

STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD



ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT,)	
)	
Employer,)	Case No. SF-D-226
)	
and)	Stay of Election
)	
TEAMSTERS LOCAL 228,)	PERB Order No. Ad-279
)	
Petitioner,)	July 17, 1996
)	
and)	
)	
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION,)	
)	
Exclusive Representative.)	

Appearances: Beeson, Tayer & Bodine by Robert Bonsall, Attorney, for Teamsters Local 228; Maureen C. Whelan, Attorney, for California School Employees Association.

Before Caffrey, Chairman; Garcia and Dyer, Members.

DECISION AND ORDER

GARCIA, Member: This case is before the Public Employment Relations Board (PERB or Board) on appeal by the California School Employees Association (CSEA) from a Board agent's administrative determination issued May 29, 1996. The Board agent determined that the April 16, 1996 petition filed by Teamsters Local 228 (Teamsters) was a technical amendment to the March 29, 1996 decertification petition and ordered that an election be conducted to determine the representative, if any, desired by the employees in the Paraprofessional Unit for purposes of meeting and negotiating with their employer, the Alum Rock Union Elementary School District.

Following the issuance of the Board agent's determination, CSEA filed an administrative appeal along with a request to stay the election¹ pursuant to PERB Regulation 32370.² PERB will grant a stay in the interest of administrative economy when the new election would be unnecessary if the Board overrules the Board agent. (See, e.g., Pittsburg Unified School District (1978) PERB Order No. Ad-34 and Gilroy Unified School District (1991) PERB Order No. Ad-224.)

A stay of the election pending the outcome of this appeal is appropriate. The Board hereby ORDERS that the election ordered in Alum Rock Union Elementary School District, Case No. SF-D-226, be STAYED pending the Board's decision on the administrative appeal.

Chairman Caffrey and Member Dyer joined in this Decision.

¹In its response to the appeal, the Teamsters concede that a stay would be appropriate under the circumstances.

²PERB regulations are codified at California Code of Regulations, title 8, section 31001 et seq.