

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)
)
GRAHAM FIRE FIGHTERS UNION,) CASE 10660-C-93-630
LOCAL 3125, IAFF)
) DECISION 4679 - PECB
For clarification of an existing)
bargaining unit of employees of:)
)
PIERCE COUNTY FIRE DISTRICT 21) ORDER OF DISMISSAL
)
)
_____)

On September 1, 1993, Graham Fire Fighters Union, Local 3125, an affiliate of the International Association of Fire Fighters, AFL-CIO, filed a petition for clarification of an existing bargaining unit of employees of Pierce County Fire District 21. The petition claimed that employees in the classification of "battalion chief" should be included in the bargaining unit, on a community of interest basis.

On October 13, 1993, the same union filed a petition for investigation of a question concerning representation, seeking certification as exclusive bargaining representative of a proposed bargaining unit which included the classification of "battalion chief". Case 10718-E-93-1767 was docketed for that representation proceeding.

A unit clarification petition cannot be processed in the presence of a question concerning representation. WAC 391-35-010. Accordingly, the above-captioned matter was held in abeyance while Case 10718-E-93-1767 was being processed. On January 14, 1994, the Commission conducted a telephonic prehearing conference with the parties. During the course of the prehearing conference the parties consented to a mail ballot election as the method to resolve the question concerning representation, and agreed upon a bargaining unit described as:

All full-time and regular part-time uniformed personnel, excluding supervisors, confidential employees and all other employees of the employer.

On February 16, 1994, the Commission issued a tally of ballots that indicated the employees in the bargaining unit had selected Local 3125 as their exclusive bargaining representative. On February 24, 1994, the Commission certified Graham Fire Fighters Union, Local 3125, IAFF, AFL-CIO, as the exclusive bargaining representative of the aforementioned bargaining unit.

It appears that any issues which might have been raised or decided in the above-captioned unit clarification proceeding were or should have been resolved in the representation proceedings.

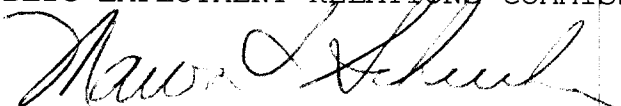
NOW, THEREFORE, it is

ORDERED

The petition for clarification of an existing bargaining unit filed in the above-referenced matter is hereby DISMISSED.

ENTERED at Olympia, Washington, this 21st day of April, 1994.

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.