

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



RIVERSIDE SHERIFFS' ASSOCIATION,

Charging Party,

v.

COUNTY OF RIVERSIDE,

Respondent.

Case No. LA-CE-1002-M

PERB Decision No. 2576-M

June 29, 2018

Appearances: Law Office of Olins & Chaikin, by Doug Olins and Adam E. Chaikin, Attorneys, for Riverside Sheriffs' Association; The Zappia Law Firm, by Edward P. Zappia and Brett M. Ehman, Attorneys, for County of Riverside.

Before Banks, Winslow, and Krantz, Members.

DECISION

WINSLOW, Member: This case is before the Public Employment Relations Board (PERB or Board) on exceptions filed by the County of Riverside (County) to a proposed decision by an administrative law judge (ALJ). The complaint alleged that the County violated the Meyers-Milias-Brown Act (MMBA)¹ when it implemented an automatic vehicle location system (AVLS) without bargaining over the negotiable effects.

In her proposed decision, the ALJ concluded that the County had violated the duty to bargain in good faith by not negotiating over the effects of the AVLS and ordered it to bargain with the Riverside Sheriffs' Association (Association) upon request. The County filed exceptions and the matter was placed on the Board's docket.

On June 12, 2018, counsel for the Association notified the Board that the parties had reached a settlement of the dispute regarding the AVLS and requested that its unfair practice charge be dismissed with prejudice.

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

The Board has discretion to grant or deny requests to withdraw and dismiss cases pending before the Board itself. (MMBA section 3509, subd. (a); Educational Employment Relations Act (EERA)² section 3541.3, subds. (j) and (n); PERB Reg. 32320, subd. (a)(2)³ [“The Board itself may: . . . take such other action as it considers proper”]; *State of California (Department of Personnel Administration)* (2010) PERB Decision No. 2152-S; *Grossmont-Cuyamaca Community College District* (2009) PERB Order No. Ad-380; *Oakland Unified School District* (1988) PERB Order No. Ad-171a; *ABC Unified School District* (1991) PERB Decision No. 831b.)

The Board has a longstanding policy favoring voluntary settlement of disputes, such as that achieved by the parties in this case. (*Dry Creek Joint Elementary School District* (1980) PERB Order No. Ad-81a.) Based on the Board’s review of the Association’s request, the settlement agreement, and the entire record in this matter, the Board finds the request to be in the best interest of the parties and consistent with the purposes of the MMBA to promote harmonious labor relations. Because we will dismiss the unfair practice charge and the complaint on which it was based, we deem the exceptions to the proposed decision moot and dismiss those as well.

ORDER

Pursuant to the request of the Riverside Sheriffs’ Association, the unfair practice complaint and underlying unfair practice charge in Case No. LA-CE-1002-M are hereby **DISMISSED WITH PREJUDICE**, and the County of Riverside’s exceptions to the proposed decision are hereby **DISMISSED AS MOOT**.

Members Banks and Krantz joined in this Decision.

² EERA is codified at Government Code section 3540 et seq.

³ PERB Regulations are codified at California Code of Regulations, title 8, section 31001 et seq.