

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of: )  
 )  
AMERICAN FEDERATION OF TEACHERS )  
YAKIMA PROFESSIONAL STAFF ) CASE 21179-E-07-3287  
 )  
Involving certain employees of: ) DECISION 9883 - PECB  
 )  
COMMUNITY COLLEGE )  
DISTRICT 16 - YAKIMA ) CERTIFICATION  
 ) Representation Election  
 ) by Agreement of Parties  
 )

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*Nancy Kennedy*, Representative for AFT of Washington, for the petitioner.

*Mark Rogstad*, Director of Human Resources, for the employer.

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 EXEMPT EMPLOYEES OF COMMUNITY COLLEGE DISTRICT 16 - YAKIMA, EXCLUDING: (A) EXECUTIVE EMPLOYEES, INCLUDING ALL MEMBERS OF THE GOVERNING BOARD OF EACH INSTITUTION OF HIGHER EDUCATION AND RELATED BOARDS; ALL PRESIDENTS AND VICE PRESIDENTS; DEANS, DIRECTORS AND CHAIRS; AND EXECUTIVE HEADS OF MAJOR ADMINISTRATIVE

OR ACADEMIC DIVISIONS; (B) MANAGERS WHO PERFORM ANY OF THE FOLLOWING FUNCTIONS: (I) FORMULATE, DEVELOP, OR ESTABLISH INSTITUTIONAL POLICY OR DIRECT THE WORK OF AN ADMINISTRATIVE UNIT; (II) MANAGE, ADMINISTER, AND CONTROL A PROGRAM, INCLUDING ITS PHYSICAL, FINANCIAL, OR PERSONNEL RESOURCES; (III) HAVE SUBSTANTIAL RESPONSIBILITY FOR HUMAN RESOURCES ADMINISTRATION, LEGISLATIVE RELATIONS, PUBLIC INFORMATION, INTERNAL AUDITS AND INVESTIGATIONS, OR THE PREPARATION AND ADMINISTRATION OF BUDGETS; (IV) FUNCTIONALLY IS ABOVE THE FIRST LEVEL OF SUPERVISION AND EXERCISES AUTHORITY THAT IS NOT MERELY ROUTINE OR CLERICAL IN NATURE AND REQUIRES THE CONSISTENT USE OF INDEPENDENT JUDGMENT; (C) EMPLOYEES WHO, IN THE REGULAR COURSE OF THEIR DUTIES, ACT AS A PRINCIPAL ASSISTANT, ADMINISTRATIVE ASSISTANT, OR PERSONAL ASSISTANT TO EMPLOYEES AS DEFINED BY (A) OF THIS SUBSECTION; (D) CONFIDENTIAL EMPLOYEES; AND (E) EMPLOYEES WHO ASSIST ASSISTANT ATTORNEYS GENERAL WHO ADVISE AND REPRESENT MANAGERS OR CONFIDENTIAL EMPLOYEES IN PERSONNEL OR LABOR RELATIONS MATTERS, OR WHO ADVISE OR REPRESENT THE STATE IN TORT ACTIONS.

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

1. 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 41.56.060.
2. 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:

AMERICAN FEDERATION OF TEACHERS YAKIMA PROFESSIONAL STAFF

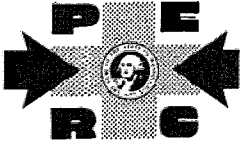
as their representative for the purpose of collective bargaining with their employer.

Issued at Olympia, Washington, this 31st day of October, 2007.

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 21179-E-07-3287 EMPLOYER com college District 16-Yakima

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 ..... 31
- 2. VOID BALLOTS ..... 0
- 3. VOTES CAST FOR AFT Yakima Professional Staff ..... 27
- 4. VOTES CAST FOR \_\_\_\_\_ ..... \_\_\_\_\_
- 5. VOTES CAST FOR \_\_\_\_\_ ..... \_\_\_\_\_
- 6. VOTES CAST FOR NO REPRESENTATION ..... 0
- 7. VALID BALLOTS COUNTED (Total of lines 3 through 6) ..... 27
- 8. CHALLENGED BALLOTS CAST ..... 0
- 9. VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 7 and 8) ..... 27
- 10. NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION ..... 14
- 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 24 2007

BY Sally Iversen

**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	<u>Maaney Spurgeon</u>	Title <u>Organizing Committee</u>	Date <u>10/24/07</u>
For organization listed on Line 4	.....	Title .....	Date .....
For organization listed on Line 5	.....	Title .....	Date .....
For decertification petitioner	.....	Title .....	Date .....