

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL ASSOCIATION OF)	
FIRE FIGHTERS, LOCAL 2919,)	
)	CASE 12301-U-96-2907
Complainant,)	
)	
vs.)	DECISION 5477 - PECB
)	
CITY OF SEATAC,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
)	

The complaint charging unfair labor practices was filed in the above-captioned matter on January 30, 1996. The allegations were that the employee discharged a bargaining unit employee on or about September 8, 1995, and that a grievance was filed concerning that discharge. The union argued during the grievance process that the discharge violated established rules and regulations (including a "Table of Offenses") applicable to bargaining unit employees. The union alleged that the employer's subsequent unilateral repudiation of those rules and regulations constituted a violation of the employer's duty to bargain under RCW 41.56.140(1) and (4).

A preliminary ruling letter issued on February 20, 1996, pursuant to WAC 391-45-110,¹ asked the complainant to furnish the grievances, rules and regulations and correspondence referred to in the complaint. The complainant was advised that those documents were needed to form an opinion concerning the existence of a cause of action, and that the complaint would be dismissed unless 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 was filed and served within 14 days following the date of the preliminary ruling letter. Nothing further has been heard or received from the complaint.

NOW, THEREFORE, it is

ORDERED

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

ISSUED at Olympia, Washington, this 22th day of March, 1996.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

A handwritten signature in blue ink, appearing to read "Marvin L. Schurke", is written over the printed name below.

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.