

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)	
)	
DOROTHY SNYDER)	CASE NO. 5958-C-85-296
)	
for clarification of an existing)	DECISION NO. 2352-PECB
bargaining unit of employees of:)	
)	ORDER OF DISMISSAL
CITY OF PASCO)	
)	
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Office and Professional Employees Union, Local 11, (AFL-CIO) has previously been certified as exclusive bargaining representative of a bargaining unit of full-time and regular part-time office and clerical employees of the City of Pasco, including those employed at the Pasco/Franklin County Senior Center. See: City of Pasco, Decision 2088 (PECB, 1985).

On August 28, 1985, Dorothy Snyder filed a petition for clarification of existing bargaining unit with the Public Employment Relations Commission. The petitioner enclosed correspondence from which the following is excerpted:

It was recently brought to my attention I am a member of the O. P. E. International Union, Local 11. I called Gaylond Morris and reminded him that in October, 1984 I was told my name was not on the list of full-time employees submitted by the City of Pasco last Spring and therefore not eligible to vote. Now I discover anyone working 20 hours a week is a Union member.

I suggest that my voting rights have been denied and that the Information and Assistance office be exempt from the Union on the grounds we are totally funded by Area Agency on Aging with a separate contract with the City of Pasco. And I further suggest a recount of the votes since the name of Jean Shick, Senior Employment office, who works 20 hours a week, was not included either.

Accordingly, the petitioner seeks to have herself removed from the bargaining unit described above.

Improper exclusion of an eligible voter from the eligibility list could have been cured by the individual presenting himself/herself at the polls to cast a challenged ballot or by timely objection made by any party to the proceedings, but the time for doing so has long since passed. Unit clarification proceedings are conducted before the Public Employment Relations Commission pursuant to Chapter 391-35 WAC. WAC 391-35-010 states:

WAC 391-35-010 PETITION FOR CLARIFICATION OF AN EXISTING BARGAINING UNIT - WHO MAY FILE. In the absence of a question concerning representation, a petition for clarification of an existing bargaining unit may be filed by the employer, the exclusive representative or their agents or by the parties jointly.

Neither the employer or the exclusive representative has indicated any desire to join or support the petitioner in these proceedings. The petitioner herein clearly does not have standing under the cited rule to file a petition.

NOW, THEREFORE, it is

ORDERED

The petition filed in the above-entitled matter is dismissed.

DATED at Olympia, Washington, this 9th day of December, 1985.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARVIN L. SCHURKE, Executive Director

This Order may be appealed
by filing a petition for
review with the Commission
pursuant to WAC 391-35-210.