

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:	)	
HERBERT S. KROHN	)	
For a ruling concerning his obligations under a union security agreement between:	)	CASE NO. 6263-D-86-58
CITY OF SEATTLE	)	
and	)	
TEAMSTERS LOCAL 763	)	
_____	)	
HERBERT S. KROHN,	)	
Complainant,	)	CASE NO. 6264-U-86-1200
vs.	)	
TEAMSTERS LOCAL 763,	)	
Respondent.	)	
_____	)	
HERBERT S. KROHN,	)	
Complainant,	)	CASE NO. 6265-U-86-1201
vs.	)	DECISION 2716 - PECB
CITY OF SEATTLE,	)	
Respondent.	)	ORDER OF DISMISSAL
_____	)	

On March 3, 1986, Herbert S. Krohn filed a document entitled: "Complaint of Unfair Labor Practices; Petition for Declaratory Ruling Concerning Union Obligations, Unfair Labor Practices,

and Jurisdiction" with the Public Employment Relations Commission. Three separate cases were docketed, as noted above. The materials were reviewed in detail and Case No. 6263-D-86-58 was assigned to Examiner William A. Lang for further proceedings under Chapter 391-95 WAC.

A hearing was convened in Case No. 6263-D-86-58 on August 9, 1986. At the outset of the hearing, the parties stated, on the record, that they had reached a "total settlement" of:

. . . any and all actions both by the exclusive bargaining representative with respect to the discharge of Mr. Krohn, and by Mr. Krohn regarding any activities by the exclusive representative in connection with his dues payments.

The union agreed to withdraw its objections to Mr. Krohn's assertion of a right of non-association under RCW 41.56.122; Mr. Krohn agreed to pay an amount equal to the regular union dues and initiation fee to a non-religious charity to be named later and to abandon the unfair labor practice allegations in Case Nos. 6264-U-86-1200 and 6265-U-86-1201.

Final settlement papers were not forthcoming from the parties. The Examiner followed up on a number of occasions, and was advised that the parties had agreed on the specific charity or charities to receive the alternative payments, but had a dispute concerning the method of payment (i.e., by checkoff or by direct payment). In the absence of any issue concerning the eligibility of the employee to make alternative payments or concerning the charity to receive the alternative payments, it appeared that there was no dispute within the jurisdiction of the Commission. By letter dated June 2, 1987, the parties were directed to show cause why the stipulation spread on the record at the hearing in Case No. 6263-D-86-58 should not be accepted

as dispositive of each of the above-entitled matters. On June 17, 1987, counsel for the union filed a letter, with copy to opposing counsel, confirming the settlement agreement reached by the parties and naming the charities to receive the alternative payments.

NOW, THEREFORE, it is

ORDERED

1. The funds held in escrow pursuant to WAC 391-95-130 and Case No 6263-D-86-58, and all future payments on behalf of Herbert S. Krohn, shall be paid in the following manner:
  - a. One half of each payment due under RCW 41.56.122 shall be directed to the general fund of United Way of King County.
  - b. One half of each payment due under RCW 41.56.122 shall be directed to the Chemical Dependency Program, located as of the date of this Order at 1207 Pine Street, Seattle, Washington.
2. The complaints charging unfair labor practices filed against Teamsters Union, Local 763 in Case Number 6264-U-86-1200 and against the City of Seattle in Case No. 6265-U-86-1201 are dismissed.

DATED at Olympia, Washington, this 30th day of June, 1987.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

  
MARVIN L. SCHURKE, Executive Director