

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

TEAMSTERS UNION, LOCAL 839

INVOLVING CERTAIN EMPLOYEES OF:

BEN FRANKLIN TRANSIT

CASE 22582-E-09-3483

DECISION 10589 - PECB

CERTIFICATION

Representation Election
by Agreement of Parties

Reid Pedersen McCarthy Ballew by *David Ballew*, Attorney at Law, for the petitioner.

Summit Law Group by *Shannon Phillips*, Attorney at Law, for the employer.

Robblee Brennan Detwiler by *Terry Jensen*, Attorney at Law, for the intervenor,
International Association of Machinists and Aerospace Workers, Local 1951.

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 MECHANICS,
EQUIPMENT BODY REPAIR WORKER, FUELER,
WASHER/CLEANER, EQUIPMENT SERVICE WORKER,
FACILITIES MAINTENANCE WORKER, AND FACILITIES
SUPPORT SPECIALIST OF THE BEN FRANKLIN TRANSIT,

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:

TEAMSTERS UNION, LOCAL 839

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

Issued at Olympia, Washington, this 29th day of October, 2009.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



CATHLEEN CALLAHAN, Executive Director



PUBLIC EMPLOYMENT RELATIONS COMMISSION

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DO NOT WRITE IN THIS SPACE

TALLY OF ELECTION BALLOTS

Instructions: Other side of this form (Page 2)

Applicable Rules: WAC 391-25-550

CASE NUMBER 22582-09-3483 EMPLOYER Ben Franklin Transit

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 25
- 2. VOID BALLOTS 0
- 3. VOTES CAST FOR Teamsters, Local 839 14
- 4. VOTES CAST FOR IAM & AW, Local 1951 7
- 5. VOTES CAST FOR _____
- 6. VOTES CAST FOR NO REPRESENTATION 0
- 7. VALID BALLOTS COUNTED (Total of lines 3 through 6) 21
- 8. CHALLENGED BALLOTS CAST 0
- 9. VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 7 and 8) 21
- 10. NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION 13
- 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 3, ABOVE.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED OCT 21, 2009

BY Sally Weison

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	<u>[Signature]</u>	Title	Date
For organization listed on Line 5	.....	Title	Date
For decertification petitioner	.....	Title	Date