

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL ASSOCIATION OF	)	
MACHINISTS AND AEROSPACE WORKERS,	)	
	)	
Complainant,	)	CASE 7906-U-89-1705
	)	
vs.	)	DECISION 3226 - PECB
	)	
CLARK COUNTY PUBLIC TRANSPORTATION	)	
BENEFIT AREA AUTHORITY (C-TRAN),	)	
	)	ORDER OF DISMISSAL
	)	
Respondent.	)	
	)	

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On April 17, 1989, the International Association of Machinists and Aerospace Workers, District Lodge 24 (complainant), filed a complaint charging unfair labor practices with the Public Employment Relations Commission, alleging that Clark County Public Transportation Benefit Area Authority (C-Tran) (respondent), had violated RCW 41.56.140(2) and (4) by refusing to accept and process a grievance under a collective bargaining agreement between the parties.

The matter was reviewed by the Executive Director pursuant to WAC 391-45-110, and a letter was issued on May 15, 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 Public Employment Relations Commission has consistently declined to assert jurisdiction to remedy contract violations and "refusal to arbitrate" claims through the unfair labor practice provisions of the Public Employees Collective Bargaining Act. Thurston County Communications Board, Decision 103 (PECB, 1976). City of Walla Walla, Decision 104 (PECB, 1976). As the complaint appeared to

relate solely to the interpretation and application of the contractually agreed-upon grievance procedure, the complainant was advised that it might file a grievance, or, in the alternative, go to court to compel arbitration.

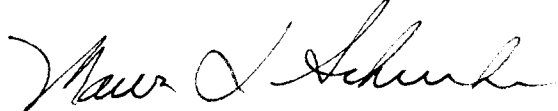
The complainant was given a period of fourteen days following the date of the Executive Director's letter in which to file and serve an amended complaint with the Commission, or face dismissal of the instant complaint. No further information has been received from the complainant.

ORDER

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

DATED at Olympia, Washington, this 19th day of June, 1989.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARVIN L. SCHURKE, Executive Director

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