

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



In the Matter of: )  
)  
Unit Determination for Employees ) Case No. SF-RR-1002-H  
of the Regents of the University ) et al.  
of California. )  
) PERB Order No. Ad- 114 -H  
)  
) Administrative Appeal  
) (Interlocutory)  
)  
) September 4, 1981  
\_\_\_\_\_)

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

SEIU, AFL-CIO, United Health Care Employees, Local 250, SEIU, AFL-CIO, United Health Care Employees, Local 535, SEIU, AFL-CIO, United Health Care Employees, Local 660, SEIU, AFL-CIO, United Health Care Employees, Local 434, SEIU, AFL-CIO.

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

#### DECISION

On or about April 24, 1981, the parties to the above-captioned cases entered into a stipulation requesting the Public Employment Relations Board (hereafter Board or PERB) to defer hearings on exclusionary issues until sometime following issuance of the hearing officers' recommendations on unit configuration. On June 2, 1981, the Board requested that the parties clarify the stipulation.

A supplemental stipulation submitted by the parties on June 11, 1981, requests that hearings on exclusionary issues regarding negotiating units for nonprofessional employees of the University of California be deferred until after the issuance of the hearing officers' recommended decisions and filing of briefs with the Board in response thereto. The stipulation also states that, following post-hearing responses to the hearing officers' recommended decisions on appropriate units, the parties will meet in an attempt to resolve certain exclusionary issues. In support of their suggested procedure, the parties state that such delay will enable them to more coherently develop positions regarding exclusionary issues and enhance the potential for voluntary resolution of them.

The parties further suggest that the Board delay the conduct of hearings until, following their efforts to narrow the exclusionary issues, the parties request the Board to conduct them.

Since the procedure proposed by the parties may allow the exclusionary issues to be narrowed and thus result in a more expeditious and economical processing of the cases, we grant the stipulated request insofar as it requires that the exclusionary hearings be deferred until issuance of the hearing officers' recommended decisions on appropriate units and receipt of briefs in response thereto. Following that event, the chief administrative law judge shall determine when the hearings on exclusionary issues will commence, in accordance with established rules and procedures.

#### ORDER

The chief administrative law judge is directed to defer hearings on exclusionary issues in the above-captioned cases until the issuance of the hearing officers' recommended decisions regarding appropriate units and the parties have had an opportunity to respond thereto according to PERB rules. After that time, the chief administrative law judge may proceed

with the conduct of representation hearings according to his normal procedure.

~~Irene Tovar, Member~~

~~Barbara D. Moore, Member~~

~~Harry Gluck, Chairperson~~