

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

|                                   |   |                        |
|-----------------------------------|---|------------------------|
| In the matter of the petition of: | ) |                        |
|                                   | ) |                        |
| UNITED STAFF NURSES UNION, LOCAL  | ) | CASE 8086-E-89-1369    |
| 141, affiliated with the UNITED   | ) |                        |
| FOOD AND COMMERCIAL WORKERS,      | ) |                        |
| AFL-CIO                           | ) | DECISION 3317-A - PECB |
|                                   | ) |                        |
| Involving certain employees of:   | ) |                        |
|                                   | ) |                        |
| OLYMPIC MEMORIAL HOSPITAL         | ) | ORDER FOR CONDUCT OF   |
|                                   | ) | RUNOFF ELECTION        |
|                                   | ) |                        |
|                                   | ) |                        |

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Executive Director Marvin L. Schurke issued a Direction of Election in the above-captioned matter on October 16, 1989, wherein he overruled the request of the incumbent exclusive bargaining representative, Washington State Nurses Association (WSNA), for an indefinite delay of the proceedings pending a determination concerning a claimed "no raid" agreement in litigation in a federal court. The Executive Director subsequently denied a motion of the WSNA for simultaneous conduct and/or simultaneous tally of elections in at least six representation cases currently pending before the Public Employment Relations Commission.

A representation election was conducted under the auspices of the Commission on November 3, 1989, at which time none of the choices on the ballot received the number of votes required for a conclusive result. The tally of ballots issued pursuant to WAC 391-25-550 indicates that the WSNA would be excluded from any runoff election to be conducted under WAC 391-25-570. The WSNA filed timely objections, challenging the rulings of the Executive Director on its "no raid" and "simultaneous election" motions.

The Commission has considered the matter and concludes that it should proceed with the conduct of the runoff election, so as to minimize the impact of the pending legal issues on the employees. Precedent for an expedited election procedure is found in Franklin Pierce School District, Decision 78-C (PECB, 1976).

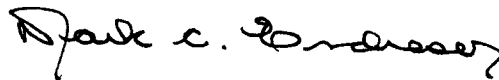
NOW, THEREFORE, it is

ORDERED

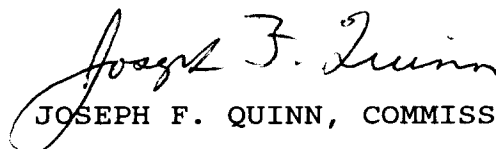
1. The runoff election shall be held in the above-captioned matter without regard to the pendency of the objections filed by the Washington State Nurses Association.
2. The ballots cast in the runoff election directed herein shall be tallied and any objections shall be filed and served in the usual manner under Chapter 391-25 WAC.
3. The issuance of any certification based on the outcome of the runoff election shall be withheld pending resolution of the objections filed by the Washington State Nurses Association.

Dated at Olympia, Washington, the 15th day of November, 1989

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARK C. ENDRESEN, COMMISSIONER



JOSEPH F. QUINN, COMMISSIONER