

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



OPERATING ENGINEERS LOCAL 3,

Charging Party,

v.

TOWN OF PARADISE,

Respondent.

Case No. SA-CE-301-M

Administrative Appeal

PERB Order No. Ad-364-M

June 5, 2007

Appearance: Weinberg, Roger & Rosenfeld by Matthew J. Gauger, Attorney, for Operating Engineers Local 3.

Before Shek, McKeag and Neuwald, Members.

DECISION

SHEK, Member: This case comes before the Public Employment Relations Board (PERB or Board) on appeal by the Operating Engineers Local 3 (Local 3) of the July 5, 2006, Appeals Assistant's administrative decision denying, as untimely filed, Local 3's opposition to the exceptions filed by the Town of Paradise (Town) to an administrative law judge's (ALJ) proposed decision.

The Board has considered and issued its decision in the Town's exceptions to the ALJ's proposed decision. (Town of Paradise (2007) PERB Decision No. 1906-M.) Therefore, Local 3's administrative appeal is now moot (Richland Elementary School District (1978) PERB Order No. Ad-36) and is hereby dismissed.

ORDER

The appeal of the administrative decision denying, as untimely filed, the Operating Engineers Local 3's opposition to the Town of Paradise's exceptions to the administrative law judge's proposed decision is hereby DISMISSED WITHOUT LEAVE TO AMEND.

Members McKeag and Neuwald joined in this Decision.