



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

UNIVERSITY COUNCIL-AMERICAN
FEDERATION OF TEACHERS,

Charging Party,

v.

REGENTS OF THE UNIVERSITY OF
CALIFORNIA (LOS ANGELES),

Respondent.

Case No. LA-CE-1384-H

PERB Order No. Ad-519-H

September 5, 2024

Appearance: Quarles & Brady by Sandra L. McDonough, Attorney, for Regents of the University of California (Los Angeles).

Before Banks, Chair; Krantz and Paulson, Members.

DECISION

KRANTZ, Member: This case is before the Public Employment Relations Board (PERB) on Respondent's unopposed appeal from an administrative determination by PERB's Appeals Office. On August 8, 2024, the Appeals Office rejected Respondent's exceptions and supporting brief because Respondent filed two documents rather than a single document as required under PERB Regulation 32300, subdivision (b). (PERB Regulations are codified at Cal. Code Regs., tit. 8, § 31001 et seq.)

Revisions to PERB Regulations that took effect in 2022 direct an excepting party to file "a single integrated document that must not exceed 14,000 words,^[1]

¹ Tables of contents and tables of authorities do not count toward the word limit. (PERB Reg. 32300, subd. (b).)

including footnotes,” and which “may be in the form of a brief.” (PERB Reg. 32300, subd. (b); *Regents of the University of California* (2023) PERB Decision No. 2880-H, p. 6 (*Regents*); *The Accelerated Schools* (2023) PERB Decision No. 2855, p. 8 (*Accelerated Schools*).) But Respondent instead filed two separate documents, following a practice that PERB Regulations permitted before the 2022 revision. PERB has discretion whether to accept or reject either or both documents, or to grant an extension of time to allow an adjusted filing that would comply with PERB Regulations. (*Regents, supra*, p. 6; *Accelerated Schools, supra*, p. 9; PERB Regs. 32132 & 32136.) Here, although either of Respondent’s two filings would be sufficiently clear to allow us to research and resolve this matter, we allow the more useful and integrated of the two filings—Respondent’s brief—and disallow the other, more disjointed filing.

ORDER

Respondent’s appeal of the August 8, 2024 administrative determination is GRANTED IN PART, to the extent that the Appeals Office shall accept Respondent’s brief dated August 7, 2024 and deem it filed as of that date. Charging Party shall have 20 days from the date of this order to file an opposition, or until such later date the Appeals Office may direct should Charging Party obtain an extension of time. Any such opposition must respond only to the brief deemed filed on August 7, 2024, though it may also contain cross-exceptions pursuant to PERB Regulation 32310, subdivision (c).

Chair Banks and Member Paulson joined in this Decision.