

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

SPOKANE POLICE GUILD,)	CASE 12049-U-95-2833
)	
Complainant,)	DECISION 5734 - PECB
)	
vs.)	
)	
CITY OF SPOKANE,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
)	

The complaint charging unfair labor practices was filed with the Public Employment Relations Commission in the above-captioned matter on September 18, 1995. A cause of action was found to exist in a preliminary ruling letter issued under WAC 391-45-110 on October 5, 1995.¹ The employer filed an answer on October 26, 1995.²

On June 20, 1996, Examiner Rex L. Lacy was assigned to conduct further proceedings under Chapter 391-45 WAC.

The parties were granted an indefinite continuance, based upon assurances that settlement discussions were being pursued by the parties. The Examiner was subsequently informed that the matter

¹ 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.

² An inquiry was sent to the parties in November of 1995, to solicit information concerning the propriety of "deferral to arbitration" under Commission policy. The union responded, but the employer did not.

was indeed settled during negotiations between the parties. A withdrawal of the complaint was not forthcoming, however.

On October 15, 1996, the Examiner directed the parties to show cause, within 14 days following the date of that letter, as to why this unfair labor practice case should not be dismissed. Nothing further has been heard or received from the parties.

NOW, THEREFORE, it is

ORDERED

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

ISSUED at Olympia, Washington, on the 31st day of October, 1996

PUBLIC EMPLOYMENT RELATIONS COMMISSION


REX L. LACY, Examiner

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.