

City of Spokane, Decision 5995 (PECB, 1997)

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:	)	
	)	
WASHINGTON STATE COUNCIL OF COUNTY	)	
AND CITY EMPLOYEES, LOCAL 270	)	CASE 11868-C-95-740
	)	
For clarification of an existing	)	DECISION 5995 - PECB
bargaining unit of employees of:	)	
	)	
CITY OF SPOKANE	)	ORDER OF DISMISSAL
_____	)	

Randy Withrow, Staff Representative, appeared on behalf of the union.

James C. Sloan, City Attorney, by Pat J. Dalton, Assistant City Attorney, appeared on behalf of the employer.

The above-captioned case was initiated by a petition for clarification of an existing bargaining unit filed by Washington State Council of County and City Employees (WSCCCE), Local 270, on June 28, 1995. The union sought to have a telecommunication services coordinator position removed from a bargaining unit represented by the Spokane Managerial & Professional Association (SMPA) and included in the bargaining unit represented by the WSCCCE.

Hearings on this matter were set for a number of dates starting with October 19, 1995, but were continued at the request of the parties. A hearing set for June 12, 1996, was continued indefinitely, upon the concurrence of both the employer and the WSCCCE with explanation that: "The parties have been working together on the issue and are awaiting action by the City's Civil Service Commission before a final resolution can occur". Since that time, the Hearing Officer has repeatedly been advised by the parties that

the dispute has been resolved, and that a written withdrawal would be forthcoming. Nothing has been received from the parties to withdraw the case, but there have been no attempts by the WSCCCE to bring this case on for a hearing. The Executive Director has considered the matter and, finding no indication that a viable dispute remains to be determined by the Commission under Chapter 391-35 WAC, concludes that the time has come to clear this matter from the Commission's docket of open cases.

NOW, THEREFORE, it is

ORDERED

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

Issued at Olympia, Washington, on the 30<sup>th</sup> day of July, 1997

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARVIN L. SCHURKE, Executive Director

This order will be the final order of the agency unless appealed by filing a petition for review with the Commission pursuant to WAC 391-35-210.