

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

TEAMSTERS LOCAL 690

Involving certain employees of:

SPOKANE COUNTY

CASE 26996-E-15-3913

DECISION 12306 - PECB

DIRECTION OF CROSS-CHECK

On February 3, 2015, Teamsters Local 690 (union or Teamsters), filed a petition seeking certification as exclusive bargaining representative of certain employees of Spokane County (employer). An investigation conference was conducted and the parties stipulated to the appropriateness of the petitioned-for bargaining unit but disagreed about the method to determine the question concerning representation.

The issue to be determined at this time is whether use of the cross-check method is appropriate in this case. The union stated a preference for a cross-check, while the employer objected to the use of the cross-check procedure. A cross-check is appropriate.

DISCUSSION

This agency may determine questions concerning representation by “(a) [e]xamination of organization membership rolls; (b) comparison of signatures on organization bargaining authorization cards; or (c) conducting an election specifically therefor.” RCW 41.56.060. A “comparison of signatures on organization bargaining authorization cards” is called a cross-check and involves comparing an employee’s signature on the authorization card against the employee’s signature on an existing employment record. If the signatures match, then the employee is deemed to have voted in favor of representation.

In order for the cross-check method to be used, the labor organization must (1) be the only organization petitioning to represent the at-issue employees, and (2) submit a showing of interest demonstrating that at least 70 percent of the employees signed valid showing of interest cards in support of the labor organization. In *City of Redmond*, Decision 1367-A (PECB, 1982) and numerous subsequent decisions, the Commission and the Executive Director have refused to ignore the cross-check option (or to write it out of the statute). Accordingly, the fact that an employer expresses a preference for the question concerning representation to be resolved by an election is not sufficient to disregard the statute and rule.

ANALYSIS

The wording on the showing of interest cards in this case clearly indicates that, by signing the card, the employee wishes to be represented by Teamsters for the purposes of collective bargaining. Employees can be expected to read and give importance to the showing of interest cards they sign for a union.

This record demonstrates that Teamsters submitted a showing of interest in excess of the 70 percent required by WAC 391-25-391. If employees desire to withdraw their authorization cards in advance of a cross-check, the procedure for doing so is detailed in WAC 391-25-410(2).

NOW, THEREFORE, it is

ORDERED

1. The employer shall immediately supply the Commission with copies of documents from its employment records which bear the signatures of the employees on the eligibility list stipulated by the parties.
2. A cross-check of records shall be made by the staff of the Public Employment Relations Commission in the appropriate bargaining unit described as:

All Road Maintenance Supervisors, Equipment Maintenance Supervisors, and Training Foremen employed by the Spokane County Public Works Department, excluding non-supervisory employees, confidential employees, and other employees.

to determine whether a majority of the employees in that bargaining unit have authorized Teamsters Local 690 to represent them for purposes of collective bargaining.

Issued at Olympia, Washington, on this 31st day of March, 2015.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MICHAEL P. SELLARS, Executive Director

This order may be appealed by filing timely objections with the Commission pursuant to WAC 391-25-590.



PUBLIC EMPLOYMENT RELATIONS COMMISSION

112 HENRY STREET NE SUITE 300
PO BOX 40919
OLYMPIA, WASHINGTON 98504-0919

MARILYN GLENN SAYAN, CHAIRPERSON
THOMAS W. McLANE, COMMISSIONER
MARK E. BRENNAN, COMMISSIONER
MIKE SELLARS, EXECUTIVE DIRECTOR

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PUBLIC EMPLOYMENT RELATIONS
COMMISSION

BY:/S/ VANESSA SMITH

CASE NUMBER: 26996-E-15-03913 FILED: 02/03/2015 FILED BY: PARTY 2
DISPUTE: QCR RAID
BAR UNIT: SUPERVISORS
DETAILS: -
COMMENTS:

EMPLOYER: SPOKANE COUNTY
ATTN: SPOKANE CO COMMISSIONERS
W 1116 BROADWAY
SPOKANE, WA 99260
Ph1: 509-477-2265

REP BY: STEVEN KINN
SPOKANE COUNTY
1115 W BROADWAY AVE 2ND FL
SPOKANE, WA 99260-0270
Ph1: 509-477-2808

PARTY 2: TEAMSTERS LOCAL 690
ATTN: VAL HOLSTROM
1912 N DIVISION STE 200
SPOKANE, WA 99207-2271
vholstrom@teamsterslocal690.org
Ph1: 509-455-9410 Ph2: 800-841-0630

REP BY: JOHN LEE
REID PEDERSEN MCCARTHY BALLEW
100 W HARRISON ST
NORTH TOWER STE 300
SEATTLE, WA 98119-4143
Ph1: 206-285-3610

PARTY 3:

ATTN:

SPOKANE CO ROAD DEPT SPVR GLD

MIKE ORRINO

PO BOX 19321

SPOKANE, WA 99219

morrino@spokanecounty.org

Ph1: 509-251-8058