

STATE OF WASHINGTON

PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of:)	
)	
TEAMSTERS UNION LOCAL NO. 231,)	
)	DECISION NO. 32 PECEB
Petitioner)	
)	
and)	Case No. DEW-030
)	
WASHINGTON STATE COUNCIL OF)	
COUNTY AND CITY EMPLOYEES,)	FINDINGS OF FACT AND
LOCAL NO. 1581,)	
)	CONCLUSIONS OF LAW
Intervenor)	
)	
and)	
)	
WHATCOM COUNTY, BELLINGHAM,)	
WASHINGTON,)	
Employer)	
)	

THIS MATTER having come on for hearing before the undersigned, on March 5, 1976, on the petition of Teamsters Union Local No. 231, seeking certification as exclusive bargaining representative of all employees employed in departments in the Whatcom County Court House, Bellingham, Washington, the Teamsters Union being represented by its Secretary-Treasurer, Mr. Marven K. Eggert, and its attorney, Mr. George Davies; the Washington State Council of County and City Employees, Local No. 1581, being represented by Mr. Harry Laube, Field Representative and its attorney, Mr. Herbert Gelman; Whatcom County being represented by Mr. C. J. Johnson and Mr. David E. Gannett, witnesses having been sworn and testified, exhibits having been admitted, testimony adduced, and the hearing examiner having heard the argument of the respective representatives of the parties, and being fully advised in the premises now makes the following:

FINDINGS OF FACT

I

A petition from Teamsters Union Local No. 231, seeking certification as exclusive bargaining representative of all employees employed in departments in the Whatcom County Court House; Excluded: Road, Engineer, Parks, Sheriff, Inspectors, Probation and Detention, C.E.T.A. and Motor Pool was filed with the Public Employment Relations Commission on January 20, 1976.

II

WHATCOM COUNTY, BELLINGHAM, WASHINGTON, is a "public employer" within the meaning of RCW 41.56.020 and RCW 41.56.030 (1).

III

TEAMSTERS UNION LOCAL NO. 231 is a "labor organization" within the meaning of RCW 41.56.010, and is a "bargaining representative" within the meaning of RCW 41.56.030 (3).

IV

The petition was filed in compliance with the Public Employees Collective Bargaining Act, RCW 41.56 and WAC 391-20-145 and was supported by individually signed and dated bargaining authorization cards from over 30 percent of the existing bargaining unit.

V

The petition was amended at the hearing to coincide with the existing bargaining unit and include employees in the following offices and departments: Office of the Assessor, Auditor, Clerk, Treasurer, Commissioners; Departments of the Planning Director, Custodial Staff, Purchasing Department, District Court Clericals, Prosecuting Attorney Clericals, Juvenile Probation Clericals and all other offices which may become eligible pursuant to RCW 41.56.

VI

The Court House employees of Whatcom County have been represented in a bargaining

unit by the Washington State Council of County and City Employees, Local No. 1581 for at least ten (10) years.

VII

The termination date of the contract between the County and W.S.C.C.C.E. 1581 was December 31, 1975, and the petition, therefore, was timely filed.

VIII

The W.S.C.C.C.E., Local No. 1581, objects to the petition on the basis that it should have been a Petition for Decertification and that it was not timely filed.

IX

Whatcom County, through their representatives, took a completely neutral position regarding the petition.

X

The W.S.C.C.C.E., Local No. 1581, stipulated that the bargaining unit which has been represented by them is an appropriate bargaining unit for purposes of collective bargaining.

XI

Neither the Petitioner, the Intervenor, nor the Employer challenged the authenticity of the signatures on the bargaining authorization cards.

From the foregoing Findings of Fact, the following Conclusions of Law are made:

I

The Public Employment Relations Commission has jurisdiction over this matter by virtue of Chapter 41.56 of the Revised Code of Washington.

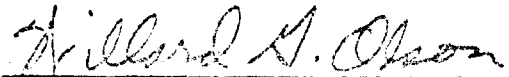
II

The Petitioner has been timely in raising the question of representation in compliance with Chapter 41.56 of the Revised Code of Washington.

III

The representation question raised is one which must be resolved by an election in compliance with RCW 41.56.070 and WAC 391-20-225 with the ballot providing for a choice of Teamsters Union Local No. 231; Washington State Council of County and City Employees, Local No. 1581; or for neither.

DATED THIS 16th day of March, 1976.



WILLARD G. OLSON
Associate Chief Labor Mediator

STATE OF WASHINGTON

PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of:

TEAMSTERS UNION LOCAL NO. 231,

Petitioner

and

WASHINGTON STATE COUNCIL OF
COUNTY AND CITY EMPLOYEES,
LOCAL NO. 1581,

Intervenor

and

WHATCOM COUNTY, BELLINGHAM,
WASHINGTON,

Employer

Case No. DEW-030

D E C I S I O N

and

O R D E R

THIS MATTER having come on for hearing before the undersigned, on March 5, 1976, on the petition of Teamsters Union Local No. 231, seeking certification as exclusive bargaining representative of the Court House employees employed in the Whatcom County Court House, Bellingham, Washington, Petitioner being represented by its attorney, Mr. George-Davies; the Intervenor being represented by its attorney, Mr. Herbert Gelman; the Employer being represented by Mr. David E. Gannett, witnesses having been heard, exhibits having been considered, testimony adduced, and having made and entered herein Findings of Facts and Conclusions of Law, and being fully advised in the premises,

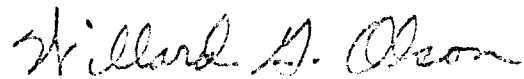
NOW, THEREFORE, IT IS DETERMINED THAT:

For collective bargaining purposes, an appropriate bargaining unit for the Whatcom County Court House shall include employees in the following offices and departments: Office of the Assessor, Auditor, Clerk, Treasurer, Commissioners; Departments of the Planning Director, Custodial Staff, Purchasing Department, District Court Clericals, Prosecuting Attorney Clericals, Juvenile Probation Clericals and all other offices which may become eligible pursuant to RCW 41.56.

IT IS THEREFORE ORDERED THAT:

A secret ballot representation election in accordance with RCW 41.56.070 and WAC 391-20-225 shall be conducted by the Public Employment Relations Commission to determine representation of said appropriate bargaining unit described above, with the ballot providing for a choice of Teamsters Union Local No. 231; Washington State Council of County and City Employees, Local No. 1581; or for neither.

DATED THIS 16th day of March, 1976.



WILLARD G. OLSON
Associate Chief Labor Mediator



STATE OF WASHINGTON

PUBLIC EMPLOYMENT RELATIONS COMMISSION

SEATTLE OFFICE
300 West Harrison
Seattle, Washington 98119

February 19, 1976

Mr. C. J. Johnson, Chairman
Whatcom County Commissioners
Whatcom County Court House
Bellingham, Washington 98225

Dear Mr. Johnson:

This Commission has received a formal petition from General Teamsters' Union Local No. 231 requesting certification as bargaining representative. In compliance with Chapter 41.56 RCW, the Commission is scheduling a Representation Hearing for Friday, March 5, 1976 in Seattle, Washington.

Enclosed are three copies of the official Notice of Hearing. I would request that you furnish this department with a list of names of all Court House employees included in the bargaining unit presently represented by the Washington State Council of County and City Employees, Local No. 1581.

Sincerely,

A handwritten signature in cursive script that reads "Willard G. Olson".

Willard G. Olson
Associate Chief Labor Mediator

WGO:st

cc: Mr. Harry Laube
Mr. Marven K. Eggert
Mr. George Davies
Mr. Herbert Gelman
Mr. Larry McKibben
Mr. Dave Gannett
Mr. Robert H. Tull

DANIEL J. EVANS
Governor



PHILIP K. KIENAST
CHAIRMAN

STATE OF WASHINGTON

PUBLIC EMPLOYMENT RELATIONS COMMISSION

NOTICE OF REPRESENTATION HEARING

Teamsters Union Local No. 231, Petitioner

And

Washington State Council of County and City
Employees, Local No. 1581, Intervenor

And

Whatcom County, Bellingham, Washington, Employer

Case No. DEW-030

The Petitioner, above named, having heretofore filed a Petition pursuant to Chapter 41.56 RCW, copy of which Petition is hereto attached, and it appearing that a question has arisen concerning the representation of employees described by such petition,

YOU ARE HEREBY NOTIFIED that on the 5th day of March, 1976, at 2:00 P.M. in Room 407, Public Employment Relations Commission, 300 West Harrison, Seattle, Washington

a hearing will be conducted before a representative of the ~~Department of Labor and Industry~~ Public Employment Relations Commission upon the question of representation which has arisen, at which time and place the parties will have the right to appear in person or otherwise, and give testimony.

Signed at Seattle, Washington on the 19th day of February, 1976.

Willard A. Olson
State Labor Mediator

Copies to:

- Mr. C. J. Johnson
- Mr. Harry Laube
- Mr. Marven K. Eggert
- Mr. George Davies
- Mr. Herbert Gelman



STATE OF WASHINGTON

PUBLIC EMPLOYMENT RELATIONS COMMISSION

CERTIFICATION OF REPRESENTATIVE

TEAMSTERS UNION LOCAL NO. 231,
Petitioner

and

WHATCOM COUNTY, WASHINGTON,
Employer

Type of Procedure

Election

Cross-check of bargaining
authorization cards and/or
membership records

Case No. DEJ-030

Decision No. 32-A-PECE

A representation proceedings, as indicated above, having been conducted under the supervision of the Public Employment Relations Comm. and it appearing from the results that a collective bargaining representative has been selected; and no objections having been filed to the proceedings therefor;

Pursuant to authority vested in the undersigned by Washington State Statutes, IT IS HEREBY CERTIFIED that Teamsters Union Local No. 231

has been designated and selected by a majority of the employees of the above-named Employer, in the unit described below, as their representative for the purpose of collective bargaining, and that the said organization is the exclusive representative of all the employees in such unit for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment, and other conditions of employment.

UNIT:

Included: All employees employed in the Office of the Assessor, Auditor, Clerk, Treasurer, Commissioners; Departments of the Planning Director, Custodial Staff, Purchasing Department, District Court Clericals, Prosecuting Attorney Clericals, Juvenile Probation Clericals.

Excluded: All other County Employees

Signed at Seattle, Washington

On the 16th day of April, 19 76