerns requests for a stay following an appeal. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32375 provides for responses to administrative appeals. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32380 provides for administrative decisions that are not appealable. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32400 provides that a motion for reconsideration is not required in order to exhaust administrative remedies. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32410 provides for the filing of requests for reconsideration. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32450 concerns the filing of requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32455 concerns the investigation of requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the

Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32460 provides for recommendations by the General Counsel concerning requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32465 provides for decisions by the Board itself concerning requests for injunctive relief. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32470 concerns the authority of the General Counsel regarding requests for injunctive relief where a quorum of the Board itself is unavailable. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32500 concerns procedures for requesting judicial review of a decision in a representation case. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32612 specifies in which regional office unfair practice charge filings should be made. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32615 concerns the information required to be included in an unfair practice charge. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32621 concerns the amending of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32625 concerns the withdrawal of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32630 concerns the dismissal of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32635 provides for the appeal of dismissals of unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32640 concerns the issuance of complaints in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32644 provides for the filing of an answer in unfair practice charges where a complaint issues. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32645 concerns non-prejudicial errors in unfair practice charges and related documents. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32647 concerns amendments to complaints in unfair practice charge cases before hearing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32648 concerns amendments to complaints in unfair practice charge cases during a hearing. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is

necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32649 concerns the filing of answers to amendments to complaints in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32650 concerns the conduct of settlement conferences in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32680 concerns the conduct of hearings on unfair practice charges. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32690 concerns notice of hearing in unfair practice charge cases. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32700 concerns the requirements for valid proof of employee support in representation proceedings. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32722 concerns the preparation of ballots in representation matters. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32724 concerns service on the parties of a Directed Election Order or Consent Election Agreement regarding the conduct of an election, and notification to employees in a voting unit of an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32726 concerns the employer's obligation to file a voter list with PERB. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32728 concerns the requirements for an employee to be eligible to vote in an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32730 concerns the parties' right to station observers at an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32732 concerns challenges to the eligibility of a voter. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32734 concerns the parties' right to station an authorized agent at the ballot count. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32735 concerns the resolution of challenged ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32736 provides for a runoff election when no ballot choice receives a majority of votes. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32738 concerns party objections to the conduct of an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's

extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32739 concerns a Board agent's powers and duties concerning objections to the conduct of an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32740 concerns the withdrawal of objections to the conduct of an election. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32742 provides for hearing procedures to resolve objections to the conduct of an election or challenges to ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32744 provides the procedure for parties to file exceptions to a Board agent's proposed decision on objections to the conduct of an election or challenged ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32746 concerns the revised tally of ballots following a ruling on challenged ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32748 permits a party to file objections to a revised tally of ballots. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32750 concerns the certification of results of an election or certification of an exclusive representative. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32752 concerns when the Board may stay an election pending the resolution of an unfair practice charge relating to the voting unit. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32761 provides for the filing of petitions by employee organizations requesting amendment of certification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32762 concerns an employer's response to a petition for amendment of certification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32763 concerns the Board's investigation of a petition for amendment of certification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32770 provides for the filing of decertification petitions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32774 concerns the process for the Board to determine proof of employee support for decertification petitions. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32783 concerns the filing of responses to petitions for unit modification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32784 provides the process by which the Board will determine proof of employee support for petitions for unit modification. The proposed changes do not make any changes to the text of this section, but only update the authority and

reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32786 concerns the Board's investigation and disposition of a petition for unit modification. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32791 provides for the selection by the parties of a mediator. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32793 concerns the procedure for the Board to determine the existence of impasse. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32795 concerns subsequent requests by parties to the Board to determine the existence of impasse and appointment of a mediator after the Board's determination that an impasse does not exist. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

Section 32980 concerns enforcement of compliance with final decisions of the Board. The proposed changes do not make any changes to the text of this section, but only update the authority and reference citations. This update is necessary to reflect the Legislature's extension of the Board's responsibilities to include jurisdiction over matters arising under the JCEERA.

For more information regarding specific proposed regulations or amendments to the existing regulations, please refer to the proposed regulatory language.

CONSISTENT AND COMPATIBLE WITH EXISTING STATE REGULATIONS

The Board has determined that the proposed regulatory adoptions and amendments are not inconsistent or incompatible with existing regulations. After conducting a review of all regulations that would relate to or affect this area of California law, the Board has determined that due to PERB's exclusive jurisdiction to implement and enforce the JCEERA and other acts within its jurisdiction, the proposed regulations are the only regulations concerning the implementation of the JCEERA. Therefore, the

Board has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

JCEERA's implementation affects hundreds of employees of the Judicial Council for purposes of collective bargaining, the employee organizations that represent these employees, and the Judicial Council. The proposed regulatory changes will implement the Board's jurisdiction over matters arising under the JCEERA and will extend the application of PERB's existing unfair practice procedures to alleged violations of the JCEERA. Because PERB's unfair practice charge process is well-established, the application of these existing procedures will aid in the expedient resolution of disputes arising under the JCEERA, in furtherance of the policies underlying the act. The proposed regulations will also extend existing regulations and add new procedures for the filing and processing of representation petitions and unit determinations arising under the JCEERA, and for conducting elections. The proposed regulations will ensure that the procedural and substantive rights of Judicial Council employees, employee organizations, and the Judicial Council, provided by the JCEERA will be protected. In so doing, California residents' welfare will receive the benefit of stable collective bargaining and dispute resolution, which translates to continuous delivery of the essential services that the Judicial Council and its employees provide to California communities.

NO EXISTING AND COMPARABLE FEDERAL REGULATION OR STATUTE

During the process of developing these proposed regulatory adoptions and amendments, the Board has conducted a search for any similar federal regulations and statutes on this topic and has determined that there are no existing, comparable federal regulations or statutes that govern matters arising under the JCEERA, as these proposed regulatory changes apply solely to the Judicial Council, a public employer, public employees of the Judicial Council, and employee organizations representing Judicial Council employees. The Board has also determined that there are no existing, comparable federal regulations or statutes that govern the rights of parties in PERB hearings and the forum for such hearings. Therefore, the Board has concluded that these regulations are neither inconsistent nor incompatible with existing Federal regulations or statutes.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

Mandate on local agencies and school districts: The proposed action would not impose any new mandate.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17500

et seq.: The proposed action would not impose any new costs which must be reimbursed.

Other non-discretionary cost or savings imposed upon local agencies: The proposed action would not result in any new costs which must be reimbursed, or savings imposed upon local agencies.

Cost or savings to state agency: The proposed action would not result in any new costs or savings.

Cost or savings in federal funding to the state: The proposed action would not result in any new costs or savings.

Cost impact on private persons or directly affected businesses: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant statewide adverse economic impact on business including the ability of California businesses to compete with businesses in other states: The proposed action will have no impact.

Significant effect on housing costs: There will be no effect on housing costs.

Business Reporting Requirement: The proposed action will not require a report to be made.

The proposed regulations will not affect small business because the proposed regulations will only affect a public employer, public employees, and public employee organizations.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Board concludes that the adoption of the proposed regulations and amendments will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses, or create or expand businesses in the State of California.

BENEFIT ANALYSIS

The adoption of these proposed regulations will implement procedures for PERB's administration and enforcement of the JCEERA. The adoption of these proposed regulations will benefit Judicial Council employees, Judicial Council employees'

representatives, the Judicial Council, and the community at-large by facilitating the expedient resolution of public sector labor disputes by clarifying PERB's procedures and making the Board's processes more transparent and accessible when disputes arise under the JCEERA. The guidance provided to parties by the proposed regulations and amendments will aid PERB in its implementation of the JCEERA. In so doing, California residents' welfare will receive the benefit of stable collective bargaining and dispute resolution, which translates to continuous delivery of the important services that the Judicial Council and its employees provide to California communities. The proposed regulations are not expected to affect worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), a rulemaking agency must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Any questions or suggestions regarding the proposed action should be directed to:

Ronald Pearson, Supervising Regional Attorney
Public Employment Relations Board
1031 18th Street
Sacramento, CA 95811
(916) 591-3166
E-mail: ronald.pearson@perb.ca.gov

The backup person for these inquiries is:

James Coffey, Senior Regional Attorney
Public Employment Relations Board
1031 18th Street
Sacramento, CA 95811
(916) 584-5676
E-mail: james.coffey@perb.ca.gov

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based, to Ronald Pearson at the above address.

PRELIMINARY ACTIVITIES

On April 11, 2019, PERB held a public meeting wherein the public was given the opportunity to provide comments regarding the implementation of the JCEERA and the proposed text of the regulations. On April 11, 2019, the Board itself approved the publication of the proposed regulatory text and the commencement of the formal rulemaking process. PERB has also relied upon the Economic Impact Assessment identified in this notice in proposing regulatory action.

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the California Regulatory Notice Register, the rulemaking file consists of this notice, the express terms of the proposed regulations and the initial statement of reasons. Copies of these documents may be obtained by contacting Ronald Pearson at the above address, and are also available on the Board’s web site at www.perb.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding a hearing, if one is requested, and considering all timely and relevant comments, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications that are sufficiently related to the originally proposed text, the modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations as revised. Requests for copies of any modified regulations and/or the final statement of reasons should be sent to the attention of Ronald Pearson at the above address. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the final statement of reasons may be obtained by contacting Ronald Pearson at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of this notice of proposed action, the initial statement of reasons, and the text of the proposed regulations in underline and strikeout, can be accessed through

PERB's web site located at www.perb.ca.gov throughout the rulemaking process. Written comments received during the written comment period will also be posted on PERB's web site. The final statement of reasons or, if applicable, notice of a decision not to proceed will be posted on PERB's web site following the Board's action.