

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

SPOKANE COUNTY,)	
)	
Employer.)	
-----)	
BETTY MORRIS,)	
)	
Complainant,)	CASE 12653-U-96-3020
)	
vs.)	DECISION 5715 - PECB
)	
[UNSPECIFIED PARTY OR PARTIES],)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
_____)	

On August 16, 1996, Betty Morris filed a letter addressed to the Executive Director of the Public Employment Relations Commission. That letter was accompanied by a multitude of attachments. Morris identified herself as an employee of Spokane County, and as a member of American Federation of State, County, and Municipal Employees (AFSCME), Local 1553.

The letter generally described the processing of two grievances which had been filed by Morris or on her behalf. It concludes with the following:

I will appreciate hearing from the Public Employment Relations Commission, with their interpretation as to why the union has not been able to be of any assistance to me, regardless of what management has done.

Morris did not, however, specifically name either the employer or union as a respondent. Nor was there any indication that Morris

had served copies of her letter and accompanying materials upon any other party.

In accord with standard agency practice, a case number was assigned to facilitate tracking of the request for some service from the Commission. While unfair labor practice proceedings under Chapter 391-45 WAC appeared to be best suited to the matters alleged in the letter and attachments, the docketing of a case does not constitute a ruling that a cause of action exists under any statute.

The materials submitted by Morris were reviewed for the purpose of making a preliminary ruling under WAC 391-45-110. At this 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. In a letter issued on September 20, 1996, the Executive Director advised Morris that the materials she had submitted did not furnish any basis for action by the Commission, and that certain procedural steps would have to be accomplished if she wished to pursue a complaint against a party or parties:

1. The party or parties alleged to have committed unfair labor practices would have to be clearly identified.
2. Detailed facts would have to be provided showing the nature of the unfair labor practice, including dates, times, and participants in occurrences.
3. A copy of any complaint filed with the Commission would have to be served upon each party alleged to have committed an unfair labor practice.

Morris was given 14 days to file and serve a complaint as required by Chapter 391-45 WAC, or face closure of the case. Nothing further has been heard or received from Morris.

NOW, THEREFORE, it is

ORDERED

The above-entitled matter is hereby DISMISSED, and the proceedings are closed.

ISSUED at Olympia, Washington, this 1st day of November, 1996.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARVIN L. SCHURKE, Executive Director

This order will be the final order of the agency unless appealed by filing a petition for review with the Commission pursuant to WAC 391-45-350.