

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

WASHINGTON ASSOCIATION OF)	
PROFESSIONAL BIOLOGISTS,)	
)	CASE 11606-U-95-2722
Complainant,)	
)	
vs.)	DECISION 5066 - PECB
)	
STATE OF WASHINGTON DEPARTMENT)	
OF FISH & WILDLIFE,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
)	

The above-captioned complaint charging unfair labor practices was filed with the Public Employment Relations Commission on February 21, 1995. The Washington Association of Professional Biologists alleges that the employer, a state agency, has refused to enter into contract negotiations with the union. A preliminary ruling letter issued on March 9, 1995, pursuant to WAC 391-45-110, noted that the complaint does not appear to deal with a public employer that is subject to the jurisdiction of the Commission. The parties were given 14 days in which to amend the complaint or contradict the apparent lack of jurisdiction. Nothing further has been heard or received from the parties.

Although the Public Employment Relations Commission was created by Chapter 41.58 RCW to provide "uniform and impartial ... efficient and expert" administration of public sector labor relations, the Commission's jurisdiction is actually limited to the enforcement of Chapters 28B.52 RCW (covering academic faculty of community colleges), 41.56 RCW (covering local government employees and selected state employees), 41.59 RCW (covering school district certificated employees), 49.08 RCW (covering the private sector employees), 53.18 RCW (covering port district employees, and 54.04

RCW (covering public utility district employees). Authority to regulate limited collective bargaining rights made available to the classified (civil service) employees of state agencies under the state merit system law (Chapter 41.06 RCW) remains with the Washington Personnel Resources Board.

NOW, THEREFORE, it is

ORDERED

The complaint charging unfair labor practices filed in the above-captioned matter is DISMISSED for lack of jurisdiction.

DATED at Olympia, Washington, this 7th day of April, 1995.

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.