

*Public Employees Relations Board*

**Administrative Rules Report | Executive Order 2020-03**

**Comprehensive Review of Administrative Rules as of August 7, 2020**

**Report Submitted by:** Kimberlee Williams

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**Method Used to Conduct Review:** **Review and analysis of rules and applicable statutes.**

**NOTE: The Public Employees Relations Board no longer exists. It was “sunsetting” effective July 1, 2013. The following rules are no longer necessary; however, to my knowledge there is no longer any agency with authority to revoke these rules.**

***TOTAL NUMBER OF UNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE OR OUTDATE REGULATIONS: (67)***

**Title 585 Public Employees Relations Board**

Chapter 1-Operations

Subchapter 3. Program Administration and Description

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-3-6	Forms and instructions	7-1-98		Yes			Yes		PERB no longer exists.
1-3-7	Petitions for rulemaking	7-1-98		Yes			Yes		PERB no longer exists.
1-3-8	Petitions for declaratory rulings	7-1-98		Yes			Yes		PERB no longer exists.

Chapter 2-Operations under the FPAA

Subchapter 1-General Provisions

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
2-1-1	Purpose	7-1-98		Yes			Yes		PERB no longer exists.
2-1-2	Statutory definitions	7-1-98		Yes			Yes		PERB no longer exists.
2-1-3	Additional definitions	7-1-98		Yes			Yes		PERB no longer exists.
2-1-4	Severability	7-1-98		Yes			Yes		PERB no longer exists.
2-1-5	Liberal construction	7-1-98		Yes			Yes		PERB no longer exists.

Subchapter 3-Program Administration and Description

2-3-1	PERB Board, description and powers; hearing officer	7-1-98		Yes			Yes		PERB no longer exists.
2-3-2	Quorum	7-1-98		Yes			Yes		PERB no longer exists.
2-3-3	Location for information or for filing	7-1-98		Yes			Yes		PERB no longer exists.
2-3-4	Public inspection of documents	7-1-98		Yes			Yes		PERB no longer exists.
2-3-5	Retention of pleadings or documents by the Board	7-1-98		Yes			Yes		PERB no longer exists.
2-3-6	Forms and instructions	7-1-98		Yes			Yes		PERB no longer exists.
2-3-7	Failure of Party to Comply with Statutes, Rules or Orders of the Board	7-1-98		Yes			Yes		PERB no longer exists.
2-3-8	Petitions for rulemaking	7-1-98		Yes			Yes		PERB no longer exists.
2-3-9	Petitions for declaratory rulings	7-1-98		Yes			Yes		PERB no longer exists.

Subchapter 5-Procedures

2-5-1	Filings of documents	7-1-98		Yes			Yes		PERB no longer exists.
2-5-2	Computation of time	7-1-98		Yes			Yes		PERB no longer exists.
2-5-3	Requests for extensions of time	7-1-98		Yes			Yes		PERB no longer exists.
2-5-4	Docketing	7-1-98		Yes			Yes		PERB no longer exists.
2-5-5	Filing of complaint and answer	7-1-98		Yes			Yes		PERB no longer exists.
2-5-6	Scheduling of deadlines	7-1-98		Yes			Yes		PERB no longer exists.
2-5-7	Final pre-hearing conference	7-1-98		Yes			Yes		PERB no longer exists.
2-5-8	Amicus curiae	7-1-98		Yes			Yes		PERB no longer exists.
2-5-9	Transcripts	7-1-98		Yes			Yes		PERB no longer exists.
2-5-11	Rights of parties at hearings	7-1-98		Yes			Yes		PERB no longer exists.

Subchapter 7-Hearings

2-7-1	Hearings to be conducted by Board or hearing officer	7-1-98		Yes			Yes		PERB no longer exists.
2-7-2	Open hearings	7-1-98		Yes			Yes		PERB no longer exists.
2-7-3	Motions	7-1-98		Yes			Yes		PERB no longer exists.
2-7-4	Discovery	7-1-98		Yes			Yes		PERB no longer exists.
2-7-5	Subpoenas	7-1-98		Yes			Yes		PERB no longer exists.
2-7-6	Rules of evidence	7-1-98		Yes			Yes		PERB no longer exists.
2-7-7	Contemptuous conduct	7-1-98		Yes			Yes		PERB no longer exists.
2-7-8	Amendment of pleadings or documents	7-1-98		Yes			Yes		PERB no longer exists.
2-7-9	Substitution of parties	7-1-98		Yes			Yes		PERB no longer exists.
2-7-10	Consolidation	7-1-98		Yes			Yes		PERB no longer exists.
2-7-11	Intervention in proceeding	7-1-98		Yes			Yes		PERB no longer exists.
2-7-12	Burden of proof	7-1-98		Yes			Yes		PERB no longer exists.
2-7-13	Cases decided on stipulated facts	7-1-98		Yes			Yes		PERB no longer exists.
2-7-14	Cases decided on disputed facts	7-1-98		Yes			Yes		PERB no longer exists.
2-7-15	Final agency orders of the Board	7-1-98		Yes			Yes		PERB no longer exists.
2-7-16	Unauthorized ex parte communications	7-1-98		Yes			Yes		PERB no longer exists.

Chapter 30-Unfair Labor Practice Charges

30-1-1	Purpose	7-1-98		Yes			Yes		PERB no longer exists.
30-1-2	Statutory definitions	7-1-98		Yes			Yes		PERB no longer exists.
30-1-3	Additional definitions	7-1-98		Yes			Yes		PERB no longer exists.
30-1-4	Complaint	7-1-98		Yes			Yes		PERB no longer exists.
30-1-5	Answer	7-1-98		Yes			Yes		PERB no longer exists.
30-1-6	Informal disposition	7-1-98		Yes			Yes		PERB no longer exists.
30-1-7	Violation of the FPAA	7-1-98		Yes			Yes		PERB no longer exists.
30-1-8	Liberal construction	7-1-98		Yes			Yes		PERB no longer exists.

Chapter 35-Certification Cases

Subchapter 1-General Provisions

35-1-1	Purpose	7-1-98		Yes			Yes		PERB no longer exists.
35-1-2	Statutory definitions	7-1-98		Yes			Yes		PERB no longer exists.

35-1-3	Additional definitions	7-1-98		Yes			Yes		PERB no longer exists.
35-1-4	Violation of the FPAA	7-1-98		Yes			Yes		PERB no longer exists.
35-1-5	Liberal construction	7-1-98		Yes			Yes		PERB no longer exists.

Subchapter 3-Representation Petitions Under the FPAA

35-3-1	Petition filing and contents	7-1-98		Yes			Yes		PERB no longer exists.
35-3-2	Bars to an election	7-1-98		Yes			Yes		PERB no longer exists.
35-3-3	Evidence of representation or legitimate interest; authorization cards	7-1-98		Yes			Yes		PERB no longer exists.
35-3-4	Showing of interest, determination of adequacy	7-1-98		Yes			Yes		PERB no longer exists.
35-3-5	Responsibilities of corporate authority	7-1-98		Yes			Yes		PERB no longer exists.
35-3-6	Determination of collective bargaining unit	7-1-98		Yes			Yes		PERB no longer exists.
35-3-7	Investigation	7-1-98		Yes			Yes		PERB no longer exists.
35-3-8	Hearing	7-1-98		Yes			Yes		PERB no longer exists.
35-3-9	Petition for consent election	7-1-98		Yes			Yes		PERB no longer exists.

Subchapter 7-Elections

35-7-1	Election procedure	7-1-98		Yes			Yes		PERB no longer exists.
35-7-2	Certification of election results	7-1-98		Yes			Yes		PERB no longer exists.

**END OF REPORT**