

HISTORICAL NOTE

WARDEN SCHOOL DISTRICT
and
RALPH VILLEGAS

AND

MOXEE SCHOOL DISTRICT
and
RALPH VILLEGAS

DECISION 1235-H (EDUC)

NPER 74.37UNFAIR PRACTICE REMEDIES--TYPES OF ORDERS--INTERIM
RELIEF

Following is an excerpt from the minutes of the Commission meeting held on March 21, 1980:

"Ms. Symone Scales, counsel for the Washington Education Association, represented Mr. Villegas. She reviewed the facts and circumstances of the case and presented argument. Mr. Rocky Jackson, attorney representing Moxee School District presented counter-arguments."

"At the conclusion of the arguments, the Chairman asked if citations could be provided to any National Labor Relations Board cases dealing with similar circumstances. None of the parties were aware of any such cases. Following a brief recess, the Chairman announced that the Commission had considered the arguments and read the documents. The disposition of the Commission is that the motion should be denied for several reasons: first, the veritable impossibility of effectively enforcing such an injunction; second, it would be very difficult to persuade a court that there are irreparable injuries which could not be redressed by a monetary award; and third, there is no precedent under the NLRB in an alleged case of individual discrimination. Accordingly, the motion for temporary relief should be denied. Commissioners Williams and Leinen concurred."

By: Mary Ellen Krug, Chairman
Robert J. Williams, Commissioner
John H. Leinen, Commissioner
March 21, 1980

Cases 2531-U-80-364 and 2532-U-80-365