

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL ASSOCIATION)	
OF FIRE FIGHTERS, LOCAL 29,)	
)	
Complainant,)	CASE 20615-U-06-5249
)	
vs.)	DECISION 10007 - PECB
)	
CITY OF SPOKANE,)	
)	
Respondent.)	ORDER OF DISMISSAL
_____)	

On August 28, 2006, the International Association of Fire Fighters, Local 29, filed an unfair labor practice complaint against the City of Spokane (employer). The complaint asserted that the employer refused to bargain regarding changes in a "Garrity Rights" form. In a preliminary ruling issued October 10, 2006, the parties were notified that the complaint stated a cause of action.

The employer filed its answer to the complaint on October 30, 2006. The answer stated that "The City has now agreed with the Complainant that the language [of the Garrity rights form] should be amended to reflect the Court's decision and is engaged in collective bargaining over the issue. Therefore, this Complaint should be dismissed as the parties are negotiating the issues."

On December 14, 2006, Examiner Katrina I. Boedecker spoke with Greg Borg, President of Local 29. He confirmed that the matter had been settled. Although the Examiner has made numerous requests, a written withdrawal of the complaint has not been forthcoming.

On January 14, 2008, the Examiner issued a show cause directive advising the complainant that unless good cause was shown on or

before January 28, 2008, as to why such action should not be taken, the complaint charging unfair labor practices would be dismissed for lack of prosecution. The complainant filed nothing in response.

NOW, THEREFORE, it is

ORDERED

The complaint charging an unfair labor practice filed in this matter is DISMISSED for lack of prosecution.

Issued at Olympia, Washington, on the 19th day of March, 2008.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



KATRINA I. BOEDECKER, Examiner

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.