

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



AMERICAN FEDERATION OF STATE,  
COUNTY & MUNICIPAL EMPLOYEES, LOCAL  
1902,

Charging Party,

v.

ROSAMOND COMMUNITY SERVICES  
DISTRICT,

Respondent.

Case No. LA-CE-1176-M

PERB Decision No. 2655-M

July 10, 2019

Appearances: Rothner, Segall & Greenstone by Eli Naduris-Weissman, Attorney, for American Federation of State, County & Municipal Employees, Local 1902; Stradling Yocca Carlson & Rauth by Jeffrey A. Dinkin and Klein DeNatale Goldner by Jay L. Rosenlieb, Attorneys, for Rosamond Community Services District.

Before Banks, Krantz, and Paulson, Members.

DECISION

KRANTZ, Member: This case is before the Public Employment Relations Board (PERB or Board) on exceptions by the Rosamond Community Services District (District) to a proposed decision of an administrative law judge (ALJ). The proposed decision found that the District violated sections 3503, 3505, 3506, and 3506.5, subdivision (c), of the Meyers-Milias-Brown Act (MMBA)<sup>1</sup> and PERB Regulation 32603, subdivisions (a), (b), and (c),<sup>2</sup> by changing the schedules of the front office staff exclusively represented by American Federation of State, County & Municipal Employees, Local 1902 (Local 1902), without

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<sup>1</sup> The MMBA is codified at Government Code section 3500 et seq. Unless otherwise indicated, all statutory references are to the Government Code.

<sup>2</sup> PERB Regulations are codified at California Code of Regulations, title 8, section 31001 and following.

satisfying the District's obligation to meet and confer with Local 1902 over the decision and the negotiable effects of that decision.

While the District's exceptions were pending before the Board, the parties jointly notified the Board that they had settled the instant dispute. The District requested that it be permitted to withdraw its exceptions, and the parties jointly requested that no further action be taken in the case.

As part of the Board's authority to take any action in a pending case that the Board deems necessary to discharge its duties and effectuate the purposes of the labor relations laws that PERB enforces, the Board has discretion to grant or deny requests to withdraw and dismiss cases pending before the Board itself. (EERA, § 3541.3, subs. (i) and (n));<sup>3</sup> MMBA, § 3509, subd. (a); *City of Santa Rosa (Fire Department)* (2019) PERB Decision No. 2653-M, p. 2 (*Santa Rosa*.) The Board finds withdrawal of the District's exceptions, and the parties' joint request that no further action be taken in this case, to be consistent with the MMBA's purpose of promoting harmonious labor relations. (*Santa Rosa*, p. 2.) Accordingly, the Board grants the District's request to withdraw its exceptions to the proposed decision issued in Case No. LA-CE-1176-M. We further direct that this matter is closed and compliance is deemed complete.

#### ORDER

The request by Rosamond Community Services District to withdraw its exceptions to the proposed decision issued in Case No. LA-CE-1176-M is hereby GRANTED. We further direct that this matter is closed and compliance is deemed complete.

Members Banks and Paulson joined in this Decision.

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<sup>3</sup> The Educational Employment Relations Act (EERA) is codified at section 3540 et seq.