

BEFORE THE PUBLIC EMPLOYEES RELATIONS BOARD
OF THE STATE OF KANSAS

Dr. Norman Caulfield and
Dr. Thomas O. Guss

Petitioners,

v.

Fort Hays State University Chapter
of the American Association of
University Professors (FHSU-AAUP)

Respondent

Case No.: 75-CAE0-1-2001

FINAL ORDER
AFFIRMING THE PRESIDING OFFICER'S INITIAL ORDER
Pursuant to K.S.A. 77-527

NOW ON THIS 18th day of December, 2002 this case comes regularly before the Public Employee Relations Board (PERB) for oral argument and deliberation on review of the presiding officer's Order on Motion to Dismiss. Petitioners and Respondent did not appear. All PERB board members are in attendance.

WHEREUPON the board reviews the file, considers the briefs, and rules from the bench. The board votes unanimously to uphold the Initial Order, without modification.

Journalized this 6th day of February, 2003.

PUBLIC EMPLOYEE RELATIONS BOARD

By Sharon L. Tunstall
Sharon L. Tunstall, Office Manager

Notice of Right to Seek Judicial Review

This is a final order issued by the Public Employee Relations Board pursuant to K.S.A. 77-527. This order is subject to review by the district court in accordance with the Act for Judicial Review and Civil Enforcement of State Agency Actions (K.S.A. 77-601 et seq.)

Unless a motion for reconsideration is filed pursuant to K.S.A. 77-529, a petition for judicial review must be filed with the appropriate district court within 30 days after the Final Order is served on the parties. Since this Final Order is being served upon the parties by mail, the parties are allowed a total of 33 days from the date on the certificate of mailing below to file their petition for judicial review in the appropriate district court. See K.S.A. 77-613 (b) and (e).

Pursuant to K.S.A. 77-527 (j), K.S.A. 77-613 (e), and K.S.A. 77-615 (a), any party seeking judicial review must serve a copy of its petition upon the Board's designated agent at the following address:

A.J. Kotich, Chief Counsel
KDHR-Legal Services
401 Topeka Blvd.
Topeka, KS 66603-3182


CERTIFICATE OF MAILING

I, Sharon L. Tunstall, Office Manager of the Public Employee Relations Board, do hereby certify that on this 6th day of February, 2003, a true and correct copy of the foregoing Final Order was served upon the parties by U.S. Mail, first class, addressed to:

Thomas Guss
1914 Longfellow
Hays, KS 67601
Petitioner

Norman Caulfield
216 N. Kansas St.
Russell, KS 67665
Petitioner

Lawrence G. Rebman, Attorney
Fort Hays State University Chapter, AAUP
c/o STEVE A.J. BUKATY, CHTD.
8826 Santa Fe Dr. - Ste. 218
Overland Park, KS 66212
Attorney for Respondent


Sharon L. Tunstall, Office Manager