

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

JOHN GRAVES,)	
)	
Complainant,)	CASE NO. 7595-U-88-1597
)	
vs.)	DECISION 3138 - PECB
)	
CITY OF SPOKANE,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	

On September 26, 1988, a complaint charging unfair labor practices was filed with the Public Employment Relations Commission on behalf of complainant John Graves, alleging that the City of Spokane (respondent) had violated RCW 41.56.140(1) in connection with a number of alleged violations of civil service rules and city charter provisions, as well as possible violation of a collective bargaining agreement.

The complaint was reviewed by the Executive Director pursuant to WAC 391-45-110, and a letter was issued on January 11, 1989, informing the complainant that the complaint, as filed, did not appear to state any cause of action for unfair labor practice proceedings before the Commission. As noted therein, the Commission does not assert jurisdiction through the unfair labor practice provisions of the statute to determine or remedy violations of collective bargaining agreements (City of Walla Walla, Decision 104 [PECB, 1976]), nor does the Commission have jurisdiction over alleged violations of civil service rules or procedures without a showing of a nexus between such violations and activity regulated by Chapter 41.56 RCW. The complainant

was given an opportunity to file amended complaint stating a cause of action. No such amended complaint has been filed.

NOW, THEREFORE, it is

ORDER

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

DATED at Olympia, Washington, this 28th day of February, 1989.

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.