

Colville School District, Decision 7201 (PECB, 2000)

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)
PATRICIA THOMPSON) CASE 15390-E-00-2565
Involving certain employees of:) DECISION 7201 - PECB
COLVILLE SCHOOL DISTRICT) ORDER OF DISMISSAL
_____)

On September 21, 2000, Patricia Thompson filed a petition for investigation of a question concerning representation with the Public Employment Relations Commission under Chapter 391-25 WAC seeking decertification of Public School Employees of Washington (PSE) as exclusive bargaining representative of all custodians of the Colville School District. Examination of the collective bargaining agreement between the employer and PSE disclosed that the term of the contract is from September 1, 1998 to August 31, 2001.

RCW 41.56.070 creates a "contract bar" which is restated in the Commission's rules as follows:

WAC 391-25-030 Petition--Time for filing.
In order to be timely filed:

(1) Where there is a valid written and signed collective bargaining agreement in effect covering an appropriate bargaining unit which includes any or all of the employees to be affected by the petition, **a petition must be filed during the period not more than ninety nor less than sixty days prior to the expiration date of the collective bargaining agreement, or after the expiration thereof.**

[Emphasis by bold supplied]

The earliest possible day for the filing of a timely petition would not occur until June of 2001.

The petitioner was given a period of 14 days in which to show cause why the petition should not be dismissed. No response has been received from the petitioner. The petition must be dismissed.

ORDERED

The petition for investigation of a question concerning representation filed in the above-captioned matter is DISMISSED.

Issued at Olympia, Washington, on the 17th day of October, 2000.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARVIN L. SCHURKE, Executive Director

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under WAC 391-25-660.