

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 FIRE DISTRICT 8

CASE 26304-E-14-3850

DECISION 12061 - PECB

DIRECTION OF CROSS-CHECK

On February 20, 2014, the Teamsters, Local 690 (Teamsters), filed a petition seeking certification as exclusive bargaining representative of certain employees of Spokane County Fire District 8. 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 issues to be determined at this time are 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 either “(a) examination of organization membership rolls, (b) comparison of signatures on organization bargaining authorization cards, or (c) by conducting an election specifically therefore.” RCW 41.56.060. A “comparison of signatures on organization bargaining authorization cards” is called a cross-check and involves comparing the 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) must 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 the 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 the 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 part-time firefighters employed by Spokane County Fire District 8, excluding full-time uniformed firefighters, confidential employees, supervisors, and all other employees.

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

Issued at Olympia, Washington, on the 14<sup>th</sup> day of May, 2014.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Michael P. Sellars", with a long horizontal flourish extending to the right.

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

### RECORD OF SERVICE - ISSUED 05/14/2014

The attached document identified as: **DECISION 12061 - PECB** has been served by the Public Employment Relations Commission by deposit in the United States mail, on the date issued indicated above, postage prepaid, addressed to the parties and their representatives listed in the docket records of the Commission as indicated below:

PUBLIC EMPLOYMENT RELATIONS  
COMMISSION

BY: /s/ DIANE THOVSEN

CASE NUMBER: 26304-E-14-03850 FILED: 02/20/2014 FILED BY: PARTY 2  
DISPUTE: QCR UNORGANIZED  
BAR UNIT: PARAMEDICS  
DETAILS: -  
COMMENTS:

EMPLOYER: SPOKANE FIRE DIST 8  
ATTN: TONY NIELSEN  
12100 E PALOUSE HWY  
PO BOX 345  
VALLEYFORD, WA 99036  
Ph1: 509-926-6699

REP BY: ELIZABETH R KENNAR  
SUMMIT LAW GROUP  
315 5TH AVE S STE 1000  
SEATTLE, WA 98104-2682  
Ph1: 206-676-7068 Ph2: 206-676-7000

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