

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

CITY OF RICHLAND,)	
)	
Complainant,)	CASE 6289-U-86-1214
)	
vs.)	DECISION 2448-C - PECB
)	
INTERNATIONAL ASSOCIATION OF)	
FIRE FIGHTERS, LOCAL 1052,)	
)	
Respondent.)	ORDER OF REMAND
)	
)	

This case has been remanded to the Commission by the Supreme Court of the State of Washington. International Association of Fire Fighters v. PERC, 113 Wn.2d 197 (1989). In its review, the Court viewed the Commission as holding that equipment staffing is a nonmandatory subject of bargaining. Feeling that the Commission had made its finding without review of the facts presented to the Examiner, and without application of a case-by-case balancing approach, the Court remanded the scope of bargaining issue to the Commission.¹ In so doing, the Court voiced the opinion that it seemed appropriate for the Examiner to first address the issue on remand, since he had not done so in his initial decision.

NOW, THEREFORE, it is

ORDERED

The above-captioned case is remanded to Examiner William A. Lang, for the purpose of making a determination as to whether the existing record supports a finding that the union's equipment

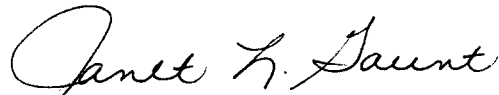
¹ The Supreme Court upheld the Commission's decision regarding bargaining of "effects".

staffing proposal was a mandatory subject of bargaining. In making that determination, the Examiner should be mindful that resolution of the issue requires consideration of: (1) How directly equipment staffing in Richland was shown to affect fire fighter workload or safety, compared to (2) the nature of the employer's interest in setting equipment staffing levels.

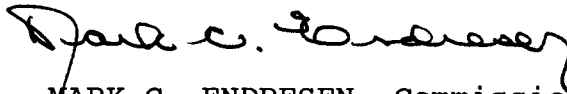
Dated at Olympia, Washington, the 28th day of June, 1990.

Issued at Olympia, Washington, this 29th day of June, 1990.

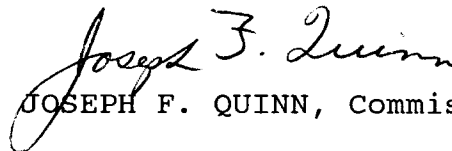
PUBLIC EMPLOYMENT RELATIONS COMMISSION



JANET L. GAUNT, Chairperson



MARK C. ENDRESEN, Commissioner



JOSEPH F. QUINN, Commissioner