



Applicable Legal Principles

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.*(1) A "contract bar" exists while a valid collective bargaining agreement is in effect, so that a petition involving any or all of the employees covered by the agreement will be timely only if it is filed during the "window" period not more the ninety nor less than sixty days prior to the stated expiration date of the collective bargaining agreement...(3) Where neither a "contract bar" nor a "certification bar" is in effect under this section, a petition may be filed at any time.

The "window period" for the current collective bargaining agreement was October 3, 2006 through November 1, 2006. The petition in this case was filed after the window period, and must be dismissed. A valid petition could be filed after the expiration date of the contract if a new contract has not been ratified by the parties.

NOW, THEREFORE, it is

ORDERED

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

Issued at Olympia, Washington, on the 8th day of January, 2007.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



CATHLEEN CALLAHAN, 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.