

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL FEDERATION OF)	
PROFESSIONAL AND TECHNICAL)	
ENGINEERS, LOCAL 17, AFL-CIO,)	
)	
Complainant,)	CASE 6972-U-87-1415
)	
vs.)	DECISION 3329-A - PECB
)	
CITY OF SEATTLE,)	ORDER WITHDRAWING
)	ORDER OF DISMISSAL
Respondent.)	
)	
)	

The complaint charging unfair labor practices was filed in the above-entitled matter on August 11, 1987. A preliminary ruling was issued finding that a cause of action existed, and steps were taken to obtain a record on which a decision could be made. On September 18, 1989, the parties were ordered to either bring the case on for hearing or show cause why the above-captioned case should not be dismissed for lack of prosecution. Within the time allowed by the order to show cause, the union filed a letter requesting a further extension to October 6, 1989. The concurrence of the employer was indicated, along with information that the parties were progressing towards a joint stipulation of facts for submission to the Commission. Nothing further was heard or received from the parties, and an order was issued on November 1, 1989, dismissing the complaint for lack of prosecution.

On November 13, 1989, within the time permitted by WAC 391-45-330 for the withdrawal or modification of a decision, the union filed a request for reconsideration of the order of dismissal. That request was supported by a copy of correspondence exchanged between the parties as late as October 19, 1989.

The Executive Director has considered the matter, and concludes that the parties' silence may have been misinterpreted.

NOW, THEREFORE, it is

ORDERED

1. The Order of Dismissal issued in the above-captioned matter as City of Seattle, Decision 3329 (PECB, 1989) is vacated.
2. The parties shall, on or before December 1, 1989: (1) Complete and file their stipulation of facts in the above-captioned matter, or (2) bring the case on for hearing, or (3) show cause why the above-captioned case should not be dismissed for lack of prosecution.

Dated at Olympia, Washington on the 16th day of November, 1989.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARVIN L. SCHURKE, Executive Director