

Pennsylvania Labor Relations Board | 651 Boas Street, Room 418 | Harrisburg, PA 17121-0750
717.787.1091 | Fax 717.783.2974 | www.dli.state.pa.us
Auxiliary aids and services are available upon request to individuals with disabilities.
Equal Opportunity Employer/Program

No complaint will be issued on the Charge of Unfair Practices filed to the above case.
In your charge filed on April 27, 2009, you allege that Philadelphia School District (District) has refused to bargain in good faith with the representatives of the Philadelphia Joint Board, Workers United, Service Employees International Union (Complainant). You allege that this was a violation of Section 1201(a)(1), (2), (5) and (9) of the Public Employee Relations Act (PERA).
The Board certified the School Cafeteria Employees Local 634, Hotel & Restaurant Employees International Union, AFL-CIO (Local 634) under PERA-R-1942-B as the exclusive representative of the bargaining unit members at issue in your charge. Because Local 634 is the certified representative of the employees, only that organization can bargain on their behalf and file charges of unfair practices against the District. Therefore, the Complainant does not have standing to allege that the District has violated Section 1201(a)(1), (2), (5) and (9) of PERA. Accordingly, no complaint will be issued and your charge is dismissed.
Any exceptions to this decision not to issue a complaint may be filed with the Board within twenty (20) calendar days of the date of this letter in accordance with the procedure set forth in the Board's Rules and Regulations at 34 Pa. Code Section 95.98(a)(1), (2) and (3). Exceptions are not required to be served on respondent pursuant to Section 95.98(a)(4) of the Board's Rules as the decision to issue a complaint is solely within the discretion of the Board.

COMMONWEALTH OF PENNSYLVANIA



May 12, 2009

Lynne Fox, Manager
Philadelphia Joint Board, Workers United, SEIU
22 South 22nd Street
Philadelphia, PA 19103

PHILADELPHIA SCHOOL DISTRICT
Case No. PERA-C-09-155-E

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August 2008

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Any exception that alleges facts in addition to those set forth on the Charge of Unfair Practices in its present form must be supported by an appropriate affidavit from the exceptant.

Very truly yours,
Jennifer Knicker
JENNIFER KNIKER
Secretary

mk
cc: Andrea B. Wapner, Esquire (Certified)
Francis X. Bielli, Esquire
Philadelphia School District