

COMMONWEALTH OF PENNSYLVANIA  
Pennsylvania Labor Relations Board

ROBERT S. FRYE :  
 :  
 v. : Case No. PERA-C-05-32-E  
 :  
 SUSQUEHANNA TOWNSHIP SCHOOL :  
 DISTRICT :

**FINAL ORDER**

Robert S. Frye (Complainant) filed Exceptions with the Pennsylvania Labor Relations Board (Board) from the decision of the Secretary of the Board dismissing his Charge of Unfair Practices.

On January 14, 2005, Complainant filed a Charge alleging that Susquehanna Township School District (District) violated the Public Employee Relations Act (PERA), by refusing to process a grievance regarding an alleged violation of the collective bargaining agreement between the District and Teamsters Local 776. On February 18, 2005, the Secretary issued a letter by certified mail to Complainant, informing him that he must specify the exact subsection and clauses of Section 1201 of PERA the District allegedly violated and the exact date or dates upon which Complainant believed an unfair practice occurred. Additionally, the Secretary informed Complainant that "[f]ailure to amend the charge as requested on the enclosed form within twenty (20) days of the date of this letter may result in a dismissal of the charge." On April 8, 2005, because Complainant failed to amend his charge, the Secretary dismissed the Charge, notifying the Complainant that:

Pursuant to the authority granted to me..., this is to inform you that the Charge of Unfair Practices filed to the above case number has been dismissed since you did not timely respond to my letter of February 18, 2005.

Complainant filed timely exceptions to the Secretary's dismissal of the Charge by letter dated April 26, 2005. In his exceptions, Complainant reiterated and expanded on his allegations against the District, but did not provide an explanation for his failure to timely respond to the Secretary's certified letter of February 18. Postal records indicate that delivery was attempted on February 22, and notice was provided to the Complainant, who signed for the letter on March 7, 2005, all within twenty days of the Secretary's February 18 letter. Accordingly, Complainant's exceptions are dismissed, and the Secretary's dismissal of the Charge is affirmed.

**ORDER**

In view of the foregoing, and in order to effectuate the policies of the Public Employee Relations Act, the Board

**HEREBY ORDERS AND DIRECTS**

that the exceptions filed to the above case number be and the same, are hereby dismissed, and the Secretary's letter declining to issue a complaint be and the same is hereby made absolute and final.

SEALED, DATED and MAILED at Harrisburg, Pennsylvania pursuant to conference call meeting of the Pennsylvania Labor Relations Board, L. Dennis Martire, Chairman and Anne E. Covey, Member, this seventeenth day of May, 2005. The Board hereby authorizes the Secretary of the Board, pursuant to 34 Pa. Code 95.81(a), to issue and serve upon the parties hereto the within Order.