

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

WASHINGTON STATE COUNCIL OF)	
COUNTY AND CITY EMPLOYEES,)	
LOCAL 1552,)	CASE NO. 7107-U-87-1452
)	
Complainant,)	DECISION 2937 - PECB
)	
vs.)	
)	
WAHKIAKUM COUNTY,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	

On October 23, 1987, Washington State Council of County and City Employees, Local 1557 (complainant) filed a complaint charging unfair labor practices against Wahkiakum County (respondent). The complainant alleged that the respondent had violated RCW 41.56.140(1), (2) and (4) by its treatment of "probationary employees". According to the allegation of the complaint, the respondent has paid probationary employees at a lower rate than permanent employees since 1984. The complaint details attempts to secure a wage increase for one of the affected probationary employees in May, 1987. The complaint also lists a number of other employees who were adversely affected by the lower rate of pay during the probationary period.

The matter is before the Executive Director for a preliminary ruling pursuant to WAC 391-45-110. On February 18, 1988, a letter was issued which detailed several difficulties with the complaint as filed.

The complainant's attention was previously directed to RCW 41.56.160. While the Commission is empowered to prevent unfair

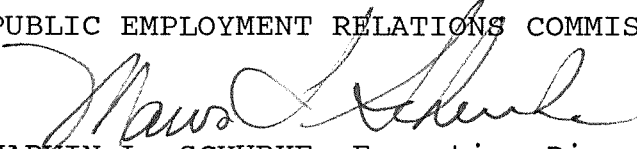
labor practices, such complaints must be filed within six (6) months of the occurrence. In the instant case, it appears that the complainant was on notice of the lower rate of pay since 1984. Even if the complainant lacked such knowledge, there is no indication that any of the employees listed were adversely affected by the lower probationary rate within the six month period immediately preceding the filing of the complaint. The complainant was given a period of fourteen (14) days from the issuance of the letter to amend the petition or the matter would be dismissed for failing to state a cause of action. To date, nothing has been received from the complainant, nor has the complainant requested an extension in the time to respond.

ORDER

The complaint charging unfair labor practices filed in the above-captioned matter is hereby DISMISSED.

DATED at Olympia, Washington, this 24th day of May, 1988.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARVIN L. SCHURKE, Executive Director

This Order may be appealed by filing a petition for review with the Commission pursuant to WAC 391-45-350.