

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

PIERCE COUNTY FIRE DISTRICT 9,	)	
	)	
Complainant,	)	CASE 7904-U-89-1703
	)	
vs.	)	DECISION 3214 - PECB
	)	
INTERNATIONAL ASSOCIATION OF	)	
FIREFIGHTERS, LOCAL 2221,	)	ORDER OF DISMISSAL
	)	
Respondent.	)	
	)	
	)	

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On April 17, 1989, Pierce County Fire District 9 (complainant) filed a complaint charging unfair labor practices with the Public Employment Relations Commission, alleging that the International Association of Firefighters, Local 2221 had violated RCW 41.56.150(1), in that a firefighter/paramedic had directed profanity and threats to a battalion chief during discussion of a newly issued standard operating procedure.

The matter was reviewed by the Executive Director pursuant to WAC 391-45-110, and a letter was issued on May 1, 1989, informing the complainant that the complaint, as filed, did not appear to state a cause of action for unfair labor practice proceedings before the Commission. Specifically, the complainant was informed that the statement of facts provided no nexus between the incident described and actions by a bargaining representative. Without such a nexus, a violation of RCW 41.56.150(1) could not be found. The complainant was further informed that even if such a nexus were supplied, the complaint did not provide sufficient detail to determine how the incident

could constitute an interference with the battalion chief's rights as a public employee.


The complainant was given a period of fourteen days following the date of the Executive Director's letter in which to amend the complaint, or face dismissal for failure to state a cause of action. No amended complaint or other information has been received.

ORDER

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

DATED at Olympia, Washington, this 23rd day of May, 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.