

PART V. LABOR RELATIONS BOARD

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CHAPTER 91. PRIVATE AND PUBLIC EMPLOYEES

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Authority

The provisions of this Chapter 91 issued under section 4(f) of the Pennsylvania Labor Relations Act (43 P.S. § 211.4(f)); and section 502 of the Public Employee Relations Act (43 P.S. § 1101.502), unless otherwise noted.

Source

The provisions of this Chapter 91 adopted April 26, 1966; amended October 23, 1970, effective October 24, 1970, 1 Pa.B. 419, unless otherwise noted.

GENERAL PROVISIONS

§ 91.1. Records and dockets.

The official dockets and original papers pertaining to proceedings before the Labor Relations Board shall be kept at the principal office of the Board in Harrisburg.

§ 91.2. Appearances.

(a) An attorney or other representative desiring to participate in a proceeding before the Labor Relations Board (Board) or a designated agent of the Board, and who wishes to be served with papers, shall file an appearance either by letter, or by a form provided by the Board or by oral request at the hearing. The entry of appearance shall indicate whether the attorney or representative will allow other parties to serve papers filed with the Board by e-mail and, if so, provide a valid e-mail address for service.

(b) A person who has been employed by the Board is not permitted to appear as attorney or representative for a party in a case which was pending before the Board during the period of his employment.

Authority

The provisions of this § 91.2 amended under section 4(f) of the Pennsylvania Labor Relations Act (43 P.S. § 211.4(f)); and section 502 of the Public Employe Relations Act (43 P.S. § 1101.502).

Source

The provisions of this § 91.2 amended February 7, 2020, effective February 8, 2020, 50 Pa.B. 792. Immediately preceding text appears at serial pages (284881) to (284882).

Cross References

This section cited in 34 Pa. Code § 93.11 (relating to institution of proceedings); 34 Pa. Code § 93.12 (relating to service and filing of papers); 34 Pa. Code § 95.41 (relating to service of papers); and 34 Pa. Code § 95.42 (relating to filing of papers).

§ 91.3. Joinder of parties.

(a) A proceeding will not be dismissed because of nonjoinder or misjoinder of parties.

(b) Upon motion of a party or upon motion of the Labor Relations Board, or its trial examiner, parties may be added, dropped or substituted at any stage of the proceedings, upon terms that may be deemed proper. The motions shall be made at or prior to the first hearing in a proceeding unless sufficient cause is shown why it could not have been made at that time. Failure to so move will be deemed a waiver of objections to a nonjoinder or misjoinder.

(c) Persons alleged to have engaged in an unfair labor practice may be joined as parties, whether jointly, severally or in the alternative, and a decision may be rendered against one or more of them upon all of the evidence, without regard to the party by or against whom the evidence has been introduced.

§ 91.4. Consolidation or severance.

(a) Two or more proceedings may be consolidated by the Labor Relations Board in its discretion.

(b) A proceeding may be severed by the Labor Relations Board in its discretion.

§ 91.5. Construction and amendment.

This chapter sets forth rules for the efficient operation of the Labor Relations Board and the orderly administration of the acts. They are to be liberally construed for the accomplishment of these purposes and may be waived or suspended by the Labor Relations Board at any time and in any proceeding unless the action results in depriving a party of substantial rights.

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