

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)	
)	
FRANKLIN PIERCE ASSOCIATION OF)	CASE 8211-C-89-460
EDUCATIONAL OFFICE PERSONNEL)	
)	DECISION 3462 - PECB
For clarification of an existing)	
bargaining unit of employees of:)	
)	ORDER OF DISMISSAL
FRANKLIN PIERCE SCHOOL DISTRICT)	
)	
)	
)	

On October 9, 1989, the Franklin Pierce Association of Educational Office Personnel filed a petition for clarification of an existing bargaining unit with the Public Employment Relations Commission, seeking a ruling on whether Franklin Pierce School District employees holding positions titled: "Payroll", "Fiscal Analyst", "Support Services Secretary", and "Curriculum/Instruction Secretary", should be included in the bargaining unit represented by that organization. The matter was docketed as Case 8211-C-89-460.

On October 16, 1989, the Classified Public Employees Association/WEA (CPEA) filed a petition for investigation of a question concerning representation with the Commission, seeking to replace the Franklin Pierce Association of Educational Office Personnel as exclusive bargaining representative of the office-clerical bargaining unit in the Franklin Pierce School District. That matter was docketed as Case 8207-E-89-1394. The bargaining unit involved was the same unit as involved in Case 8211-C-89-460.

A pre-hearing conference was conducted in Case 8227-E-89-1394 on November 9, 1989, at which time the parties entered into an election agreement pursuant to WAC 391-25-230, stipulating the existence of a question concerning representation. The parties also filed a supplemental agreement, pursuant to WAC 391-25-270, on

the bargaining unit status of the four positions involved in Case 8211-C-89-460.

The attention of the parties is directed to WAC 391-35-010, which states:

In the absence of a question concerning representation, a petition for clarification of an existing bargaining unit may be filed . . .

Where a question concerning representation exists, all issues concerning the scope of the bargaining unit and eligibility of voters must be resolved in the context of the representation proceedings conducted pursuant to Chapter 391-25 WAC. The above-captioned unit clarification case was thus held in abeyance pending the procession of the representation case. Case 8227-E-89-1394 has been processed, and an interim certification has been issued naming the CPEA as exclusive bargaining representative of the employees involved. The processing of the above-captioned case is thus precluded by WAC 391-35-010.

NOW, THEREFORE, it is

ORDERED

The petition for clarification of an existing bargaining unit filed in the above-captioned case is DISMISSED.

DATED at Olympia, Washington, this 9th day of April, 1990.

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.