STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:	)	
	)	CASE 7847-E-89-1332
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 77	)	DECISION 3495-A - PECB
	)	CASE 7944-E-89-1344
Involving certain employees of:	)	DECISION 3496-A - PECB
CITY OF CENTRALIA	)	DECISION OF COMMISSION AND CERTIFICATIONS

Hafer, Price, Rinehart and Schwerin, by Richard H. Robblee, Attorney at Law, appeared on behalf of the petitioner at the hearing and filed the brief to the Commission. Kathleen Phair Barnard, Attorney at Law, joined on the brief to the Executive Director.

Matthew D. Durham, Management Consultant, appeared on behalf of the employer.

This case comes before the Commission on timely objections filed by the City of Centralia, pursuant to WAC 391-25-590(2), to challenge rulings made by Executive Director Marvin L. Schurke.

BACKGROUND

The union involved, International Brotherhood of Electrical Workers, Local 77 (IBEW), filed a representation petition with the Commission on March 10, 1989, seeking certification as exclusive bargaining representative of certain employees in the Water and Wastewater Utilities Department of the City of Centralia.[1] The union filed a second petition with the Commission on April 26, 1989, seeking certification as exclusive bargaining representative

[1] Case 7847-E-89-1332.

of certain employees in the Parks Department of the City of Centralia.[2] The employer proposed that there be one employer-wide bargaining unit of technical, operations and maintenance employees spanning its Water and Wastewater Utilities Department, Parks Department and Public Works Department.

After a hearing before Hearing Officer Katrina I. Boedecker on July 6, 1989, and the filing of post-hearing briefs, the Executive Director issued an order on May 30, 1990, directing cross-checks in the two departmental bargaining units sought by the union.

The employer filed a "Brief in Support of Appeal" on June 8, 1990, prior to the conduct of any cross-check.

Cross-checks were conducted and tally sheets were issued on July 2, 1990, indicating that the union had demonstrated majority support in both of the bargaining units found appropriate by the Executive Director.[3]

The employer then filed a letter on July 5, 1990, re-asserting the matters contained in the document filed on June 8. The union filed a response brief on July 18, 1990.

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[2] Case 7944-E-89-1344.

[3] The tally issued for the "water and wastewater treatment" bargaining unit in Case 7847-E-89-1322 indicates:

Number of Employees in Bargaining Unit.....14
Number of Employee Records examined.....14
Number of Employee Records Counted as
Valid Evidence of Representation.....10

The tally issued for the "parks" bargaining unit in Case 7944-E-89-1344 indicates:

Number of Employees in Bargaining Unit..... 5
Number of Employee Records examined..... 5
Number of Employee Records Counted as
Valid Evidence of Representation..... 5

POSITIONS OF THE PARTIES

The employer argues that the Executive Director used an inaccurate description of the scope of its "Water and Wastewater Utilities Department", that the Executive Director ignored facts indicating that a significant community of interest exists among the employees in three separate departments, that the two units found appropriate by the Executive Director improperly fragment the employer's workforce, and that the use of the cross-check method disenfranchised bargaining unit employees. The employer contends that the Executive Director ignored Commission precedent and an existing employer-wide unit structure in allowing creation of "vertical" units in two departments. Based on the delay since the authorization cards were signed and claimed turnover within the workforce, the employer urges the Commission to give bargaining unit employees a right to vote on representation.

The union supports the Executive Director's decision on all points raised by the employer, and asks that certifications be issued on the basis of the cross-checks already conducted. The union observes that the existing employer-wide clerical unit was created by stipulation of the parties, rather than by a decision in a contested case, and it notes that the employer affirmatively supported a departmental unit for the water and wastewater employees in a previous case with another union. The union contends that the units found appropriate by the Executive Director merely reflect a structure of departmental units already existing in Centralia. The union points out that the employer's challenge to the use of the cross-check procedure is not an attack on the Executive Director's interpretation or application of Commission rules, but rather is an attack on the rules themselves. The union asserts there is no factual foundation for the "turnover" claim made by the employer.

DISCUSSION

The employer neither detailed its claim that the Executive Director incorrectly described one of the departments involved, nor claimed or demonstrated any prejudice flowing from such an error. We find no error warranting any corrective action from the Commission.

The Unit Determination Issue

Appropriate bargaining units are necessarily determined on a case-by-case basis. Together with setting forth the standards that this Commission is to follow in determining appropriate bargaining units, RCW 41.56.060 requires a case-by-case approach:

> RCW 41.56.060 DETERMINATION OF BARGAINING UNIT--BARGAINING REPRESENTATIVE. The commission, after hearing upon reasonable notice, shall decide in each application for certification as an exclusive bargaining representative, the unit appropriate for the purpose of collective bargaining. In determining, modifying, or combining the bargaining unit, the commission shall consider the duties, skills, and working conditions of the public employees; the history of collective bargaining by the public employees and their bargaining representatives; the extent of organization among the public employees; and the desire of the public employees. ...
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> [1975 1st ex.s. c 296 §17; 1967 ex.s. c 108 §6.] [emphasis supplied]

As we noted in City of Pasco, Decision 2636-B (PECB, 1987), the purpose is to group together employees who have sufficient similarities (community of interest) to indicate that they will be able to bargain collectively with their employer.

The statute does not confine us to certifying only "the most appropriate unit" in each case. It is only necessary that the

petitioned-for bargaining unit be an appropriate one. Thus, the fact that there may be other groupings of employees which would also be appropriate, or even more appropriate, does not require rejecting a proposed unit that is appropriate.

All of the employees of an employer inherently share some community of interest in dealing with their common employer. Thus, when sought by a petitioning union, employer-wide bargaining units have been viewed as presumptively appropriate.[4]

Units smaller than employer-wide may also be appropriate, especially in larger workforces. The employees in a separate department or division may share a community of interest separate and apart from other employees of the employer, based on their commonality of function, duties, skills and supervision. Consequently, departmental (vertical) units have sometimes been found appropriate when sought by a petitioning union.[5] Alternatively, employees of a separate occupational type may share a community of interest based on their commonality of duties and skills, without regard to the employer's organizational structure. Thus, occupational (horizontal) units have also been found appropriate, on occasion, when sought by a petitioning union.[6]

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[4] Wahkiakum County, Decision 1876 (PECB, 1984). Town of Granite Falls, Decision 2617 (PECB, 1987) also involved all of the employees of the employer.

[5] For example, City of Prosser, Decision 3283 (PECB, 1989) involved a department-wide unit in a municipal police agency. Because of second generation unit determination problems that can arise, the Commission on occasion has expressed a preference for broad, generic bargaining units. City of Vancouver, Decision 3160 (PECB, 1989). Departmental bargaining units have nevertheless been found appropriate. Cowlitz County, Decision 1652, 1652-A (PECB, 1984).

[6] For example, City of Tacoma, Decision 204 (PECB, 1977) endorsed a city-wide clerical unit and rejected a separate clerical unit within one department.

Concerns about "fragmentation" of bargaining units arise from time to time. One very real concern is that employees not directly involved in an organizational effort will be deprived of their statutory bargaining rights by being left "stranded" alone or in a unit that is too small to bargain effectively.[7] Another concern is that the establishment of a bargaining relationship gives rise to a scope of "bargaining unit work", and a duty on the part of the employer to give notice to the exclusive bargaining representative and provide opportunity for bargaining prior to transfer of bargaining unit work to employees outside of the bargaining unit.[8] Thus, decisions have required that fringe groups be incorporated into the bargaining units to which they logically relate,[9] and have rejected unit configurations that Balkanize departments or occupational groups into units that can be explained only on the basis of "extent of organization".[10]

We issue separate decisions today in two cases which seemingly reach divergent results on unit determination issues. While an

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[7] No duty to bargain exists in a one-person unit. Town of Fircrest, Decision 248-A (PECB, 1977). A classic "stranding" situation was dealt with in City of Vancouver, Decision 3160 (PECB, 1989).

[8] Such transfers can occur either by means of assignment of the work to other employees of the same employer, sometimes referred to in our decisions as "skimming", or by contracting the work out to be performed by employees of another employer.

[9] See, City of Seattle, Decision 781 (PECB, 1979).

[10] An example relevant to one of the cases now before us is City of Centralia, Decision 2940 (PECB, 1988), where another union sought to organize only a part of the employer's Water and Wastewater Utilities Department. The employer resisted on "fragmentation" grounds, and the petitioned-for unit was rejected as inappropriate. See, also, Bremerton School District, Decision 527 (PECB, 1978), where the petitioned-for group did not fit any occupational generic or departmental group.

employer-wide bargaining unit is found appropriate in one case,[11] and departmental units are found appropriate here, we are satisfied that each decision is based on the facts presented in that case, and upon sound unit determination principles.

Employer-wide Unit Found Appropriate -
In Winslow, the only petition before the Commission sought an employer-wide bargaining unit consisting of less than 25 employees. There was no history of bargaining. The employer proposed division of that small workforce into three separate bargaining units, i.e., a "Public Works Department" unit, a "Police Department" unit, and a "residual" unit. The Executive Director rejected the employer's arguments, and found the petitioned-for bargaining unit to be appropriate. We affirmed, applying a rebuttable presumption that employer-wide bargaining units in small workforces are appropriate, when petitioned-for.

Departmental Units Found Appropriate -
In Centralia, the only petitions before the Commission seek two separate department-wide bargaining units. The employer successfully resisted an earlier attempt to organize only a portion of the employees in its Water and Wastewater Utilities Department, by asserting that only a department-wide unit was appropriate.[12] In this case, the employer changed directions when faced with the prospect of just such a department-wide unit, proposing instead an "occupational" unit of operations and maintenance employees cutting across three departments. The Executive Director held the employer

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[11] City of Winslow, Decision 3520-A (PECB, 1990).

[12] The employer argues that the Executive Director mischaracterized its position in City of Centralia, Decision 2940 (PECB, 1988), but exhibits reflecting the employer's statement of position demonstrate otherwise. In its opening statement at the hearing and in its post-hearing brief in the 1988 proceeding, the employer plainly and affirmatively stated that a Water and Wastewater Utilities Department unit was appropriate.

to its previous position that the employees of the Water and Wastewater Utilities Department constitute "an appropriate unit", and he found that the employees of the Parks Department constitute "an appropriate unit".

We also hold the employer to its previously-won position that a department-wide unit in the Water and Wastewater Utilities Department is "an appropriate unit". Apart from that, we share the Executive Director's conclusion, based on the evidence of record here, that the petitioned-for department-wide units are each "an appropriate unit". The employees of the Water and Wastewater Utilities Department have separate functions, duties and supervision, and they share a community of interests among themselves. Similarly, although it will be a very small unit, there is evidence to support a conclusion that the employees of the Parks Department have separate functions, duties and supervision, and that they share a community of interest among themselves.

There may be occasions when an employer or union can demonstrate circumstances that require rejection of a department-wide unit. An employer-wide or occupationally-based unit configuration seems especially apt in a case where there is integration of duties or interaction among employees across either real or nominal departmental lines. This is not such a case. The work locations, shift arrangements and supervision of employees in the Parks Department is separate from that in the Water and Wastewater Utilities Department and, in turn, from the Public Works Department. There is no significant integration of duties or interaction among the employees. To give preference to the employer's proposed unit over the petitioned-for departmental units would be tantamount to altogether excluding the statutory "extent of organization"

criteria from consideration.[13] We thus we find separate departmental units appropriate in this case.

The Cross-Check Issue

Chapter 41.56 RCW draws many of its provisions from the federal Labor-Management Relations Act of 1947 (Taft-Hartley Act), but there are also numerous differences between the state and federal collective bargaining laws. One such difference is in the methodology for determining questions concerning representation. The statute we administer provides:

> **RCW 41.56.060 DETERMINATION OF BARGAINING UNIT--BARGAINING REPRESENTATIVE.** ... The commission shall determine the bargaining representative by (1) examination of organization membership rolls, (2) comparison of signatures on organization bargaining authorization cards, or (3) by conducting an election specifically therefor.

The Commission has adopted standards for the use of the cross-check method, as follows:

> **WAC 391-25-391 SPECIAL PROVISION--PUBLIC EMPLOYEES.** Where only one organization is seeking certification as the representative of unrepresented employees, and the showing of interest submitted in support of the petition indicates that such organization has been authorized by a substantial majority of the employees to act as their representative for the purposes of collective bargaining, and the executive director finds that the conduct of an election would unnecessarily and unduly delay the determination of the question concerning representation with little likelihood

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[13] While the occupationally-based multi-department unit advanced by the employer here might also be "an appropriate unit", we have no petition before us for such a unit.

of altering the outcome, the executive director may issue a direction of cross-check. The direction of cross-check and any accompanying rulings shall not be subject to review by the commission except upon objections timely filed under WAC 391-25-590.

WAC 391-25-410 CROSS-CHECK OF RECORDS. Where a cross-check of records is to be conducted to determine a question concerning representation, the organization shall submit to the agency original individual cards or letters signed and dated by employees in the bargaining unit not more than ninety days prior to the filing of the petition and indicating that such employees authorize the named organization to represent them for the purposes of collective bargaining, or shall submit to the agency membership records maintained by the organization as a part of its business records containing the names of employees and indicating those employees currently members in good standing. The employer shall make available to the agency original employment records maintained as a part of its business records containing the names and signatures of the employees in the bargaining unit. Prior to the commencement of the cross-check, the organization may file a request that the question concerning representation be determined by a representation election and such requests shall be honored. Where the organization files a disclaimer or a request for election after the commencement of the cross-check, the cross-check shall be terminated and the organization shall not seek to be certified in the bargaining unit for a period of at least one year thereafter. All cross-checks shall be by actual comparison of records submitted by the parties. The agency shall not disclose the names of employees giving representation authorization in favor of or appearing on the membership rolls of the organization. Upon the conclusion of the comparison of records, the agency officer conducting the cross-check shall prepare and furnish to the parties a tally sheet containing the number of employees in the bargaining unit, the number of employee records examined and the number of employee records counted as valid evidence of representation.

Our current "consolidated" rules were adopted in 1980 on the basis of clientele input and comment, as well as experience during the period since the commencement of Commission operations in 1976.[14] Since the adoption of those rules, evidence of 70% support has been required as a precondition to the direction of any cross-check.

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[14] The Department of Labor and Industries had administrative rules on the subject, as follows:

> WAC 296-132-130 INITIAL ACTION. Upon the filing of any petition an authorized agent shall confer with and may hold informal conferences with the known interested parties in an attempt to ascertain the facts. The authorized agent shall encourage the parties to agree upon the appropriate bargaining unit and a suitable method by which representation is to be determined. Whenever the authorized agent shall determine that the parties are unable to agree upon a suitable method or upon the appropriate bargaining unit, but in any event not more than thirty (30) days after the filing of the petition, and he is unable to settle the controversy without a hearing, he shall conduct a hearing ...
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> WAC 296-132-200 SELECTION OF REPRESENTATIVE. Once the nature and scope of a bargaining unit have been determined, by agreement or otherwise, the authorized agent shall within thirty (30) days proceed with resolution of the issue of representation.
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> WAC 296-132-205 TWO OR MORE ORGANIZATIONS. In the event two or more eligible organizations petition to be certified as the exclusive bargaining representative of a bargaining unit, the authorized agent shall resolve the issue of representation by conducting an election in accordance with RCW 41.56.070.
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> WAC 296-132-210 EXAMINATION OF MEMBERSHIP ROLLS. If, in the opinion of the authorized agent, conducting an election would unnecessarily and unduly delay the bargaining proceedings with little likelihood of altering the determination of representation, he may resolve the issue of representation by examination of authentic organization membership rolls.
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> WAC 296-132-215 USE OF AUTHORIZATION CARDS. If, in the opinion of the authorized agent, conducting an election would unnecessarily and unduly delay the bargaining proceedings with little likelihood of altering the determination of representation, he may resolve the issue of representation by examination of acceptable bargaining authorization cards.
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> WAC 296-132-220 AUTHORIZATION CARDS - ACCEPTABILITY. In order to be acceptable as evidence of representation, individual authorization cards must be signed and dated by the employee expressing an intent to be represented by a specific bargaining representative. A card signed and dated by an employee less than sixty (60) days prior to the date on which examination of cards for representation purposes commences shall constitute prima facie evidence of continuation of such authorization. A card signed and dated six months or more prior to the date on which examination of cards for representation purposes commences shall be considered invalid and not acceptable for representation purposes. In the event cards dated more than sixty (60) days prior to the date such examination commences are necessary to establish evidence of representation, then the authorized agent will certify, as an exclusive bargaining representative, only such organization which evidences representation authority by sixty (60) per centum of the employees in the bargaining unit. [emphasis supplied]

The Commission adopted similar rules as Chapter 391-20 WAC until 1978, when the precursors to our current rules went into effect as Chapter 391-21 WAC.

Because of that requirement, directed cross-checks have been infrequent.[15]

RCW 41.56.070 makes it abundantly clear that use of the cross-check is discretionary with the Commission:

> **RCW 41.56.070 ELECTION TO ASCERTAIN BARGAINING REPRESENTATIVE.** In the event the commission elects to conduct an election to ascertain the exclusive bargaining representative, and upon the request of a prospective bargaining representative showing written proof of at least thirty percent representation of the public employees within the unit, the commission shall hold an election by secret ballot to determine the issue. ... [emphasis supplied]

Arguably, our authority to use the cross-check method is broader than we have actually utilized.

The use of the cross-check procedure was affirmed by the courts in judicial review proceedings resulting from Evergreen General Hospital, Decision 58-A (PECB, 1977). The Superior Court affirmed most of what L&I had done with the underlying representation case,

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[15] The Commission has processed more than 8900 cases since 1976. Among those, our docket records show:

* Only 120 (1.35% of all PERC cases) have resulted in certification of exclusive bargaining representatives by cross-checks;
* Cross-checks were conducted in 34 cases filed while the L&I rules remained in effect (0.38% of all PERC cases; 28.33% of all cross-checks);
* Cross-checks were conducted by "consent" in 82 cases filed since the Commission adopted rules on the subject (0.92% of all PERC cases; 68.33% of all cross-checks);
* Cross-checks were "directed" in **only 4 cases** filed since the Commission adopted new rules on the subject (0.045% of all PERC cases; 3.33% of all cross-checks).

including its direction of a cross-check.[16] The Court of Appeals affirmed the Superior Court decision, holding that the Commission properly preserves secrecy of employee authorizations when conducting a cross-check.[17]

In City of Redmond, Decision 1367-A (PECB, 1982), the union had authorization cards from well over 70% of the employees, but the employer refused to sign an election agreement and forced a hearing on "eligibility" claims. The hearing and decision process delayed the decision nearly a year from the date the petition was filed. A cross-check was directed, and the employer appealed. In affirming the direction of the cross-check, the Commission cited Evergreen General Hospital, and stated:

> Our conclusion is based on the language of the statute, RCW 41.56.060, as well as considerations of efficiency. **RCW 41.56.060 clearly provides three methods for determining a bargaining representative, and does not suggest a legislative preference for any particular method. Contrary to the employer's suggestion, the statute does not prefer the election procedure to other methods.** RCW 41.56.070 sets forth election procedures to be used "in the event the commission elects to conduct an election..." (emphasis added). This again recognizes the options available to the commission, which have been left to the discretion of the agency to exercise.[2]
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> **The cross-check has the advantage of being a more efficient procedure than an election, requiring less utilization of this agency's scarce resources. On the other hand, an election accurately reflects whether any employees who signed authorization cards have**

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[16] Reported in WPERR at page CD-47. The court found fault with the absence of a written record of the cross-check result, and it remanded the case to the Commission to re-run the cross-check using the original records. Once that was done, the court enforced the bargaining order.

[17] The decision is reported in WPERR at page CD-52.

> **changed their minds between the time they signed the card and the election, and would also give the union time to garner further support. Our rule, WAC 391-25-391, weighs the advantages and disadvantages of the two approaches, and resolves the matter by allowing a cross-check when the showing of interest indicates that the union has been authorized as the bargaining representative by a "substantial majority of the employees".** It must also appear to the Executive Director that conducting an election would "unnecessarily and unduly delay the determination of the question concerning representation with little likelihood of altering the outcome".
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> 2 We recognize that the existence of these equally weighted options is different from the procedures available under the National Labor Relations Act. See: Gissell Packing Co., 395 U.S. 515 (1969).

[emphasis by **bold** supplied]

Applying those tests, the Commission twice made reference to the fact that the union had the support of more than 70% of the employees involved, and affirmed the direction of the cross-check, stating:

> Under such circumstances, holding an election, at any time either before or after the eligibility determination - would cause an undue and unnecessary delay precisely because, given the overwhelming support the union enjoyed, an election would be unlikely to alter the outcome. Consequently, considerations of efficiency should prevail under these circumstances, and the Executive Director should have ordered a cross-check within a reasonable time after the showing of interest was assessed and the description of the bargaining unit was established.

We see no reason to deviate from those principles in this case, particularly when the actual cross-check results indicate that the union had the support of 71.4% of the employees in Water and

Wastewater Utilities Department bargaining unit and 100% of the employees in the Parks Department bargaining unit, even after the "turnover" alleged by the employer in its objections.

The employer argues that a directed cross-check deprives employees who have transferred or been newly hired into the bargaining unit an opportunity to express their choice as to representation. They are denied that opportunity, however, only under circumstances when their choice would not alter the outcome. The eligibility "cut off date" is normally the date of the Executive Director's order. WAC 391-25-390. The union must then have the support of the majority of the employees in the unit at the time the cross-check is conducted. Only the authorization cards of employees still in the bargaining unit at the time of the cross-check are counted. The cross-check procedure thus makes allowance for the possibility that some employees who signed authorization cards have subsequently left the bargaining unit.

We recognize there may be occasions when employees sign authorization cards, and then change their minds regarding union representation. WAC 391-25-210 precludes withdrawal of authorization cards for the purpose of diminishing a "showing of interest", but we do not read that rule as precluding individual employees from withdrawing their authorization cards for purposes of a cross-check. WAC 391-25-410 contemplates the possibility of turnover or withdrawals of support, by permitting a union faced with losing a cross-check to opt for the conduct of a representation election. In this case, no bargaining unit employee sought to withdraw their authorization card. The mere possibility that employees could have had second thoughts does not provide justification for finding the direction of a cross-check to have been in error.

There was no issue in Redmond as to the scope of the bargaining unit. The Commission's only concern about the handling of the Redmond case was the delay caused by the hearing and decisionmaking

process on the "eligibility" issues.[18] Here, the scope of the bargaining unit was at issue, and the Executive Director properly waited until a ruling was made on the unit determination dispute before directing determination of the question concerning representation by cross-check. The Commission's delay in resolving the "unit" issue was not the proximate cause of the delay.[19]

The employer was in a position to weigh the relative risks and values of the options available to it. If the employer was concerned that an election was necessary to protect the employees, it could have assured the conduct of an election by entering into an "Election Agreement" under WAC 391-25-230.[20] Any eligibility disputes could have been reserved for later determination via a

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[18] The Commission held that the Executive Director should have conducted a cross-check before the hearing on the "eligibility" issues. Summary determinations of questions concerning representation are now used, together with later determination of "eligibility" issues, in such situations. See, Chehalis School District, Decision 2019 (PECB, 1984).

[19] Our staff held this case in abeyance for a time, anticipating guidance from the Commission in another case that was ultimately dismissed on procedural grounds.

[20] If an employer is willing to sign an election agreement, there are numerous practical reasons why a union otherwise eligible for a cross-check would not likely press for a cross-check. Even under "summary judgment" procedures, it would take longer to get to a directed cross-check than to an election. A hearing and decision on issues concerning the propriety of a cross-check would take even more time. The union would then also face the higher standard imposed to win a cross-check. To win certification by election, a union must be selected by a majority of those eligible employees who actually vote in the election. To win certification by cross-check, the union must have valid authorization cards from a majority of the employees in the bargaining unit. Assuming a hypothetical bargaining unit of 100 employees, a union would need a minimum of 51 to win a cross-check, but could win an election with 46 votes among 90 employees actually voting.

"Supplemental Agreement" under WAC 391-25-270. Once the employer chose to raise that unit determination issue, some delay was inevitable.

For all of the foregoing reasons, we find the record well supports the Executive Director's conclusion that an election in this case would have unnecessarily and unduly delayed determination of the question concerning representation with little likelihood of altering the outcome.

NOW, THEREFORE, it is

ORDERED

1. The findings of fact, conclusions of law and directions of cross-check issued by the Executive Director are AFFIRMED.

2. On the basis of the findings of fact and conclusions of law, and the results of the cross check conducted in these matters, it is:

CERTIFIED

1. CASE 7847-E-89-1332; DECISION 3495-A. The employees in the appropriate bargaining unit described as:

> All full-time and regular part-time non-supervisory employees of the Water and Wastewater Utilities Department of the City of Centralia, excluding elected officials, officials appointed for a fixed term, the city manager, department heads, confidential employees, supervisors and all other employees of the employer,

have chosen INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 77, AFL-CIO, as their exclusive bargaining representative for the purposes of collective bargaining with their employer with respect to wages, hours and conditions of employment.

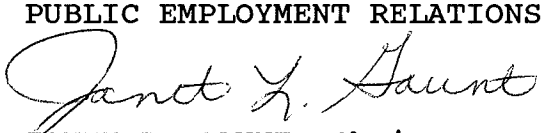
2. CASE 7944-E-89-1344; DECISION 3496-A. The employees in the appropriate bargaining unit described as:

> All full-time and regular part-time nonsupervisory employees of the Parks Department of the City of Centralia, excluding elected officials, officials appointed for a fixed term, the city manager, department heads, confidential employees, supervisors and all other employees of the employer,

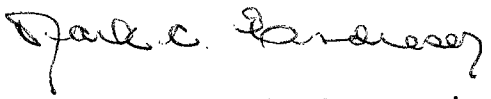
have chosen INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 77, AFL-CIO, as their exclusive bargaining representative for the purposes of collective bargaining with their employer with respect to wages, hours and conditions of employment.

Issued at Olympia, Washington, the 17th day of December, 1990.

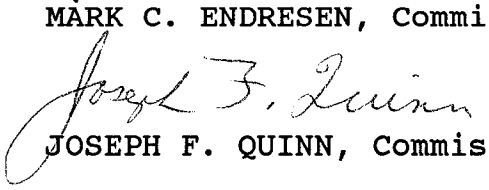
PUBLIC EMPLOYMENT RELATIONS COMMISSION



JANET L. GAUNT, Chairperson



MARK C. ENDRESEN, Commissioner



JOSEPH F. QUINN, Commissioner