

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

CITY OF YAKIMA,	)	
	)	
Complainant,	)	CASE 9228-U-91-2047
	)	
vs.	)	DECISION 3846 - PECB
	)	
INTERNATIONAL ASSOCIATION OF	)	
FIREFIGHTERS, LOCAL 469,	)	ORDER OF DISMISSAL
	)	
Respondent.	)	
	)	
	)	

---

On June 26, 1991, the City of Yakima filed its answer to a complaint charging unfair labor practices pending before the Public Employment Relations Commission in Case 8878-U-91-1949.<sup>1</sup> That filing included what the employer characterized as a "counterclaim" against the union, alleging that the union had filed and processed Case 8878-U-91-1949 without any basis in law or fact, and without conforming to the requirements of the Commission's rules.

On July 2, 1991, the Executive Director wrote a letter to the parties, advising them that the rules of the Commission make no provision for "counterclaims" in unfair labor practice cases.<sup>2</sup> The parties were notified that a separate case had been docketed, for record keeping purposes, under the case number indicated above. The employer was advised that it should file and serve a complaint charging unfair labor practices, as called for by the rules set forth by the Commission in Chapter 391-45 WAC.

---

<sup>1</sup> That proceeding was initiated by a complaint charging unfair labor practices filed by International Association of Fire Fighters, Local 469, on October 31, 1990.

<sup>2</sup> The Commission's rules for unfair labor practice cases are set forth in Chapter 391-45 WAC.

Nothing further has been heard or received from the employer concerning Case 9228-U-91-2047.

NOW, THEREFORE, it is

ORDERED

The "counterclaim" filed by the City of Yakima and docketed in the above-entitled matter is hereby DISMISSED for improper filing.

DATE at Olympia, Washington, this 19th day of August, 1991.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

A handwritten signature in cursive script, appearing to read "Marvin L. Schurke".

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.