

**STATE OF NEW YORK
PUBLIC EMPLOYMENT RELATIONS BOARD**

**APPLICATION FOR INJUNCTIVE RELIEF
UNDER CIVIL SERVICE LAW §209-a.4**

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DO NOT WRITE IN THIS SPACE

INSTRUCTIONS TO APPLICANT

Complete **both** sides of this form. This application for injunctive relief is not an improper practice charge. Your application for injunctive relief must include a copy of the improper practice charge that you have **separately filed** with the Director of Public Employment Practices and Representation under the Board's Rules. File the original and two copies of this form and all attachments with the Office of Counsel, New York State Public Employment Relations Board, 80 Wolf Road, Suite 500, Albany, New York, 12205-2656. Please Note: In Item 4 below, you must identify the public employers and/or employee organizations against whom your separately filed charge is brought, as well as any public employer identified in that charge because it alleges a violation of Civil Service Law §209-a.2(c) based on an employee organization's processing of or failure to process a claim that the public employer breached its agreement with that employee organization. If you need more space for any item, use the additional space on the back and number that item the same. Your application must include proof that complete copies have already been **received** by all other parties.

NOTICE TO PUBLIC EMPLOYERS AND EMPLOYEE ORGANIZATIONS IDENTIFIED IN ITEM 4 BELOW

The party named in Item 1 is applying to the Public Employment Relations Board ("Board") for injunctive relief under §209-a.4 of the Public Employees' Fair Employment Act ("Act"), Civil Service Law §§200-214. You have a right to respond to this application as explained in the Board's Rules and Regulations ("Rules"), 4 NYCRR Part 204.16. Your response, if any, must be received by the Board within five days after the day you receive this application or within a shorter time on notice from the Board's Office of Counsel. Any response that you may make to this application is **not** your answer or responsive pleading to the related, separately filed, improper practice charge (copy attached). You may have other rights under the Act, other laws, or the Rules.

11 APPLICANT (CHARGING PARTY IN THE SEPARATELY FILED CHARGE):

NAME (If an employee organization, give the unit, affiliation, and local number, if any):

ADDRESS:

TELEPHONE:

FAX:

22 REPRESENTATIVE FILING ON BEHALF OF APPLICANT (if any):

NAME AND TITLE:

ADDRESS:

TELEPHONE:

FAX:

33 ATTORNEY OR OTHER REPRESENTATIVE TO BE CONTACTED (If different from Item 2):

NAME AND TITLE:

ADDRESS:

TELEPHONE:

FAX:

4 PUBLIC EMPLOYERS AND/OR EMPLOYEE ORGANIZATION NAMED IN THE SEPARATELY FILED CHARGE:

NAME, ADDRESS, TELEPHONE AND FAX:

NAME, ADDRESS, TELEPHONE AND FAX:

ADDITIONAL SPACE

5 GIVE the date on which the related improper practice charge was separately filed and the case number assigned to it (if available):

DATE FILED: _____

CASE NUMBER: U-_____

6 ATTACH the following documents:

- A copy of the **separately filed** improper practice charge that is related to this application.
- An affidavit or affidavits stating in a clear and concise manner: (1) those facts personally known to the deponent

that constitute the alleged improper practice, the date of the alleged improper practice, the alleged injury, loss or damage arising from it, and the date when the alleged injury, loss, or damage occurred or will occur; and (2) why the alleged injury, loss, or damage is immediate, irreparable, and will render a resulting judgment on the merits of the improper practice charge ineffectual if injunctive relief is not granted, and why there is a need to maintain or return to the status quo to provide meaningful relief.

- Copies of any documentary evidence in support of this application.
- Proof of the date on which public employer and employee organization named as a party to the improper practice charge actually **received** a copy of this application form and the attached documents, including a copy of the separately filed improper practice charge, in an envelope or container bearing the legend "ATTENTION: CHIEF LEGAL OFFICER" in capital letters on its front. Date-stamped return receipts from the post office or affidavits of personal delivery are examples of acceptable proof that all other parties have already received a copy.

7 SIGN HERE: The related improper practice charge has been separately filed pursuant to the Board's Rules, and a complete copy of this application, including copies of all of the attachments in support, has already been received by each party named in Item 4.

(Signature of Applicant or Representative Filing Application)