

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

PACIFIC NORTHWEST CHILD CARE
ASSOCIATION

Involving certain employees of:

STATE – FAMILY CHILD CARE
PROVIDERS

CASE 128937-E-17

DECISION 12746-B - PECB

DECISION OF COMMISSION

Deborah Thurber, for the petitioner, Pacific Northwest Child Care Association.

Gina L. Comeau and *Morgan B. Damerow*, Assistant Attorneys General, Attorney General Robert W. Ferguson, for the employer, State of Washington.

Robert H. Lavitt, Attorney at Law, Schwerin Campbell Barnard Iglitzin & Lavitt LLP, for the incumbent, Service Employees International Union, Local 925.

On April 27, 2017, the Pacific Northwest Child Care Association (PNWCCA) filed a timely petition to become the exclusive bargaining representative of individuals who provide child care in their homes and receive child care subsidies administered by the State of Washington. The Service Employees International Union, Local 925 represents those family child care providers.

A prospective bargaining representative must file a representation petition with “written proof of at least thirty percent representation of the public employees within the unit.” RCW 41.56.070. The agency reviewed the petition and submissions upon receipt to determine whether the PNWCCA’s petition was accompanied by the required 30 percent showing of interest. The agency determined that the PNWCCA had not provided the required showing of interest. After allowing the parties to argue the issue, the Executive Director dismissed the petition. *State – Family Child Care Providers*, Decision 12746 (PECB, 2017). The PNWCCA appealed.

After reviewing the applicable statutes and rules, the record, and the parties' briefs on appeal, we affirm the Executive Director. RCW 41.56.070 requires a petitioner to provide a 30 percent showing of interest with its petition. In this case, the PNWCCA did not meet that threshold.

ORDER

The Order of Dismissal issued by Executive Director Michael P. Sellars is AFFIRMED and adopted as the order of the Commission.

ISSUED at Olympia, Washington, this 14th day of September, 2017.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



MARK E. BRENNAN, Commissioner



MARK BUSTO, Commissioner



PUBLIC EMPLOYMENT RELATIONS COMMISSION

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DECISION 12746-B - PECB has been mailed by the Public Employment Relations Commission to the parties and their representatives listed below:

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CASE NUMBER: 128937-E-17

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