

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

TEAMSTERS UNION LOCAL 690,	)	
	)	
Complainant,	)	CASE 10141-U-92-2321
	)	
vs.	)	DECISION 4417 - PECB
	)	
WHITMAN COUNTY,	)	
	)	
Respondent.	)	ORDER OF DISMISSAL
	)	
	)	

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On November 30, 1992, Teamsters Union Local 690 filed a complaint charging unfair labor practices with the Public Employment Relations Commission, alleging that Whitman County had violated RCW 41.56.140. The case came before the Executive Director for processing under WAC 391-45-110,<sup>1</sup> and a preliminary ruling letter issued on May 4, 1993, notified the parties of a defect which precluded further proceedings on the complaint.

The very brief statement of facts filed with this complaint alleges that the employer made unauthorized deductions from the final paycheck of a bargaining unit employee. The preliminary ruling letter noted that the allegations appeared to indicate a violation of the parties' collective bargaining agreement, or perhaps a violation of employment practices unilaterally adopted by the employer, rather than a change of practice. It was noted that the Commission does not assert jurisdiction to remedy violations of

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<sup>1</sup> At that stage of the proceedings, all of the facts alleged in the complaint are assumed to be true and provable. The question at hand is whether, as a matter of law, the complaint states a claim for relief available through unfair labor practice proceedings before the Public Employment Relations Commission.

collective bargaining agreements through the unfair labor practice provisions of the statute. City of Walla Walla, Decision 104 (PECB, 1976).

The complainant was given a period of 14 days following the date of the letter in which to file and serve an amended complaint which stated a cause of action, or face dismissal of the complaint. Nothing further has been heard or received from the complainant.


NOW, THEREFORE, it is

ORDERED

The complaint charging unfair labor practices filed in the above-entitled matter is hereby DISMISSED for failure to state a cause of action.

DATED at Olympia, Washington, this 7th day of June, 1993.

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.