

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



MARIN ASSOCIATION OF PUBLIC EMPLOYEES,)
)
Appellant,) Case No. SF-R-4029; D-64
)
v.) PERB Order No. Ad- 95
)
MARIN COUNTY OFFICE OF EDUCATION,) ADMINISTRATIVE APPEAL
)
Respondent.)
)
) July 10, 1980
)

Appearances: Beth Winters for Marin Association of Public Employees;
Gregory A. Dunn for California School Employees Association.

Before Gluck, Chairperson; Moore, Member.

DECISION AND ORDER

The Board herein considers the regional director's decision to dismiss the decertification petition submitted by Appellant Marin Association of Public School Employees (hereafter MAPE). Based on the facts presented to the Board, we have determined the regional director correctly concluded that MAPE had to submit a sufficient showing of support as is required by PERB rule 33240(c).¹

¹PERB rules are codified at California Administrative Code, title 8, section 31000.

PERB rule 33240(c) provides:

Service of the petition, excluding the proof of at least 30 percent support, and proof of service pursuant to Section 32140 are required.

The Board finds no justification for imposing on the employer any obligation to provide information as to the size of unit referenced by the petition. Neither the Educational Employment Relations Act² or our rules so provide. Nor is there any evidence of intentional misconduct, such as providing deliberately misleading information, which might result in different action by this Board. MAPE simply alleges that the employer provided it with incorrect information. Therefore, based on these factual circumstance, we affirm the regional director's decision to dismiss MAPE's decertification petition.

PER CURIUM

²The Educational Employment Relations Act is codified at Government Code section 3540 et seq.