

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

WASHINGTON STATE COUNCIL OF)	
COUNTY AND CITY EMPLOYEES, AFSCME,)	
LOCAL 2083,)	CASE 11109-U-94-2588
)	
Complainant,)	DECISION 4838 - PECB
)	
vs.)	
)	
SEATTLE PUBLIC LIBRARY,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
)	

The complaint charging unfair labor practices filed in the above-captioned matter on May 11, 1994, was the subject of a preliminary ruling letter issued on August 1, 1994.¹ The complaint alleged generally that the employer had unilaterally changed bargaining unit positions from one classification to another, that it had posted a new job without having first negotiated the changes with the union, and that it had unilaterally removed positions from the bargaining unit. The preliminary ruling letter noted that WAC 391-45-050 requires that each complaint charging unfair labor practices contain "clear and concise statements of the facts constituting the alleged unfair labor practices, including times, dates, places and participants in occurrences", and it described the complaint in this case as more a list of conclusions than a detailed statement as to the specific actions alleged to be unfair labor practices. 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

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.

complaint providing the necessary detail, 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-captioned matter is hereby DISMISSED for failure to state a cause of action.

DATED at Olympia, Washington, this 9th day of September, 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.