

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)	
)	
INTERNATIONAL UNION OF OPERATING)	CASE 10352-E-93-1712
ENGINEERS, LOCAL 609)	
)	DECISION 4487 - PECB
)	
Involving certain employees of:)	CERTIFICATION
)	
SEATTLE SCHOOL DISTRICT)	Representation Election
)	Pursuant to Agreement
)	of Parties

Dale I. Daugharty Representative, appeared on behalf of the petitioner.

Lawrence B. Hannah, 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. The organization(s) listed above as intervenors timely moved for intervention in the captioned proceedings; and said motion for intervention was in each case supported by a showing of interest which as administratively determined by the Commission to be sufficient.

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

ALL FULL-TIME AND REGULAR PART-TIME SECURITY BURGLAR ALARM/RESPONSE MONITORS OF THE SEATTLE SCHOOL DISTRICT, EXCLUDING SUPERVISORS, CONFIDENTIAL EMPLOYEES AND ALL OTHER EMPLOYEES OF THE EMPLOYER.

4. All proceedings were conducted under the supervision of the Commission in a manner designed to afford the affected employees a

free choice in the election 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 3 is an appropriate unit for the purposes of collective bargaining within the meaning of RCW 41.56.060; 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 3 have chosen:

INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 609

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

ISSUED at Olympia, Washington, this 8th day of September, 1993.

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 # 10352 - E - 93 - 1712

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

EMPLOYER: Seattle School District UNION: International Union of Operating Engineers #601

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 9
- 2. NUMBER OF "CHALLENGED" EMPLOYEES 0
- 3. TOTAL EMPLOYEES TO BE CONSIDERED (Total of Line 1 and Line 2) 9
- 4. NUMBER OF VALID AUTHORIZATIONS NEEDED TO DETERMINE REPRESENTATION 5
- 5. TOTAL AUTHORIZATION CARDS OR MEMBERSHIP RECORDS EXAMINED 7
- 6. NUMBER OF CARDS/RECORDS REJECTED AS EVIDENCE OF REPRESENTATION 0
- 7. NUMBER OF CARDS/RECORDS ACCEPTED AS VALID EVIDENCE OF REPRESENTATION 7
- 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: Dec 31, 1993

BY: Walter J. Sordello

ACKNOWLEDGEMENT OF OBSERVERS

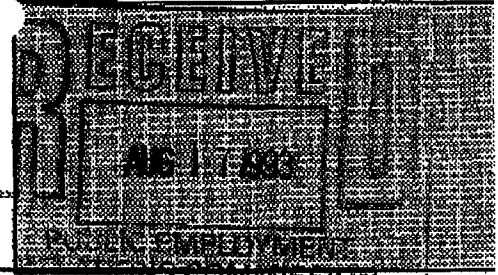
The undersigned acknowledge service of a copy of this tally of cross-check on the date indicated.

For the Employer: Alma H. Garko-Spice Title: _____ Date: 8/31/93 Telephone: 206-298-705
For the employee organization: _____ Title: _____ Date: _____ Telephone () _____



PUBLIC EMPLOYMENT RELATIONS COMMISSION

603 EVERGREEN PLAZA FJ-61 OLYMPIA, WASHINGTON 98504
(206) 759-3444



CROSS-CHECK AGREEMENT
for CASE # 10352 - E - 93 - 1712

Instructions: See other side of this form.

Applicable Rule: See WAC 351-25-250.

The parties to this cross-check agreement stipulate that a question concerning representation exists among the employees in the bargaining unit specified below. The parties waive hearing, and request the Commission to determine the question concerning representation by conducting a cross-check comparing authorization cards individually signed and dated by employees or current membership records submitted by the employee organization against employee-signed documents contained in the employment records of the employer.

The parties agree to be bound by the results of the cross-check, as indicated in the certification to be issued by the Commission. If the results of the cross-check indicate that a majority of the employees have authorized the petitioner to represent them, the employer will recognize the petitioner as the exclusive bargaining representative of all of the employees in the bargaining unit. If the results of the cross-check indicate that the petitioner does not represent a majority of the employees in the bargaining unit, then the petitioner will refrain from seeking recognition or certification as the representative of employees in the bargaining unit for a period of one year following issuance of the certification by the Commission.

- 1. EMPLOYER Seattle School District
- 2. PETITIONER International Union of Operating Engineers, Local 609

3. INCUMBENT OR FORMER INCUMBENT The parties to this election agreement indicate to the Commission that (check one):

- There is no incumbent exclusive bargaining representative for the employees involved.
- The former exclusive bargaining representative has disclaimed or abandoned the bargaining unit, as evidenced by documents attached hereto.

4. NO OTHER ORGANIZATIONS The parties to this election agreement further indicate to the Commission that no other organization is known to exist which claims or may claim to represent any of the employees in the bargaining unit.

5. BARGAINING UNIT The bargaining unit agreed to be appropriate is: (Specify inclusions and exclusions)
All full-time and regular part-time security bargainer/defense monitors of the Seattle School District, excluding supervisors, confidential employees and all other employees of the employer.

6. ELIGIBILITY LIST Indicate:
 The "eligibility cut-off date" is the date of this cross-check agreement. The employees listed on the attached "Eligibility List" constitute all of the employees in the bargaining unit.
 The "eligibility cut-off date" for the cross-check is stipulated to be: _____ The employer will supply an "Eligibility List" containing the names of all of the employees in the bargaining unit as of that date.

7. SUPPLEMENTAL AGREEMENT Indicate:
 There are no other issues concerning the "bargaining unit" or "eligibility list" at this time.
 The "bargaining unit" and "eligibility list" in this election agreement are subject to a SUPPLEMENTAL AGREEMENT attached hereto.

AUTHORIZED SIGNATURES:
For the Employer: [Signature] Title: Director 4R Date: 8/11/93 Telephone: (206) 298-7020
For the Petitioner: [Signature] Title: Business Manager Date: 8/9/93 Telephone: (206) 441-8544

SUGGESTED CROSS-CHECK ARRANGEMENTS: Indicate:
 The parties have not agreed on suggested arrangements for the cross-check.
 The parties have agreed to suggest arrangements for the cross-check, as follows: Location: _____
Date or preferred days of week: _____ Preferred times of day: _____