

STATE OF WASHINGTON  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL LONGSHOREMEN'S AND WAREHOUSEMEN'S UNION, LOCAL 50	}	
Complainant,	}	CASE NO. 2196-U-79-309
vs.	}	DECISION NO. 970-A PECB
PORT OF ILWACO,	}	
Respondent.	}	DECISION OF COMMISSION

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John Bukoskey, Organizer, appeared on behalf of the union.

Loucks & Lamb, by Robert H. Lamb, attorney at law, appeared on behalf of the employer.

On September 24, 1980, Examiner Alan R. Krebs issued his Findings of Fact, Conclusions of Law and Order in the above-entitled matter, wherein he found certain unfair labor practice violations and made a remedial order. On November 10, 1980, the respondent filed a petition for review of the Examiner's Findings of Fact, Conclusions of Law and Order together with a motion for extension of the time for filing the petition for review, specifying as grounds for the motion that the attorney for the respondent was authorized in a timely manner to file a petition for review but has misplaced the order and other materials. The union responded by telephone call to the Executive Director of the Commission, taking a position in opposition to the consideration of a petition for review filed after the 20 day period specified by rule had passed.

WAC 391-21-534 (subsequently replaced by WAC 391-45-350) required that the employer's petition for review be filed in this case no later than October 17, 1980. The Examiner's Findings of Fact, Conclusions of Law and Order became final in the absence of a timely petition for review.

NOW, THEREFORE, it is


ORDERED

1. The motion of the Port of Ilwaco for an extension of time for filing of its petition for review is denied and the petition for review is dismissed as untimely.

2. The Port of Ilwaco, its officers and agents, shall notify the Executive Director of the Commission, in writing, within thirty days following the date of this Order, as to what steps have been taken to comply with the Order issued by Examiner Alan R. Krebs on September 24, 1980; and shall, at the same time, provide the Executive Director with a signed copy of the notice required by the Examiner's Order.

DATED this 12th day of December, 1980

PUBLIC EMPLOYMENT RELATIONS COMMISSION

  
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JANE R. WILKINSON, CHAIRMAN

  
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R.J. WILLIAMS, COMMISSIONER

  
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JOHN H. LEINEN, COMMISSIONER