

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)	
)	CASE 12439-E-96-2077
UNITED FOOD AND COMMERCIAL WORKERS,)	
LOCAL 1001)	DECISION 5531 - PECB
)	
Involving certain employees of:)	CERTIFICATION
)	Cross-Check Pursuant
CLALLAM COUNTY HOME HEALTH)	to Agreement of
)	Parties

Peter Diaz, Representative, appeared on behalf of the petitioner.

Gary Brenner, Human Resources Director, and Mark A. Hutcheson, Attorney at Law, appeared on behalf of the employer.

FINDINGS OF FACT

1. The above-named petitioner timely filed with the Public Employment Relations Commission a petition for investigation of a question concerning representation of employees of the above-named employer; said petition was accompanied by a showing of interest which was administratively determined by the Commission to be sufficient; and the employer declined voluntarily to extend recognition to the petitioner as the exclusive bargaining representative of its employees.

2. These representation proceedings were conducted by the Commission in the bargaining unit described as:

ALL FULL-TIME AND REGULAR PART-TIME AND PER DIEM EMPLOYEES OF THE CLALLAM COUNTY HOME HEALTH, A DIVISION OF THE CLALLAM COUNTY PUBLIC HOSPITAL DISTRICT #2, EXCLUDING MANAGEMENT, SUPERVISORS, CONFIDENTIAL EMPLOYEES, AND ALL OTHER EMPLOYEES.

3. All proceedings were conducted under the supervision of the Commission in a manner designed to afford the affected employees a free choice in the selection of their bargaining representative, if

any; a tally of the results was previously furnished to the parties and is attached hereto; and no meritorious objections have been filed with respect to these proceedings.

CONCLUSION OF LAW

The unit described in finding of fact number 2 is an appropriate unit for the purposes of collective bargaining within the meaning of RCW 41.56; and all conditions precedent to a certification have been met.

NOW, THEREFORE, it is

CERTIFIED

The employees of the above named employer employed in the appropriate collective bargaining unit described in finding of fact number 2 have chosen:

UNITED FOOD AND COMMERCIAL WORKERS, LOCAL 1001

as their representative for the purpose of collective bargaining with their employer with respect to wages, hours and conditions of employment.

ISSUED at Olympia, Washington, this 16th day of May, 1996.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

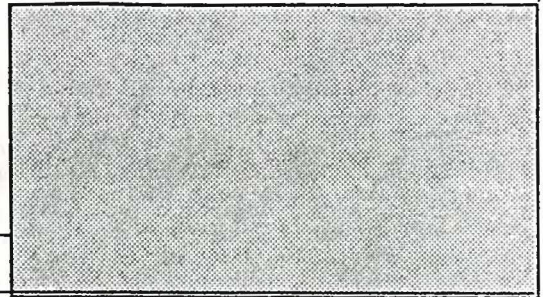


MARVIN L. SCHURKE, Executive Director



PUBLIC EMPLOYMENT RELATIONS COMMISSION

603 EVERGREEN PLAZA FJ-61 OLYMPIA, WASHINGTON 98504
(206) 753-3444



TALLY OF CROSS-CHECK
for CASE # 12439 - E - 96 - 2077

Instructions: See other side of this form. Applicable Rules: See WAC 391-25-250 and -391.

EMPLOYER: Clallam County Home Health UNION: UFCW, Local

The undersigned agent of the Public Employment Relations Commission certifies that he/she has, on the date specified below, conducted a cross-check in the case indicated above, pursuant to:

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.

and that the results of that cross-check are as follows:

- 1. NUMBER OF EMPLOYEES IN BARGAINING UNIT 57
- 2. NUMBER OF "CHALLENGED" EMPLOYEES 0
- 3. TOTAL EMPLOYEES TO BE CONSIDERED (Total of Line 1 and Line 2) 57
- 4. NUMBER OF VALID AUTHORIZATIONS NEEDED TO DETERMINE REPRESENTATION 29
- 5. TOTAL AUTHORIZATION CARDS OR MEMBERSHIP RECORDS EXAMINED 43
- 6. NUMBER OF CARDS/RECORDS REJECTED AS EVIDENCE OF REPRESENTATION 0
- 7. NUMBER OF CARDS/RECORDS ACCEPTED AS VALID EVIDENCE OF REPRESENTATION 43
- 8. THE RESULTS OF THE CROSS-CHECK APPEAR TO BE (check one):
 - ELIGIBILITY CHALLENGES ARE SUFFICIENT IN NUMBER TO AFFECT THE RESULTS.
 - THE UNION IS ENTITLED TO CERTIFICATION AS EXCLUSIVE BARGAINING REPRESENTATIVE.
 - A CERTIFICATION OF "NO REPRESENTATIVE" IS APPROPRIATE.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED: May 8, 1996

BY: Sally Iverson

ACKNOWLEDGEMENT OF OBSERVERS

The undersigned acknowledge service of a copy of this tally of cross-check on the date indicated.

For the Employer: Title: Date: Telephone ()

For the employee organization: Title: Date: Telephone ()