

STATE OF WASHINGTON  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of: )	
MONTESANO POLICE DEPARTMENT )	CASE NO. 4517-E-83-831
EMPLOYEES )	
Involving certain employees of: )	DECISION NO. 2138 - PECB
CITY OF MONTESANO )	ORDER

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William Brookshire, Authorized Representative, appeared on behalf of the petitioner, Montesano Police Department Employees.

Daniel O. Glenn, City Attorney, appeared on behalf of the employer, City of Montesano.

Ed L. Jacobson, Secretary-Treasurer, appeared on behalf of the intervenor, Teamsters, Local 252.

On February 23, 1983, the Montesano Police Department Employees filed a petition for investigation of a question concerning representation, claiming that the employees desired to change their designation of exclusive bargaining representative. Teamsters Union Local 252 was granted intervention on the basis of its status as exclusive bargaining representative of petitioned-for employees in two separately certified bargaining units: one of law enforcement personnel and one of communications (dispatcher) employees. At a pre-hearing conference held on March 21, 1983, the petitioner sought one combined bargaining unit. The parties were notified in the Statement of Results of Pre-Hearing Conference that the Commission would allow a commingled unit of uniformed and non-uniformed personnel in cities under 15,000 in population, and that the petitioned-for commingled unit would require a unit determination election to show the desires of the employees on the bargaining unit structure. A second vote was directed to determine the choice of bargaining representative. The elections were held May 13, 1983. The unit determination election among the communications employees was conclusive favoring a consolidated unit. The unit determination election among the uniformed personnel was inconclusive, since a challenged ballot was sufficient to affect the results. All ballots cast on the representation question were impounded. The case was held in abeyance while the parties sought resolution of the challenged ballot through civil service procedures and appeals to the court system.

On January 3, 1985, without any resolution of the challenged ballot issue, the petitioner moved to strike the request for a combined unit and proceed in the two historically separate units. The city and the incumbent concurred in the motion.

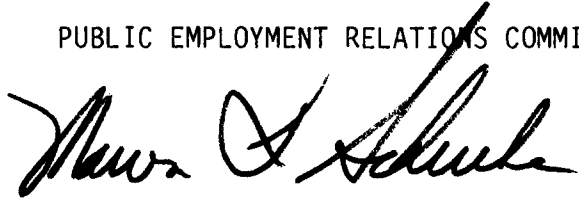
NOW, THEREFORE, IT IS

ORDERED

1. The unit determination election is stricken and all ballots cast on the unit determination question are void.
2. Separate questions concerning representation shall be determined in the two separate units as historically existing. The impound of ballots cast in the two representation elections is dissolved. Separate tallies of ballots are attached.

DATED at Olympia, Washington, this 21st day of January, 1985.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARVIN L. SCHURKE, Executive Director

This Order may be appealed by filing timely objections with the Commission pursuant to WAC 391-25-590.

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

TALLY SHEET

NAME OF EMPLOYER

MONTESANO POLICE DEPARTMENT

(Uniformed Personnel)

CASE NUMBER

4517-E-83-831

PART 1 - CROSS-CHECK OF RECORDS

The undersigned agent of the Public Employment Relations Commission certifies that he/she has conducted a cross-check of records in the above case, and that the results were as follows:

Number of Employees in Bargaining Unit.....

Number of Employee Records Examined.....

Number of Employee Records Counted as Valid Evidence of Representation...

PART 2 - SECRET BALLOT ELECTION

The undersigned agent of the Public Employment Relations Commission certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated below, were as follows:

- 1. Approximate number of eligible voters... 5
2. Void Ballots... 0
3. Votes Cast For: Montesano Police Department Employees ... 2
4. Votes Cast For: Teamsters Local No. 252 ... 1
5. Votes Cast For: ... -
6. Votes Cast For: NO REPRESENTATION... -
7. Valid Ballots Counted.(total of 3, 4, 5, and 6)... 3
8. Challenged Ballots... 1
9. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8)... 4
10. Number of Valid Ballots Needed to Determine Election... 3

Challenges [X] are [ ] are not sufficient in number to affect the results of the election.

The results of the election appear to be [X] inconclusive. [ ] conclusive favoring choice on line

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED January 17, 1985

By Patricia L. Boedecker

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For For
For For

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

TALLY SHEET

NAME OF EMPLOYER MONTESANO POLICE DEPARTMENT *(Communications Personnel)* CASE NUMBER 4517-E-83-831

PART 1 - CROSS-CHECK OF RECORDS

The undersigned agent of the Public Employment Relations Commission certifies that he/she has conducted a cross-check of records in the above case, and that the results were as follows:

Number of Employees in Bargaining Unit.....  
Number of Employee Records Examined.....  
Number of Employee Records Counted as Valid Evidence of Representation...

PART 2 - SECRET BALLOT ELECTION

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- 4. Votes Cast For: Teamsters Local No. 252 ... 1
- 5. Votes Cast For: \_\_\_\_\_ ... -
- 6. Votes Cast For: NO REPRESENTATION..... 1
- 7. Valid Ballots Counted.(total of 3, 4, 5, and 6)..... 4
- 8. Challenged Ballots..... 1
- 9. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8)..... 5
- 10. Number of Valid Ballots Needed to Determine Election..... 3

Challenges  are sufficient in number to affect the results of the election.  
 are not sufficient in number to affect the results of the election.  
The results of the election appear to be  inconclusive.  
 conclusive favoring choice on line \_\_\_\_\_

DATE ISSUED January 17, 1985 PUBLIC EMPLOYMENT RELATIONS COMMISSION  
By Karina J Boedeker

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For \_\_\_\_\_ For \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
For \_\_\_\_\_ For \_\_\_\_\_  
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