

DANIEL J. EVANS  
Governor



*Dec. 15 PECB*  
PHILIP K. KIENAST  
Chairman

STATE OF WASHINGTON

**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

SEATTLE OFFICE  
300 West Harrison  
Seattle, Washington 98119

January 20, 1976

DECISION #5-PECB

Mrs. Lilly Piva, Staff Rep.  
W.S.C.C.C.E. AFL-CIO  
950 Fawcett - Room 316  
Tacoma, WA 98402

Re: Case No. ULW-004  
Unfair Labor Practice  
Charges

Dear Mrs. Piva:

This is in regards to the "Charge Against Employer" filed by your organization against Superior Court Judge, The Honorable William Brown, Jr., on January 5, 1976. The charges are as follows:

"The Employer has refused to even meet for any discussion since September 4, 1975, and has also stated (letter enclosed) the Employer has selected a person to represent the employees."

As you know the matter of juvenile court employees was brought before the Supreme Court of the State of Washington and a decision was rendered on August 28, 1975 (Zylstra v. Piva 85 Wn. 2nd 743). That decision stated that these employees are county employees insofar as wages and related matters are concerned.

It is clear from the above-cited decision that the judges cannot be considered "public employers" who are subject to the provisions of the Public Employees' Collective Bargaining Act, RCW 41.56. The Public Employment Relations Commission, therefore, cannot accept unfair labor practice charges which are filed against parties not covered by the Act.

In accordance with WAC 296-132-311, the Commission has no alternative except to dismiss the charges as being without merit.

Sincerely,

*Willard G. Olson*  
Willard G. Olson  
Associate Chief Labor Mediator

WGO:st

cc: The Honorable William Brown, Jr.