

Spokane County (Spokane County Deputy Sheriff's Association), Decision 12028-A (PECB, 2014)

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

SPOKANE COUNTY

For clarification of an existing bargaining unit represented by:

SPOKANE COUNTY DEPUTY SHERIFF'S ASSOCIATION

CASE 26055-U-13-6666

DECISION 12028-A - PECB

DECISION OF COMMISSION

Stocker, Smith, Luciani & Staub, PLLC, by *Thomas R. Luciani*, Attorney at Law, for the union.

Summit Law Group, PLLC, by *Michael C. Bolasina*, Attorney at Law, for the employer.

On October 30, 2013, Spokane County (employer) filed an unfair labor practice complaint against the Spokane County Deputy Sheriff's Association (union). The employer alleged the union breached its good faith bargaining obligation when it submitted, to the interest arbitrator, a wage proposal not tied to the Consumer Price Index (CPI) after it advanced proposals tied to the CPI during negotiations. After a hearing, Examiner Stephen W. Irvin concluded that the union breached its good faith bargaining obligation when it submitted a regressive proposal prior to interest arbitration.¹ The union appealed.

The Commission reviews conclusions and applications of law, as well as interpretations of statutes, de novo. We review findings of fact to determine if they are supported by substantial evidence and, if so, whether those findings in turn support the Examiner's conclusions of law. *C-Tran*, Decision 7087-B (PECB, 2002). Substantial evidence exists if the record contains

¹ *Spokane County*, Decision 12028 (PECB, 2014).

evidence of sufficient quantity to persuade a fair-minded, rational person of the truth of the declared premise. *C-Tran*, Decision 7087-B. The Commission attaches considerable weight to the factual findings and inferences, including credibility determinations, made by its examiners. *Cowlitz County*, Decision 7210-A (PECB, 2001).

We have reviewed the record and fully considered the arguments in this matter. The Examiner correctly stated the legal standard. Substantial evidence supports the Examiner's findings of fact. The findings of fact support the Examiner's conclusions of law. We affirm the Examiner.

NOW, THEREFORE, it is

ORDERED

The Findings of Fact, Conclusions of Law, and Order issued by Examiner Stephen W. Irvin are AFFIRMED and adopted as the Findings of Fact, Conclusions of Law, and Order of the Commission.

ISSUED at Olympia, Washington, this 10th day of July, 2014.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

MARILYN GLENN SAYAN, Chairperson

THOMAS W. McLANE, Commissioner

Commissioner Mark E. Brennan did not participate in the consideration or decision of this case.