

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



JAMESTOWN ELEMENTARY SCHOOL DISTRICT,)	
)	
Employer,)	
)	
and)	Case No. S-D-118
)	
JAMESTOWN TEACHERS ASSOCIATION/)	Request for Reconsideration
CTA/NEA,)	PERB Order No. Ad-187
)	
Employee Organization,)	PERB Order No. Ad-187a
)	
and)	September 5, 1939
)	
CALIFORNIA SCHOOL EMPLOYEES)	
ASSOCIATION AND ITS TUOLUMNE)	
CHAPTER 276,)	
)	
Employee Organization.)	
)	

Appearance: Maureen C. Whelan, Attorney, for California School Employees Association and its Tuolumne Chapter No. 276; California Teachers Association by A. Eugene Huguenin, Jr., Attorney, for Jamestown Teachers Association, CTA/NEA.

Before Porter, Craib, Shank and Camilli, Members.

DECISION

CAMILLI, Member: The California School Employees Association and its Tuolumne Chapter 276 (CSEA) requests reconsideration of PERB Order No. Ad-187, issued by the Public Employment Relations Board (PERB or Board) on June 21, 1989. Having duly considered the request for reconsideration, the Board itself hereby denies the request for the reason that follows.

CSEA asserts in its Motion for Reconsideration that:

. . . CSEA urges the full Board to review this case in which the PERB has prejudicially erred on the law. (Emphasis added.)

However, pursuant to PERB Regulation 32410(3)¹ the grounds for requesting reconsideration are limited to:

. . . claims that the decision of the Board itself contains prejudicial errors of fact, or newly discovered evidence or law which was not previously available and could not have been discovered with the exercise of reasonable diligence.

This request for reconsideration consists of an assertion that the Board made a prejudicial error of law. As this assertion does not meet the standards set forth in PERB Regulation 32410(a), the reconsideration request is denied.

ORDER

The request for reconsideration of PERB Order No. Ad-187 (Case No. S-D-118) is hereby DENIED.

Members Craib and Shank joined in this Decision.

Member Porter's dissent begins on page 3.

¹PERB Regulations are codified at California Administrative Code, title 8, section 31001 et seq.

Porter, Member, dissenting: Adhering to my dissent in PERB Order No. AD-187, I would grant and/or order reconsideration in this case.