STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

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

<u>Charles Peterson</u>, Representative, appeared on behalf of the petitioner.

Davis, Grimm and Payne, by <u>Lewis L. Ellsworth</u>, 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 PierceSchool 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

Jose e. Grander

MARK C. ENDRESEN, Commissioner

Joseph F. QUINN, Commissioner

E-9 1/78

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

TALLY SHEET

PART 1 - CROSS-CHECK OF RECORDS The undersigned agent of the Public Employment Relations Commission certifies that he/she has conducted a cross-check of records in the above case, and that the results were as follows: Number of Employees in Bargaining Unit. Number of Employee Records Examined. Number of Employee Records Counted as Valid Evidence of Representation PART 2 - SECRET BALLOT ELECTION The undersigned agent of the Public Employment Relations Commission certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated below, were as follows: 1. Approximate number of eligible voters. 2. Void Ballots. 3. Votes Cast For: 5. Votes Cast For: 6. Votes Cast For: 6. Votes Cast For: 6. Votes Cast For: 7. Valid Ballots Counted.(total of 3, 4, 5, and 6). 7. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8). 2. 2 Public Employment Relations Commission certifies that the results of the election. The results of the election appear to be conclusive favoring choice on line 3. PUBLIC EMPLOYMENT RELATIONS COMMISSION DATE ISSUED 1/22/20 By Callenged Team of Commission Representation. PUBLIC EMPLOYMENT RELATIONS COMMISSION BY Callenged Allots of this tally. For Hospital	NAME OF EMPLOYER MORTON GENERAL HOSPITAL	CASE NUMBER 8282-E-89-1404
he/she has conducted a cross-check of records in the above case, and that the results were as follows: Number of Employees in Bargaining Unit	PART 1 - CROSS-CHECK OF RECORDS	
Number of Employee Records Examined	he/she has conducted a cross-check of results were as follows:	cords in the above case, and that the re-
Number of Employee Records Counted as Valid Evidence of Representation PART 2 - SECRET BALLOT ELECTION The undersigned agent of the Public Employment Relations Commission certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated below, were as follows: 1. Approximate number of eligible voters	Number of Employees in Bargaining Unit	
PART 2 - SECRET BALLOT ELECTION The undersigned agant of the Public Employment Relations Commission certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated below, were as follows: 1. Approximate number of eligible voters	Number of Employee Records Examined	•••••
The undersigned agent of the Public Employment Relations Commission certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated below, were as follows: 1. Approximate number of eligible voters	Number of Employee Records Counted as Va	lid Evidence of Representation
the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated below, were as follows: 1. Approximate number of eligible voters	PART 2 - SECRET BALLOT ELECTION	
2. Void Ballots	the results of the tabulation of ballots	cast in the election held in the above
3. Votes Cast For: WCIW, LOCAL 2767	1. Approximate number of eligible voters	s <u>20</u>
4. Votes Cast For: 5. Votes Cast For: 6. Votes Cast For: NO REPRESENTATION. 7. Valid Ballots Counted.(total of 3, 4, 5, and 6). 8. Challenged Ballots. 9. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8)	2. Void Ballots	<u>O</u>
5. Votes Cast For: 6. Votes Cast For: NO REPRESENTATION. 7. Valid Ballots Counted.(total of 3, 4, 5, and 6). 7. Valid Ballots Counted (total of 3, 4, 5, and 6). 8. Challenged Ballots. 9. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8). 9. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8). 10. Number of Valid Ballots Needed to Determine Election. 11. Challenges are are sufficient in number to affect the results of the election. 12. The results of the election appear to be conclusive. 13. Conclusive favoring choice on line 3. PUBLIC EMPLOYMENT RELATIONS COMMISSION 14. DATE ISSUED 2/22/20 15. By Callborn 2. Jan. 16. The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. 16. For Hospital 17. Manney China, Chromol Questions (Manney Chromol Questions) 17. Manney China, Chromol Questions (Manney Chromol Questions) 18. Challenged Ballots 28. Challenged Ballots 29. Valid Ballots (total of 7 and 8). 20. Jeles Chromology 20. Je	3. Votes Cast For: WCIW, LOCAL 2767	
6. Votes Cast For: NO REPRESENTATION	4. Votes Cast For:	•••
7. Valid Ballots Counted.(total of 3, 4, 5, and 6)	5. Votes Cast For:	•••
8. Challenged Ballots	6. Votes Cast For: NO REPRESENTATION	2
9. Valid Ballots Counted plus Challenged Ballots (total of 7 and 8) 2/ 10. Number of Valid Ballots Needed to Determine Election	7. Valid Ballots Counted.(total of 3, 4	, 5, and 6)/9
Challenges are are not sufficient in number to affect the results of the election. The results of the election appear to be conclusive. PUBLIC EMPLOYMENT RELATIONS COMMISSION By culture 2 farm The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For African Committee and the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Arspital The accurate Committee are accurately done. The spital accurately done are accurately done. The spital accurately done are accurately done. The spital accurately done accurately done accurately done. The spital accurately done accurately done accurately done accurately done. The spital accurately done accurately done accurately done accurately done. The spital accurately done ac	8. Challe nged Ballots	<u>2</u>
Challenges are not sufficient in number to affect the results of the election. The results of the election appear to be conclusive. PUBLIC EMPLOYMENT RELATIONS COMMISSION By cellan of famous The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Aron For Haspital The property of the same Chanic, Personnel One The property of the same change o	9. Valid Ballots Counted plus Challenge	d Ballots (total of 7 and 8) $\frac{2}{}$
PUBLIC EMPLOYMENT RELATIONS COMMISSION DATE ISSUED 2/26/20 By ceelland Default The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Haspital Therefore For Haspital Justiness Agent	10. Number of Valid Ballots Needed to De	termine Election//
PUBLIC EMPLOYMENT RELATIONS COMMISSION DATE ISSUED 7/26/90 By ceellar 2 fam The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Afficer For Haspital Thanking Agent	Challenges are not sufficient in number	er to affect the results of the election.
DATE ISSUED 2/26/20 By ceelland 2 Jan 2 The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Accor For Hospital Thanks Agent Thanks Agent	The results of the election appear to be	☐ inconclusive. ☑ conclusive favoring choice on line _3
The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Hospital Mancial Chini, Remand Comment Comments Mancial Chini, Remand Chini Mancial Chini, Remand Chini Mancial Chini, Remand Chini Mancial Chini, Remand Chini Mancial Chine Mancial C		· · · · · · · · · · · · · · · · · · ·
ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Hospital Mancia Clini, Resonable of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally. For Hospital Mancia Clini, Resonable of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.	DATE ISSUED 2/26/90	By welliam a Jang
_	ballots indicated above. We hereby certifairly and accurately done, that the sectitat the results were as indicated above	ify that the counting and tabulating were recy of the ballots was maintained, and . We also acknowledge service of this tally.
_	For Afron	For Hospital
_	Disiness agent	Marcia Cline, Personnel Oir
· · · · · · · · · · · · · · · · · · ·		