

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

PORT ORCHARD POLICE GUILD

Involving certain employees of:

CITY OF PORT ORCHARD

CASE 23053-E-10-3532

DECISION 10718 - PECB

CERTIFICATION
Representation Election
by Agreement of Parties

Cline and Associates by *Chris Casillas*, Attorney at Law, for the petitioner.

McGavick Graves, P.S. by *Dave Luxenberg*, Attorney at Law, for the employer.

John Witte, Union Representative, for the intervenor, Teamsters, Local 589.

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. The organization(s) listed above as intervenors (if applicable) timely moved for intervention in the proceedings, and each motion for intervention was supported by a showing of interest which was 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 COMMISSIONED OFFICERS UP TO THE RANK OF SERGEANT OF THE CITY OF PORT ORCHARD POLICE DEPARTMENT, EXCLUDING SUPERVISORS, CONFIDENTIAL EMPLOYEES AND ALL OTHER EMPLOYEES.

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

CONCLUSION OF LAW

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.

All conditions precedent to a certification have been met.

NOW, THEREFORE, it is

CERTIFIED

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

PORT ORCHARD POLICE GUILD

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

Issued at Olympia, Washington, this 5th day of March, 2010.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



CATHLEEN CALLAHAN, Executive Director



PUBLIC EMPLOYMENT RELATIONS COMMISSION

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TALLY OF ELECTION BALLOTS

Instructions: Other side of this form (Page 2)

Applicable Rules: WAC 391-25-550

CASE NUMBER 23053-B-10-3532 EMPLOYER City of Port Orchard

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:

- 1. APPROXIMATE NUMBER OF ELIGIBLE VOTERS 16
2. VOID BALLOTS 0
3. VOTES CAST FOR PORT ORCHARD POLICE GUILD 11
4. VOTES CAST FOR TEAMSTERS, LOCAL 589 2
5. VOTES CAST FOR
6. VOTES CAST FOR NO REPRESENTATION 0
7. VALID BALLOTS COUNTED (Total of lines 3 through 6) 11
8. CHALLENGED BALLOTS CAST 0
9. VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 7 and 8) 11
10. NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION 9
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 Mar 26, 2010

BY Sally Johnson

ACKNOWLEDGMENT OF OBSERVERS

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

- For the Employer Title Date
For organization listed on Line 3 Title Date
For organization listed on Line 4 Title Date
For organization listed on Line 5 Title Date
For decertification petitioner Title Date