

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)
)
UNITED FOOD AND COMMERCIAL WORKERS,) CASE 10969-E-94-1813
LOCAL 1001)
)
)
Involving certain employees of:)
)
WHIDBEY GENERAL HOSPITAL) INTERIM CERTIFICATION
)
)
_____)

Mark Brennan, Representative, and Dave Schmitz, Business Representative, appeared on behalf of the petitioner.

Robert Sebris, Attorney at Law, appeared on behalf of the employer.

The above-named petitioner timely filed a petition for investigation of a question concerning representation with the Public Employment Relations Commission, involving certain employees of the above-named employer. The showing of interest filed in support of the petition was administratively determined by the Commission to be sufficient. The employer declined voluntarily to recognize the petitioner as the exclusive bargaining representative of its employees. As a result of preliminary processing of the petition, the parties stipulated a list of eligible voters, and proposed a description of the bargaining unit, as follows:

A unit of all full-time and part-time service-maintenance, business office, medical records, and clerical employees, **including:** Accounts payable clerk, accounts reviewing spec., admitting representative, assistant envir. service tech., cashier, chef, collector, cook, cr program assistant, data processing clerk, diet aide, diet clerk, drg coordinator (non-art/rra certified), driver, engineer, environmental service tech., facilities clerk, file

clerk (hhc), file clerk, financial counselor, hhc records clerk, housekeeper, insurance collector, kitchen aid, laboratory secretary, lifeline counselor, lead engineer, lead tech envir. (non-supervisory), lead transcriptionist, medical library clerk, medical records clerk, medical records technician (non-art/rra certified), medical staff secretary, microfiche clerk, office coordinator (hhc), patient account assistant, patient account clerk, patient account claim rep., patient aide, patient clerk, purchasing agent, purchasing clerk, radiology clerk, receptionist (swsc), receptionist, secretary (ems), surgery clerk, storekeeper, transcriptionist, ur coordinator (non-art/rra certified), ward clerk and ward clerk (er). **Excluding:** All registered nurses, licensed practical nurses, professional/technical employees (also including emergency medical dept.), temporary employees, casual/on-call employees, guards, confidential employees, managers, supervisors, and all other employees.

One of the employee lists provided by the employer used the term "residual", although that term was not used by the parties in their proposed unit description.

The Executive Director declined to approve the bargaining unit description in the terms proposed by the parties. In recognition of the fact that the parties were in substantial agreement as to who should vote, the Executive Director proceeded with determination of the question concerning representation. The term "residual" was added to the unit description proposed by the parties, and the parties were advised that the precise description of the bargaining unit would be determined on the basis of post-election proceedings. The union prevailed in the election conducted by the Commission. The employer filed timely objections under WAC 391-25-590(1), relating to the description of the bargaining unit.

It has long been the policy of the Commission to expedite the determination of questions concerning representation whenever possible, and to reserve issues for post-election determination

whenever possible. In this case, the employer's expressed concerns about the unit description relate to potential future changes. An interim certification is warranted in this case, so that the parties can proceed with bargaining their initial contract.

NOW, THEREFORE, it is

ORDERED

1. The employees of the above-named employer have chosen to be represented for the purposes of collective bargaining by:

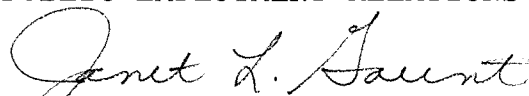
UNITED FOOD AND COMMERCIAL WORKERS, LOCAL 1001,

and that organization is certified as their exclusive bargaining representative.

2. The above-captioned matter is remanded to the Executive Director for further proceedings concerning the description of the bargaining unit.

ISSUED at Olympia, Washington, the 24th day of May, 1994.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



JANET L. GAUNT, Chairperson



DUSTIN C. MCCREARY, Commissioner



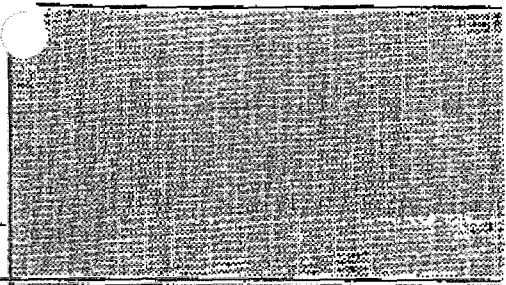
SAM KINVILLE, Commissioner



PUBLIC EMPLOYMENT RELATIONS COMMISSION

803 E. GREEN PLAZA BUILDING, P. O. BOX 40919
OLYMPIA, WASHINGTON 98504-0919
(206) 753-3444

TALLY OF ELECTION BALLOTS
for CASE # 10969 - E - 94 - 1813



Instructions: See other side of this form.

Applicable Rule: See WAC 391-25-550.

The Public Employment Relations Commission has tabulated the ballots cast in the election conducted under the case number indicated above, and certifies that the results of the election are as follows:

EMPLOYER WHIDBEY GENERAL HOSPITAL

- 1. APPROXIMATE NUMBER OF ELIGIBLE VOTERS
- 2. VOID BALLOTS
- 3. VOTES CAST FOR:
- 4. VOTES CAST FOR: UFCW, LOCAL 1001 72
- 5. VOTES CAST FOR:
- 6. VOTES CAST FOR:
- 7. VOTES CAST FOR: NO REPRESENTATION 16
- 8. VALID BALLOTS COUNTED (Total of lines 3 through 7)
- 9. CHALLENGED BALLOTS CAST 3
- 10. VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 8 and 9) 91
- 11. NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION 46
- 12. CHALLENGED BALLOTS (check one):
 - ARE SUFFICIENT IN NUMBER TO AFFECT THE RESULTS OF THE ELECTION.
 - DO NOT AFFECT THE OUTCOME OF THE ELECTION.
- 13. THE RESULTS OF THE ELECTION APPEAR TO BE (check one):
 - INCONCLUSIVE, SO THAT A RUNOFF ELECTION WILL BE NECESSARY.
 - CONCLUSIVE, FAVORING THE CHOICE LISTED ON LINE 4, ABOVE.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED: MAY 5, 1994

BY: *John D. ...*

ACKNOWLEDGEMENT OF OBSERVERS

The undersigned acted as authorized observers for the parties, and acknowledge service of a copy of this tally of ballots.

- For Employer: *Paula D. ...* Title: H.R. ASST Date: 5-5-94 Telephone: (206) 428-5115
X3250
- For organization listed on Line 3: _____ Title: _____ Date: _____ Telephone () _____
- For organization listed on Line 4: *John D. ...* Title: Org Director Date: 5/5/94 Telephone: (206) 429-759
- For organization listed on Line 5: _____ Title: _____ Date: _____ Telephone () _____
- For organization listed on Line 6: _____ Title: _____ Date: _____ Telephone () _____
- For decertification petitioner: _____ Title: _____ Date: _____ Telephone () _____