## IN THE SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT

WESTMORELAND INTERMEDIATE UNIT: No. 381 WAL 2009

#7,

: Petition for Allowance of Appeal from the

Respondent : Order of the Commonwealth Court

: entered July 8, 2009 at No. 1746 CD

v. : 2008, reversing the Order of the Court of

: Common Pleas of Westmoreland County

WESTMORELAND INTERMEDIATE UNIT: entered August 6, 2008 at No. 4799 of

#7 CLASSROOM ASSISTANTS : 2003.

EDUCATIONAL SUPPORT PERSONNEL:

ASSOCIATION, PSEA-NEA,

: 977 A.2d 1205 (Pa. Cmwlth. 2009)

Petitioner

## **ORDER**

## PER CURIAM:

AND NOW, this 8<sup>th</sup> day of February 2013, the Application for Reconsideration filed by Westmoreland Intermediate Unit #7 Classroom Assistants Educational Support Personnel Association, PSEA-NEA is **GRANTED**, the Petition for Allowance of Appeal is **GRANTED**, and the Order of the Commonwealth Court dated July 8, 2009 is **VACATED**. This matter is **REMANDED** to the Commonwealth Court for reconsideration on the basis of <u>Philadelphia Housing Authority v. American Federation of State, County and Municipal Employees</u>, 52 A.3d 1117 (Pa. 2012).