

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:	)	
JUVENAL BOTELLO	)	CASE 11399-E-94-1880
	)	DECISION 5081 - PECB
Involving certain employees of:	)	CERTIFICATION
ICICLE IRRIGATION DISTRICT	)	Representation Election
	)	Pursuant to Agreement
	)	of Parties

Juvenal Botello, appeared pro se.

Joel Teeley, Administrator and Ryan M. Edgley, Attorney at Law, appeared on behalf of the employer.

Fred Miner, Representative and David Ballew, Attorney at Law, appeared on behalf of the intervenor, Teamsters Union, Local 760.

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

2. The organization(s) listed above as intervenors timely moved for intervention in the captioned proceedings; and said motion for intervention was in each case supported by a showing of interest which as 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 LABORERS, PATROLMEN, WORKING FOREMEN, AND EQUIPMENT OPERATORS OF THE ICICLE IRRIGATION DISTRICT, EXCLUDING MANAGERS, FULL-TIME SUPERVISORS, AND OFFICE STAFF.

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

CONCLUSION OF LAW

The unit described in finding of fact number 3 is an appropriate unit for the purposes of collective bargaining within the meaning of RCW 41.56.060; and all conditions precedent to a 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:

NO REPRESENTATION

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

ISSUED at Olympia, Washington, this 24th day of April, 1995.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

  
MARVIN L. SCHURKE, Executive Director



PUBLIC EMPLOYMENT RELATIONS COMMISSION

603 EVERGREEN PLAZA BUILDING, P. O. BOX 40919  
OLYMPIA, WASHINGTON 98504-0919  
(206) 753-3444

TALLY OF ELECTION BALLOTS

for CASE # 11399 - E - 94 - 1880

Instructions: See other side of this form.

Applicable Rule: See WAC 391-25-550.

The Public Employment Relations Commission has tabulated the ballots cast in the election conducted under the case number indicated above, and certifies that the results of the election are as follows:

EMPLOYER ICICLE IRRIGATION DISTRICT

1.	APPROXIMATE NUMBER OF ELIGIBLE VOTERS .....	<u>3</u>
2.	VOID BALLOTS .....	<u>0</u>
3.	VOTES CAST FOR: <u>TEAMSTERS UNION, LOCAL 760</u> .....	<u>0</u>
4.	VOTES CAST FOR: .....	<u>0</u>
5.	VOTES CAST FOR: .....	<u>0</u>
6.	VOTES CAST FOR: .....	<u>0</u>
7.	VOTES CAST FOR: <u>NO REPRESENTATION</u> .....	<u>3</u>
8.	VALID BALLOTS COUNTED (Total of lines 3 through 7) .....	<u>3</u>
9.	CHALLENGED BALLOTS CAST .....	<u>0</u>
10.	VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 8 and 9) .....	<u>3</u>
11.	NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION .....	<u>2</u>
12.	CHALLENGED BALLOTS (check one):	
	<input type="checkbox"/> - ARE SUFFICIENT IN NUMBER TO AFFECT THE RESULTS OF THE ELECTION.	
	<input checked="" type="checkbox"/> - DO NOT AFFECT THE OUTCOME OF THE ELECTION.	
13.	THE RESULTS OF THE ELECTION APPEAR TO BE (check one):	
	<input type="checkbox"/> - INCONCLUSIVE, SO THAT A RUNOFF ELECTION WILL BE NECESSARY.	
	<input checked="" type="checkbox"/> - CONCLUSIVE, FAVORING THE CHOICE LISTED ON LINE <u>7</u> , ABOVE.	

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED: APRIL 14, 1995

BY: [Signature]

ACKNOWLEDGEMENT OF OBSERVERS

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

- For Employer: None Title: ..... Date: ..... Telephone ( ) .....
- For organization listed on Line 3: None Title: ..... Date: ..... Telephone ( ) .....
- ~~For organization listed on Line 4: ..... Title: ..... Date: ..... Telephone ( ) .....~~
- ~~For organization listed on Line 5: ..... Title: ..... Date: ..... Telephone ( ) .....~~
- ~~For organization listed on Line 6: ..... Title: ..... Date: ..... Telephone ( ) .....~~
- ~~For decertification petitioner: ..... Title: ..... Date: ..... Telephone ( ) .....~~