

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)
)
)
LOCAL 87, AFSCME) CASE NO. 5831-E-85-1043
)
) DECISION 2380-A - PECB
Involving certain employees of:)
)
)
YAKIMA COUNTY) DECISION OF COMMISSION
)
)
)

Swanson, Parr, Cordes, Younglove, Peeples & Wyckoff, P.S., by Edward Earl Younglove, III, Attorney at Law, appeared on behalf of Local 87 AFSCME in the proceedings on review.

Pamela G. Bradburn, General Counsel, appeared on behalf of the Washington State Council of County and City Employees, Council 2.

Menke and Jackson, by Anthony F. Menke, Attorney at Law, appeared on behalf of Yakima County.

In May, 1985, AFSCME Local 87 filed a petition for investigation of a question concerning representation with the Public Employment Relations Commission, seeking certification as the exclusive bargaining representative of certain employees of Yakima County. AFSCME Council 2 moved for intervention, based on its claim of incumbency as the joint (with Local 87) exclusive bargaining representative of the employees involved. A hearing was held on issues concerning the separate claims of those organizations.¹ The Executive Director issued an order

¹ Yakima County has participated, but has not taken an active role, in these proceedings.

in January of 1986, dismissing the petition. Council 2 filed a petition for review.²

Notice is taken of the proceedings and decisions in Case Nos. 6234-E-86-1110, 6566-E-86-1147 and 6567-E-86-1148. On February 14, 1986, yet another organization, Independent Local 1, filed a petition for investigation of a question concerning representation with the Commission, seeking certification as exclusive bargaining representative of the same employees involved in the above-captioned matter. (Case No. 6234-E-86-1110). By stipulation of the parties in that proceeding, AFSCME Local 87 and Council 2 were jointly granted intervention as the incumbent exclusive bargaining representative of the employees involved.³ An election agreement was filed pursuant to WAC 391-25-230, unit determination elections have been conducted on two severance questions, and two additional cases have been docketed to deal with the separate units resulting therefrom. (Case No. 6566-E-86-1147 and Case No. 6567-E-86-1148). Representation elections have been conducted in the three separate bargaining units, resulting in certifications of: AFSCME Local 87 and Council 2 as exclusive bargaining representative of employees in the employer's solid waste operation;⁴ Local 1 as exclusive bargaining representative of clerical and technical employees in the employer's department

² While the matter has been pending before the Commission, Local 87 made a request to withdraw its original petition for investigation of a question of representation. Council 2 concurred with that request, while Yakima County has not responded to Local 87's request.

³ The positions and stipulations of the parties in the more recent proceedings thus differ substantially from those asserted before the Hearing Officer and Executive Director in the captioned matter.

⁴ Yakima County, Decision 2533 (PECB, 1986).

of public works;⁵ and Local 1 as exclusive bargaining representative of operations and maintenance employees in the employer's department of public works.⁶

Pursuant to RCW 41.56.070, no question concerning representation may be raised in any of the bargaining units within one year following these recent certifications. It follows that there remains nothing which can be accomplished in the captioned matter, which has become moot.

NOW, THEREFORE, it is

ORDERED

The petition for investigation of a question concerning representation filed in the above-entitled matter is dismissed.

DATED at Olympia, Washington, this 10th day of October, 1986.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Jane R. Wilkinson
JANE R. WILKINSON, Chairman

Mark C. Endresen
MARK C. ENDRESEN, Commissioner

Joseph F. Quinn
JOSEPH F. QUINN, Commissioner

⁵ Yakima County, Decision 2534 (PECB, 1986).

⁶ Yakima County, Decision 2532 (PECB, 1986).