

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:	)	
	)	
WESTERN COUNCIL OF INDUSTRIAL	)	CASE 8282-E-89-1404
WORKERS, LOCAL 2767	)	
	)	DECISION 3521-A - PECB
Involving certain employees of:	)	
	)	
MORTON GENERAL HOSPITAL	)	INTERIM CERTIFICATION
	)	
	)	
	)	

Charles Peterson, Representative, appeared on behalf of the petitioner.

Davis, Grimm and Payne, by Lewis L. Ellsworth, Attorney at Law, appeared on behalf of the employer.

This case comes before the Public Employment Relations Commission on timely objections filed by the employer, assigning error to an eligibility ruling issued by Executive Director Marvin L. Schurke.

The petition for investigation of a question concerning representation was filed in this matter on November 7, 1989. The Western Council of Industrial Workers, Local 2767, sought certification as exclusive bargaining representative of certain employees of Morton General Hospital. Issues were framed concerning the propriety of the petitioned-for bargaining unit and concerning the eligibility of certain claimed supervisors.

After a hearing, the Executive Director issued a Direction of Election on June 29, 1990. He overruled the employer's objections to the petitioned-for bargaining unit, ruled that the "environmental services supervisor" was properly excluded from the bargaining unit, and ruled that the "billing supervisor" was an eligible voter within the bargaining unit.

The objections filed by the employer under WAC 391-25-590(2) on July 6, 1990 were limited to the Executive Director's ruling on the "billing supervisor".

A representation election was conducted under the auspices of the Commission on July 26, 1990, at which time 17 votes were cast in favor of the union and two votes were cast against representation. There were two challenged ballots, one of which was cast by the disputed "billing supervisor". No further objections were filed after the issuance of the tally of ballots.

The Commission has considered the matter and concludes that it should proceed with the issuance of an interim certification in this matter. Precedent for expediting the determination of questions concerning representation is found in Franklin Pierce School District, Decision 78-C (PECB, 1976); City of Redmond, Decision 1367-A (PECB, 1982); and Olympic Memorial Hospital, Decision 3317-A (PECB, 1989). Our procedures call for the routine issuance of interim certifications where eligibility issues are reserved for post-election determination. In this case, the outcome of the issue concerning the "billing supervisor" will not affect the outcome of the question concerning representation.

#### 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. The employer declined voluntarily to extend recognition to the petitioner as the exclusive bargaining representative of its employees.

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

ALL FULL-TIME AND REGULAR PART-TIME EMPLOYEES OF MORTON GENERAL HOSPITAL, EXCLUDING ELECTED OFFICIALS, THE ADMINISTRATOR, CONFIDENTIAL EMPLOYEES, SUPERVISORS, REGISTERED NURSES, AND LICENSED PRACTICAL NURSES.

3. 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 was previously furnished to the parties, and is attached hereto.
4. The only objections which have been filed with respect to these proceedings concern an eligibility issue that will not affect the outcome of the question concerning representation.

CONCLUSIONS OF LAW

1. The Public Employment Relations Commission has jurisdiction in this matter under Chapter 41.56 RCW and Chapter 391-25 WAC.
2. The bargaining unit described in paragraph 2 of the foregoing findings of fact is an appropriate unit for the purposes of collective bargaining under RCW 41.56.060; and all conditions precedent to an interim certification have been met.

NOW, THEREFORE, it is

CERTIFIED

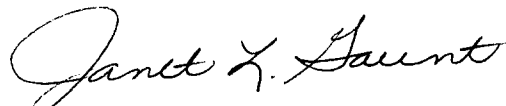
The employees of the above-named employer employed in the appropriate collective bargaining unit described in finding of fact number 3 have chosen:

WESTERN COUNCIL OF INDUSTRIAL WORKERS, LOCAL 2767

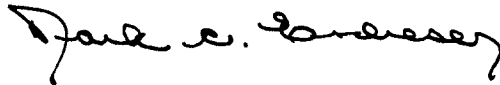
as their representative for the purpose of collective bargaining with their employer with respect to wages, hours and conditions of employment.

Issued at Olympia, Washington, the 22nd day of August, 1990.

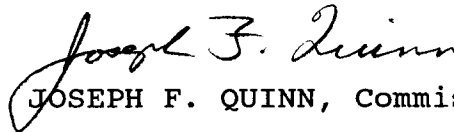
PUBLIC EMPLOYMENT RELATIONS COMMISSION



JANET L. GAUNT, Chairperson



MARK C. ENDRESEN, Commissioner



JOSEPH F. QUINN, Commissioner

