

SUPREME COURT OF CALIFORNIA

Coachella Valley Mosquito and Vector Control District v. California
Public Employment Relations Board

35 Cal. 4th 1072, 29 Cal. Rptr. 3d 234, 112 P.3d 623 (2005) · No. S122060 · Decided June 9, 2005

SUMMARY

The Supreme Court of California held that the limitations period for filing an unfair practice charge under the Meyers-Milias-Brown Act with the Public Employment Relations Board is six months. The court also held that exhaustion of administrative remedies was excused because the case challenged the Board’s jurisdiction and presented important legal issues, and it addressed the retroactive application of the shortened limitations period.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Kennard, J.; George, C.J.; Baxter, J.; Werdegar, J.; Chin, J.; Brown, J.; Moreno, J.
JURISDICTION	California
DECIDED	June 9, 2005
DOCKET	S122060
DISPOSITION	affirmed
PROCEDURAL POSTURE	The District petitioned the superior court for writs of mandate and prohibition challenging the PERB's jurisdiction over an unfair-practice complaint. The superior court denied the petition, the Court of Appeal affirmed, and the Supreme Court granted review. Although the underlying administrative dispute became moot after settlement and withdrawal of the charge, the Supreme Court resolved the recurring legal issues of broad public importance.
STANDARD OF REVIEW	De novo review of questions of statutory interpretation and the legal availability of exceptions to exhaustion of administrative remedies.
PRECEDENTIAL VALUE	Published, precedential California Supreme Court opinion
PARTIES	Coachella Valley Mosquito and Vector Control District v. California Public Employment Relations Board

TOPICS

labor law

administrative law

statutory interpretation

exhaustion of remedies

civil procedure

PRACTICE AREAS

labor law

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QUESTIONS PRESENTED

1. Whether the District was required to exhaust PERB administrative remedies before seeking judicial review of PERB's jurisdiction.
2. Whether exhaustion was excused because the District challenged PERB's authority and the dispute presented purely legal issues of broad public importance.
3. Whether the limitations period for an MMBA unfair-practice charge filed with PERB is six months or three years.
4. Whether the six-month limitations period applies retroactively to unfair practices occurring before July 1, 2001, and what transition period is required.
5. Whether the courts could decide the legal issues after the underlying dispute became moot through settlement and withdrawal of the charge.

HOLDINGS

1. The District's failure to exhaust PERB administrative remedies was excused because it challenged PERB's statutory authority or jurisdiction, the limitations issue presented important legal questions of broad public interest, and judicial intervention would not deprive the court of relevant administrative expertise.
2. The limitations period for an unfair-practice charge under the Meyers-Milias-Brown Act filed with PERB is six months, not three years.
3. The six-month limitations period applies retroactively to MMBA unfair practices occurring before July 1, 2001, but a pre-effective-date charge is timely if filed within three years of the alleged unfair practice or before January 1, 2002, whichever occurs sooner.
4. The courts could decide the otherwise moot appeal because it presented issues of broad public interest that were likely to recur.

KEY QUOTATIONS

"Under another exception, 'exhaustion of administrative remedies may be excused when a party claims that 'the agency lacks authority, statutory or otherwise, to resolve the underlying dispute between the parties.'" (35 Cal. 4th 1082)

"By changing the forum—vesting an administrative agency (the PERB) rather than the courts with initial jurisdiction over MMBA charges—the Legislature abrogated the three-year statute of limitations under section 338(a), and we assume that this abrogation was intentional and not inadvertent." (35 Cal. 4th 1087)

“We find it reasonable to infer that the Legislature intended no such anomaly, and that it intended, rather, a coherent and harmonious system of public employment relations laws in which all unfair practice charges filed with the PERB are subject to the same six-month limitations period.” (35 Cal. 4th 1088)

FACTUAL BACKGROUND

CSEA represented a bargaining unit of District employees and alleged that the District discriminated against employees involved in negotiations, threatened disciplinary action for activity protected by the Meyers-Milias-Brown Act, and unilaterally changed the preparation and administration of annual performance evaluations. The alleged unfair practices occurred on dates ranging from December 1999 through July 2001. CSEA filed its charge with PERB on July 6, 2001, and amended it on August 29, 2001.

PROCEDURAL HISTORY

The California School Employees Association filed an unfair-practice charge with PERB against the District based on conduct occurring between December 1999 and July 2001. PERB issued a complaint, and the District sought writ relief asserting that PERB lacked jurisdiction over pre-July 1, 2001 conduct and that a six-month limitations period applied. The superior court denied the petition. While the appeal was pending, the District and CSEA settled, the charge was withdrawn, and the complaint was dismissed, but the Court of Appeal and Supreme Court proceeded to decide the recurring legal questions.

DISPOSITION

affirmed

CASES CITED

- Santa Clara County Counsel Attys. Assn. v. Woodside, 7 Cal. 4th 525, 537, 541-542 (1994)
- Abelleira v. District Court of Appeal, 17 Cal. 2d 280, 292-293 (1941)
- California Correctional Peace Officers Assn. v. State Personnel Bd., 10 Cal. 4th 1133, 1148, 1151 (1995)
- Jonathan Neil & Assoc., Inc. v. Jones, 33 Cal. 4th 917, 932-936 (2004)
- Farmers Ins. Exchange v. Superior Court, 2 Cal. 4th 377, 391 (1992)
- Styne v. Stevens, 26 Cal. 4th 42, 56-57 (2001)
- Public Employment Relations Bd. v. Superior Court, 13 Cal. App. 4th 1816, 1827, 1830 (1993)
- Edgren v. Regents of University of California, 158 Cal. App. 3d 515, 521 (1984)
- Department of Personnel Administration v. Superior Court, 5 Cal. App. 4th 155, 170-171 (1992)
- Giffin v. United Transportation Union, 190 Cal. App. 3d 1359, 1364-1365 (1987)
- City of Oakland v. Public Employees' Retirement System, 95 Cal. App. 4th 29, 47-48 (2002)
- In re Marriage of Harris, 34 Cal. 4th 210, 222 (2004)
- Hassan v. Mercy American River Hospital, 31 Cal. 4th 709, 715 (2003)
- Brown v. Bleiberg, 32 Cal. 3d 426, 437 (1982)
- Brennan v. Tremco Inc., 25 Cal. 4th 310, 318 (2001)

- Cadence Design Systems, Inc. v. Avant! Corp., 29 Cal. 4th 215, 218 n.2 (2002)

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