

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

EDUARDO VASQUEZ,)	
)	
Complainant,)	CASE 16486-U-02-4248
)	
vs.)	DECISION 7830 - PSRA
)	
UNIVERSITY OF WASHINGTON,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
)	

The complaint charging unfair labor practices in the above-referenced matter was filed with the Public Employment Relations Commission by Eduardo Vasquez (Vasquez) on June 25, 2002. The complaint alleged that the University of Washington (employer) refused to bargain in violation of RCW 41.56.140(4) and committed other unspecified unfair labor practices, by changing to a new cleaning specialist system for custodial employees.

The complaint was reviewed under WAC 391-45-110.¹ A deficiency notice was issued on July 16, 2002, indicating that it was not possible to conclude that a cause of action existed at that time. The deficiency notice stated that the refusal to bargain provisions of Chapter 41.56 RCW can only be enforced by an exclusive bargaining representative, and individual employees do not have standing

¹ At this stage of the proceedings, all of the facts alleged in the complaint are assumed to be true and provable. The question at hand is whether, as a matter of law, the complaint states a claim for relief available through unfair labor practice proceedings before the Public Employment Relations Commission.

to process such allegations. In relation to the allegations concerning other unfair labor practices, the deficiency notice indicated that the complaint failed to explain and specify what "other" statute had been violated by the employer's actions.

The deficiency notice advised Vasquez that an amended complaint could be filed and served within 21 days following such notice, and that any materials filed as an amended complaint would be reviewed under WAC 391-45-110 to determine if they stated a cause of action. The deficiency notice further advised Vasquez that in the absence of a timely amendment stating a cause of action, the complaint would be dismissed. Nothing further has been received from Vasquez.

NOW, THEREFORE, it is

ORDERED

The complaint charging unfair labor practices in the above captioned matter is DISMISSED for failure to state a cause of action.

ISSUED at Olympia, Washington, this 17th day of September, 2002.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARK S. DOWNING, Director of Administration

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under WAC 391-45-350.