

STATE OF WASHINGTON
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

CLARENCE WEGNER,)	
)	
Complainant,)	CASE NO. 3312-U-81-473
)	
vs.)	DECISION NO. 1215 - PECB
)	
SEATTLE HOUSING AUTHORITY and DISTRICT COUNCIL OF CARPENTERS,)	ORDER OF DISMISSAL
)	
Respondents.)	
)	

Clarence Wegner filed his complaint in the captioned matter on February 18, 1981. The material allegations of the complaint are:

"Between the dates of December 17, 1979 and June 4, 1980 the complainant did not receive the proper rate of pay. After the improper pay rate was brought to the Unions attention the Employer agreed to pay the proper rate but did not do so.

The Union has not represented me in collecting the amounts of money I am entitled to."

By letter dated June 23, 1981, the complainant was advised that the allegations of the complainant were insufficient to form a conclusion that an unfair labor practice violation might have occurred, and the complainant was afforded a ten (10) day period to amend the complaint prior to the entry of a preliminary ruling pursuant to WAC 391-45-110. No reply was received to that correspondence.

The Public Employment Relations Commission does not assert jurisdiction to remedy violations of collective bargaining agreements through the unfair labor practice provisions of RCW 41.56. City of Walla Walla, Decision 104 (PECB, 1976). Absent some allegation of employer complicity in a breach of fair representation by the union, there appears to be no basis to conclude that the Seattle Housing Authority may have committed any unfair labor practice.

While the complaint contains a conclusionary allegation that the union has not represented the complainant in the processing of his grievance, there are not sufficient factual allegations to form an opinion as to what the union

has done or left undone in that regard. Accordingly, it is concluded that the facts alleged by the complaint are not sufficient to conclude that District Council of Carpenters may have committed any unfair labor practice.

NOW, THEREFORE, it is

ORDERED

The complaint charging unfair labor practices filed in the above entitled matter is dismissed.

DATED at Olympia, Washington this 30th day of July, 1981.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARVIN L. SCHURKE, Executive Director