

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of a dispute)	
concerning the obligations of:)	
)	
RUBY ZIMMERMAN)	CASE 16019-N-01-25
)	
Under union security provisions)	DECISION 7795 - PECB
of a collective bargaining)	
agreement between:)	
)	
PIERCE COUNTY)	
)	
and)	ORDER OF DISMISSAL
)	
SERVICE EMPLOYEES INTERNATIONAL)	
UNION)	
_____)	

A petition for a ruling on nonassociation was filed with the Public Employment Relations Commission on September 26, 2001, under Chapter 391-95 WAC. A preliminary ruling was issued finding a cause of action to exist, and Examiner Kathleen O. Erskine was assigned to conduct further proceedings in the matter. The case was subsequently re-assigned to Examiner Walter M. Stuteville.

The petition is dismissed, based on the failure of the employee involved to respond to a show cause directive.

BACKGROUND

The petitioner in this case, Ruby Zimmerman, is an employee of Pierce County (employer). Her position is in a bargaining unit

that is represented for the purposes of collective bargaining by a local union affiliated with the Service Employees International Union, AFL-CIO (union).

The "show cause" directive was sent to Zimmerman on June 17, 2002, raising three issues:

1. Review of the case file had disclosed that the petition form filed by Zimmerman had not indicated whether the request for nonassociation was based upon personal religious beliefs or upon the teachings of a church or religious body;
2. In a letter dated October 16, 2001, the union had asserted that it had not been served with a copy of the petition, and that it did not have any information concerning what Zimmerman is claiming in regards to nonassociation; and
3. Review of the transaction log contained within the Commission's computerized docket record for the case suggested that Examiner Erskine had repeatedly attempted to contact Zimmerman to schedule a hearing in this matter, but that Zimmerman had never responded to those contacts.

The "show cause" letter thus informed the parties that, unless good cause was shown within 14 days following the date of that letter as to why such action should not be taken, the petition would be dismissed for lack of prosecution.

As of the date of this order, nothing further has been heard or received from Zimmerman. If Zimmerman continues to be employed within the bargaining unit represented by the union, she will

continue to be obligated under the union security provisions of the applicable collective bargaining agreement.

NOW, THEREFORE, it is

ORDERED

The petition for a ruling on a claim of nonassociation filed in the above-captioned matter is DISMISSED for lack of prosecution.

Issued at Olympia, Washington, this 5th day of August, 2002.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

A handwritten signature in cursive script, appearing to read "Walter M. Stuteville".

WALTER M. STUTEVILLE, Examiner

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under WAC 391-95-270.