STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

WASHINGTON STATE COMMUNITY

CORRECTIONS GUILD

CASE 22343-E-09-3447

DECISION 10429 - PSRA

Involving certain employees of:

INTERIM CERTIFICATION

STATE - CORRECTIONS

Representation Election
By Agreement of Parties

Cline and Associates by $James\ M.\ Cline$, Attorney at Law, appeared on behalf of the petitioner.

Jackie Marks, Labor Relations Office, and Todd Dowler, Labor Relations Manager, Department of Corrections, appeared on behalf of the employer.

Herb Harris, PERC Specialist, appeared on behalf of the intervenor, Washington Federation of State Employees.

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 NONSUPERVISORY CIVIL SERVICE EMPLOYEES OF THE WASHINGTON STATE DEPARTMENT OF CORRECTIONS PERFORMING COMMUNITY CORRECTIONS FUNCTIONS EXCLUDING CONFIDENTIAL EMPLOYEES, INTERNAL AUDITORS, SUPERVISORS, WASHINGTON MANAGEMENT SERVICE EMPLOYEES (ON AND AFTER JULY 1, 2004) EMPLOYEES IN OTHER BARGAINING UNITS AND

EMPLOYEES HISTORICALLY EXCLUDED FROM THE UNIT BY ORDERS OF THE WASHINGTON PERSONNEL BOARD OR ITS PREDECESSORS.

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 41.80.
- 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:

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 2nd day of June, 2009.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

CATHLEEN CALLAHAN, Executive Director

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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

The Public Employment Relations Commission has tabulated the ballots cast in the election conducted in this case, and certifies.

Instructions: Other side of this form (Page 2)	Applicable Rules:	WAC 391-25-550

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that the results of the election are as follows:

	•			
1.	APPROXIMATE NUMBER OF ELIGIBLE VOTERS		<u>150'1</u>	
2.	VOID BALLOTS			
3.	VOTES CAST FOR Wash State COM	munity Correctio	15 build 979	
4.	VOTES CAST FOR WOLSH FEDERALION	1 of State Eng	110yels565	
5.	VOTES CAST FOR		0	
6.	VOTES CAST FOR NO REPRESENTATION		<u>20.</u> ,	
7.	VALID BALLOTS COUNTED (Total of lines 3 through 6)		1064	
8.	CHALLENGED BALLOTS CAST		14	
9.	VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 7 and 8)			
10.	NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECT	ION	539	
11.	CHALLENGED BALLOTS (check one):			
[] - ARE SUFFICIENT IN NUMBER TO AFFECT THE RESULTS OF THE ELECTION.				
	- 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.				
CONCLUSIVE, FAVORING THE CHOICE LISTED ON LINE, ABOVE.				
PUBLIC EMPLOYMENT RELATIONS COMMISSION				
DATE ISSUED May 22, 2009 BY Sally DUE/SOM				
DATE ISSUED May 22,2009 BY Fally WE1807				
ACKNOWLEDGMENT OF OBSERVERS				
The und	dersigned acted as authorized observers for the parties,	and acknowledge service of a co	py of this tally of ballots.	
or the E	mployer Toyl Vou C	THELB Manager	Date 5/22/09	
or organ	ization listed on Line 3	Title	Date	
or organ	ization listed on Line 4	Title PERC SPECIALIS	Date 5 /22/07	
or organ	ization listed on Line 5	Title	Date	
or decer	tification petitioner	Title	Date	