

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



STATE OF CALIFORNIA,

Employer,

and

PEACE OFFICERS OF CALIFORNIA,

Petitioner,

and

CALIFORNIA STATEWIDE LAW
ENFORCEMENT ASSOCIATION,

Exclusive Representative.

Case No. SA-SV-167-S

Administrative Appeal

PERB Order No. Ad-371-S

March 13, 2008

Appearances: Rose Law Firm by Joseph W. Rose, Attorney, for Peace Officers of California; Carroll, Burdick & McDonough by Gary M. Messing and Jason H. Jasmine, Attorneys, for California Statewide Law Enforcement Association.

Before McKeag, Wesley and Rystrom, Members.

DECISION

RYSTROM, Member: This case comes before the Public Employment Relations Board (PERB or Board) on appeal by the Peace Officers of California (POC) of a dismissal of a severance petition. The severance petition, filed by POC on November 30, 2007, pursuant to PERB Regulation 40200,¹ sought to create a bargaining unit consisting of "All job classifications within Bargaining Unit 07, which are declared by law to be peace officers within the meaning of Calif. Penal Code, Part 2, Title 3, Chapter 4.5, commencing with Section 830" estimated by the petitioner to consist of 2,200 employees.

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

On January 17, 2008, the petition was dismissed pursuant to an administrative determination that the proof of support was insufficient to meet the requirements of PERB Regulation 40220. POC filed exceptions to the determination and an amended petition for severance on January 24, 2008.

By letter dated March 3, 2008, POC informed PERB that it withdraws and dismisses its appeal in this case which we consider to be a request to withdraw both the exceptions and amended petition for severance.

Having reviewed the record in this matter, the Board finds this withdrawal to be in the best interests of the parties and consistent with the Ralph C. Dills Act (Dills Act).² Accordingly, the Board grants the POC's request to withdraw its appeal.

ORDER

The request by the Peace Officers of California to withdraw its appeal of the dismissal in Case No. SA-SV-167-S is hereby GRANTED.

Members McKeag and Wesley joined in this Decision.

²The Dills Act is codified at Government Code section 3512, et seq.