

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of: )  
 )  
PUBLIC SCHOOL EMPLOYEES OF ) CASE 12833-E-96-2145  
WASHINGTON )  
 ) DECISION 5823 - PECB  
 )  
Involving certain employees of: ) INTERIM CERTIFICATION  
 )  
TOLEDO SCHOOL DISTRICT ) Representation Election  
 ) By Agreement of Parties  
 )  
\_\_\_\_\_ )

Dave Fleming, Attorney at Law, and Larry Church, Representative, appeared on behalf of the petitioner.

Lane, Powell, Spears & Lubersky by Craig Hanson, Attorney at Law, and Robert Donaldson, Superintendent, appeared on behalf of the employer.

FINDINGS OF FACT

1. The above-named petitioner timely filed a petition for investigation of a question concerning representation with the Public Employment Relations Commission, involving certain employees of the above-named employer. The showing of interest filed in support of the petition was administratively determined by the Commission to be sufficient. The employer declined voluntarily to recognize the petitioner as the exclusive bargaining representative of its employees.
2. As a result of preliminary processing of the petition, the Commission proceeded with determination of the question concerning representation, and issues framed concerning the eligibility of certain employees for inclusion in the bargaining unit were reserved for subsequent determination.
3. These representation proceedings were conducted in the bargaining unit described as:

ALL FULL-TIME AND REGULAR PART-TIME CLASSIFIED EMPLOYEES OF THE TOLEDO SCHOOL DISTRICT, EXCLUDING SUPERVISORS, CONFIDENTIAL EMPLOYEES, TRANSPORTATION, EXTRA-CURRICULAR, AND ALL OTHER EMPLOYEES.

employees a free choice in the selection of a bargaining representative. A tally of the result was previously furnished to the parties, and is attached hereto. The reserved eligibility issues do not affect the outcome of the question concerning representation. No meritorious objections have been filed with respect to these proceedings.

CONCLUSIONS OF LAW

1. The bargaining unit described in paragraph 3 of the foregoing findings of fact is an appropriate unit for the purposes of collective bargaining.
2. All conditions precedent to issuance of an interim certification have been met.

NOW, THEREFORE, it is

ORDERED

1. The employees of the above-named employer in the appropriate bargaining unit described in paragraph 3 of the foregoing findings of fact have chosen:

PUBLIC SCHOOL EMPLOYEES OF WASHINGTON

and that organization is certified as their exclusive bargaining representative for the purpose of collective bargaining with their employer.

2. The above-captioned matter is remanded for further proceedings on the eligibility issues previously reserved, as described in paragraph 2 of the foregoing findings of fact.

ISSUED at Olympia, Washington, this 6th day of February, 1997.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

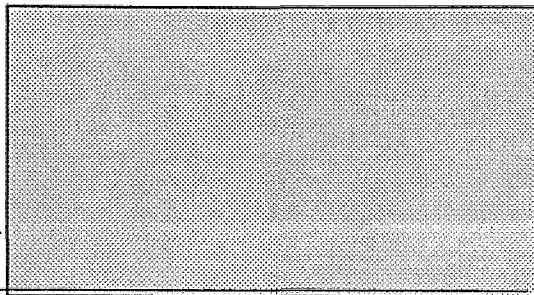
  
MARVIN L. SCHURKE, Executive Director

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 # 12833 - E - 96 - 2145



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 TOLEDO SCHOOL DISTRICT

- 1. APPROXIMATE NUMBER OF ELIGIBLE VOTERS ..... 34
- 2. VOID BALLOTS ..... 1
- 3. VOTES CAST FOR: PSE OF WASHINGTON ..... 14
- 4. VOTES CAST FOR: \_\_\_\_\_ ..... \_\_\_\_\_
- 5. VOTES CAST FOR: \_\_\_\_\_ ..... \_\_\_\_\_
- 6. VOTES CAST FOR: \_\_\_\_\_ ..... \_\_\_\_\_
- 7. VOTES CAST FOR: NO REPRESENTATION ..... 6
- 8. VALID BALLOTS COUNTED (Total of lines 3 through 7) ..... 20
- 9. CHALLENGED BALLOTS CAST ..... 4
- 10. VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 8 and 9) ..... 24
- 11. NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION ..... 13
- 12. CHALLENGED BALLOTS (check one):  
 - ARE SUFFICIENT IN NUMBER TO AFFECT THE RESULTS OF THE ELECTION.  
 - DO NOT AFFECT THE OUTCOME OF THE ELECTION.
- 13. 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: JANUARY 29, 1997

BY: Sally WEISON

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: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
- For organization listed on Line 3: Bruce O. Logan Title: Fed Organizer Date: 1/29/97 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 ( ) \_\_\_\_\_