

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

ASSOCIATED DEFENSE ADVOCATES
OF KING COUNTY

Involving certain employees of:

KING COUNTY

CASE 25648-E-13-3789

DECISION 11819 - PECB

CERTIFICATION

Representation Election
by Agreement of Parties

Emmal Skalbania and Vinnedge, by *Sydney Vinnedge*, Attorney at Law, for the petitioner, Associated Defense Advocates of King County.

Cynthia McNabb, Labor Negotiator, for the employer.

Douglas Drachler McKee & Gilbrough, by *Paul Drachler*, Attorney at Law, for the intervenor, Service Employees International Union, Local 925.

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 employees of the Office of Public Defense, excluding managers, supervisors, confidential employees, short-term temporary employees (those working less than six months), students, interns, externs, volunteers and work/study employees. Also

excluded are King County employees who perform work in the Office of Public Defense but are organizationally matrixed to other King County agencies, specifically, but not limited to, employees of King County Information Technology, the Business and Finance Operations Division, the Human Resources Division, and Benefits and Retirement Operations. Also excluded is conflict counsel that is retained by King County.

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 41.56.060.

All conditions precedent to a certification have been met.

NOW, THEREFORE, it is

CERTIFIED

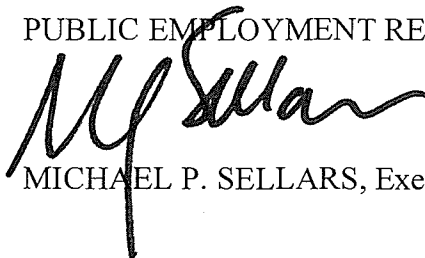
The employees of the above-named employer in the appropriate bargaining unit described in paragraph 3 of the foregoing Findings of Fact have chosen:

SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 925

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

Issued at Olympia, Washington, this 15th day of July, 2013.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MICHAEL P. SELLARS, Executive Director



TALLY OF ELECTION

PUBLIC EMPLOYMENT RELATIONS COMMISSION

PO Box 40919, Olympia, WA 98504
360.570.7300 www.perc.wa.gov

Case Number 25648-E-13-3789 Employer King County

The Public Employment Relations Commission has conducted an election of ballots cast and certifies the results as follows:

- | | | | |
|-----|--|---|------------|
| 1. | Number of Eligible Voters | | <u>317</u> |
| 2. | Void Ballots | | <u>0</u> |
| 3. | Votes Cast for | <u>Associated Defense Advocates of King County</u> | <u>83</u> |
| 4. | Votes Cast for | <u>SEIU, Local 925</u> | <u>172</u> |
| 5. | Votes Cast for | _____ | _____ |
| 6. | Votes Cast for | <u>NO REPRESENTATION</u> | <u>13</u> |
| 7. | Valid Ballots Counted (Total of lines 3-6) | | <u>268</u> |
| 8. | Challenged Ballots Cast | | <u>1</u> |
| 9. | Total Ballots Cast (Total of lines 7-8) | | <u>269</u> |
| 10. | Number of Valid Ballots Needed to Determine Election | | <u>159</u> |
| 11. | Eligibility Challenges: | <input type="checkbox"/> Affect the results of the election
<input checked="" type="checkbox"/> Do not affect the outcome of the election | |
| 12. | The results are: | <input type="checkbox"/> Undetermined, requiring a run-off election
<input checked="" type="checkbox"/> In favor of line <u>4</u> listed above | |

Date Issued: June 28, 2013 By: [Signature]

Acknowledgement of Observers

The undersigned acted as authorized observers for the parties, and acknowledge service of a copy of this tally. Those not present will be mailed a copy.

For	Signature	Title	Date
For Employer	_____	_____	_____
For Line 3	<u>[Signature]</u>	<u>Attorney - President of ADA</u>	<u>6/28/13</u>
For Line 4	<u>[Signature]</u>	<u>SEIU 925 Field Rep.</u>	<u>6/28/13</u>
For Line 5	_____	_____	_____
For Decertification	_____	_____	_____

TALLY OF ELECTION

APPLICABLE RULES: The Public Employment Relations Commission (PERC) processes representation elections under Chapters 10-08, 391-08 and 391-25 WAC. Rules are available at www.perc.wa.gov or 360.570.7300.

How are elections determined?

- Elections conducted under most statutes are determined by a majority of ballots cast. (e.g. 80 eligible voters, 70 ballots cast, one choice must get at least 36 votes)
- Elections conducted under RCW 41.56, with 3 or more choices on the ballot are determined by a majority of those eligible to vote. (e.g. 80 eligible voters, 70 ballots cast, one choice must get at least 41 votes)

What happens if no choice receives a majority?

- Elections with two choices on the ballot which result in a tie, No Representation will be certified.
- Elections with three or more choices on the ballot in which no choice receives the required majority, a run-off election will be held between the two choices receiving the largest number of votes. If the run-off election results in a tie, No Representation will be certified.

When is a ballot voided?

A void ballot is not counted. A ballot will be voided if:

- The address label is removed or blacked out on the return envelope.
- The ballot has no boxes checked, or if the ballot has more than 1 box checked.
- A ballot has any marks in addition to the marked choice.

What is an eligibility challenge and how does it affect the tally?

When there is a question regarding an employee's eligibility to be included in a bargaining unit, they are given the opportunity to vote, their ballot is identified as challenged, and their vote is not counted at the tally.

How are challenges resolved?

Challenges are resolved by a formal hearing to determine an employee's eligibility in the bargaining unit.

For what reasons may objections be filed?

- Objections may be filed for specific conduct that has improperly affected the results of the election.
- Objections filed by individual employees are limited to conduct or procedures that prevented them from voting.

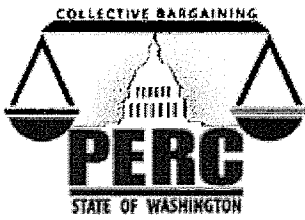
When are objections due?

Objections are due within seven days after the tally has been issued. See WAC 391-25-590 for more information.

When is a certification issued?

- Provided no objections are filed and challenges do not affect the outcome of the election, the tally results will be certified eight days after the tally is issued.
- When challenges affect the outcome of the election, the certification will be issued after the challenges are resolved.





PUBLIC EMPLOYMENT RELATIONS COMMISSION

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MARILYN GLENN SAYAN, CHAIRPERSON
PAMELA G. BRADBURN, COMMISSIONER
THOMAS W. McLANE, COMMISSIONER
MIKE SELLARS, EXECUTIVE DIRECTOR

RECORD OF SERVICE - ISSUED 07/15/2013

The attached document identified as: **DECISION 11819 - PECB** has been served by the Public Employment Relations Commission by deposit in the United States mail, on the date issued indicated above, postage prepaid, addressed to the parties and their representatives listed in the docket records of the Commission as indicated below:

PUBLIC EMPLOYMENT RELATIONS
COMMISSION

BY: *Diane Thovsen*
DIANE THOVSEN

CASE NUMBER: 25648-E-13-03789 FILED: 04/19/2013 FILED BY: PARTY 2
DISPUTE: QCR RAID
BAR UNIT: MISCELLANEOUS
DETAILS: -
COMMENTS:

EMPLOYER: KING COUNTY
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SEATTLE, WA 98104-2372
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REP BY: CYNTHIA MCNABB
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PARTY 2: ASSOCIATED DEFENSE ADVOCATES OF KC
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REP BY: SYDNEY VINNEDGE
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PARTY 3: SEIU LOCAL 925

ATTN:

KAREN HART
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REP BY:

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