

STATE OF WASHINGTON
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

NORDRAIN M. CAREY,)	
)	
Complainant,)	CASE NO. 4079-U-82-646
)	
vs.)	
)	
CITY OF SEATTLE,)	
)	
Respondent.)	
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NORDRAIN M. CAREY,)	
)	
Complainant,)	CASE NO. 4078-U-82-645
)	
vs.)	DECISION NO. 1544 - PECB
)	
PUBLIC SERVICE & INDUSTRIAL)	ORDER PARTIALLY DISMISSING
EMPLOYEES, LOCAL 1239,)	COMPLAINTS AND APPOINTING
)	EXAMINER
Respondent.)	
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The complaints charging unfair labor practices were filed in the above-entitled matters on May 12, 1982. The complaints share in common documents setting forth the facts on which the complaints are based. The city filed an answer on June 4, 1982, wherein it asserted that the statements of fact were insufficient under the rules of the Commission. On June 24, 1982, the complainant filed additional documents stating the facts on which he relies. On July 14, 1982, the undersigned Executive Director of the Public Employment Relations Commission issued a preliminary ruling regarding both cases pursuant to WAC 391-45-110. A copy of that ruling is attached to this Order.

The facts alleged do not, as a matter of law, constitute a violation of Chapter 41.56 by the union or, except in one respect, by the employer. The one aspect of the complaint which arguably states a cause of action, and will be referred to an examiner for hearing, relates to threats made in order to discourage the processing of a grievance.

NOW, THEREFORE, it is

ORDERED

1. The complaint against the union in Case No. 4078-U-82-645 is dismissed in its entirety.

2. The complaint against the employer in Case No. 4079-U-82-646 is dismissed in all regards, except for the allegation that the employer violated RCW 41.56.140(1) by making certain threats in order to discourage the processing of a grievance.
3. Examiner Alan R. Krebs has been assigned to conduct a hearing for the sole purpose of determining whether the employer violated RCW 41.56.140(1) by making the alleged threats in order to discourage the filing and processing of a grievance.

DATED at Olympia, Washington, this 17th day of November, 1982.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARVIN L. SCHURKE, Executive Director