

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL ASSOCIATION OF)	
FIREFIGHTERS, LOCAL 2877,)	CASE 11013-U-94-2563
)	
Complainant,)	
)	
vs.)	DECISION 4785 - PECB
)	
CITY OF SUMNER,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
)	

On March 15, 1994, the International Association of Fire Fighters, Local 2877, filed a complaint charging unfair labor practices with the Public Employment Relations Commission. The allegations of the complaint concerned the employer's interpretation of several articles of the parties collective bargaining agreement, in connection with the processing of a grievance by a bargaining unit employee. A preliminary ruling letter was issued on March 22, 1994, noted that no statutory violation could be discerned from the facts provided.¹ The Commission does not assert jurisdiction to resolve contractual disputes through its unfair labor practice proceedings. City of Walla Walla, Decision 104 (PECB, 1976).

The complainant was given a period of 14 days following the date of the preliminary ruling 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.

¹ 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.

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 22nd day of July, 1994.

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.