

STATE OF WASHINGTON
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

INTERPRETERS UNITED –
WASHINGTON FEDERATION OF
STATE EMPLOYEES

Involving certain employees of:

STATE – LANGUAGE ACCESS
PROVIDERS

CASE 23334-E-10-3570

DECISION 10871 - PECB

INTERIM CERTIFICATION

Representation Election
By Agreement of Parties

Herb Harris, PERC Specialist, appeared on behalf of the petitioner.

Diane Lutz, Labor Negotiator, appeared on behalf of the employer.

FINDINGS OF FACT

1. The above-named petitioner filed with the Public Employment Relations Commission a petition for investigation of a question concerning representation of employees of the above-named employer. The petition was timely filed and was accompanied by a showing of interest which was administratively determined by the Commission to be sufficient.
2. Following an investigation conference, the Commission proceeded with determination of the question concerning representation, and issues framed concerning the eligibility of certain employees for inclusion in the bargaining unit were reserved for subsequent determination.
3. These representation proceedings were conducted by the Commission in the bargaining unit described as:

ALL LANGUAGE ACCESS PROVIDERS WHO ARE PERSONS DEFINED AS ANY INDEPENDENT CONTRACTOR WHO PROVIDES SPOKEN LANGUAGE INTERPRETER SERVICES FOR DEPARTMENT OF SOCIAL AND HEALTH SERVICES APPOINTMENTS OR MEDICAID ENROLLEE APPOINTMENTS, OR PROVIDED THESE SERVICES ON OR AFTER JANUARY 1, 2009, AND BEFORE JUNE 10, 2010, WHETHER PAID BY A BROKER, LANGUAGE ACCESS AGENCY, OR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES.

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 selection of a bargaining representative, if any; a tally of the results was previously furnished to the parties and is attached hereto; the reserved eligibility issues do not affect the outcome of the question concerning representation; and no meritorious objections have been filed with respect to these proceedings.

CONCLUSIONS OF LAW

1. The unit described in paragraph 3 of the foregoing Findings of Fact is an appropriate unit for the purposes of collective bargaining within the meaning of RCW 41.56.
2. All conditions precedent to issuance of an interim certification have been met.

NOW, THEREFORE, it is

CERTIFIED

1. The employees of the above-named employer in the appropriate bargaining unit described in paragraph 3 of the foregoing Findings of Fact have chosen:

INTERPRETERS UNITED – WASHINGTON FEDERATION OF STATE
EMPLOYEES

as their exclusive bargaining representative for the purpose of collective bargaining with their employer.

2. The above-captioned matter is remanded for further proceedings on the eligibility issues reserved as described in paragraph 2 of the foregoing Findings of Fact.

Issued at Olympia, Washington, this 27th day of September, 2010.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



CATHLEEN CALLAHAN, Executive Director



PUBLIC EMPLOYMENT RELATIONS COMMISSION

Street: 112 Henry Street NE, Suite 300, Olympia, WA 98506
Mail: PO Box 40919, Olympia, WA 98504-0919
Phone: (360) 570-7300 Fax: (360) 570-7334 E-mail: filing@perc.wa.gov

TALLY OF ELECTION BALLOTS

Instructions: Other side of this form (Page 2)

Applicable Rules: WAC 391-25-550

CASE NUMBER 23334 E-10-3520 EMPLOYER State-Language Access Providers

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

Table with 2 columns: Description and Count. Rows include: APPROXIMATE NUMBER OF ELIGIBLE VOTERS (1556), VOID BALLOTS (50), VOTES CAST FOR Interpreters United - WISE (851), VOTES CAST FOR NO REPRESENTATION (47), VALID BALLOTS COUNTED (898), CHALLENGED BALLOTS CAST (125), VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (1023), NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION (512).

- 11. CHALLENGED BALLOTS (check one): [] - ARE SUFFICIENT IN NUMBER TO AFFECT THE RESULTS OF THE ELECTION. [X] - DO NOT AFFECT THE OUTCOME OF THE ELECTION.
12. THE RESULTS OF THE ELECTION APPEAR TO BE (check one): [] - INCONCLUSIVE, SO THAT A RUNOFF ELECTION WILL BE NECESSARY. [X] - CONCLUSIVE, FAVORING THE CHOICE LISTED ON LINE 3 ABOVE.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED Sept 17, 2010 BY Sally WELSON

ACKNOWLEDGMENT OF OBSERVERS

The undersigned acted as authorized observers for the parties, and acknowledge service of a copy of this tally of ballots.
or the Employer Helen K... Date 9/17/10
or organization listed on Line 3 DEPC Specialist Date 9/17/10