

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)	
)	
KING COUNTY FIRE DISTRICT NO. 39)	CASE NO. 6052-C-85-305
)	
For clarification of an existing bargaining unit of its employees represented by:)	DECISION 2638-A - PECB
)	
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 2024)	ORDER CLOSING CASE
)	
)	
)	

Perkins, Coie, by Michael T. Reynvaan, attorney at law, appeared on behalf of the employer.

Webster, Mrak and Blumberg, by Mark E. Brennan, attorney at law, appeared on behalf of the union.

Executive Director Marvin L. Schurke issued an order clarifying bargaining unit in the above-entitled matter on March 6, 1987. The proceedings were commenced by a petition for clarification of an existing bargaining unit filed by the employer on October 24, 1985, seeking division of a "mixed" bargaining unit consisting of both employees who were "uniformed personnel" within the meaning of Chapter 41.56 RCW and employees who were not "uniformed personnel" within the meaning of the statute. Based upon a conclusion that the existing bargaining unit was inappropriate under RCW 41.56.060 and Commission precedent, the Executive Director ordered the division of the existing bargaining unit into two separate bargaining units. The union filed a timely petition for review and a brief in support of its petition for review. The employer filed a letter supporting the decision of the Executive Director.

Prior to the issuance of a decision by the Commission, the employer submitted a letter to the Commission on July 24, 1987, requesting "that the petition in the above-referenced case be withdrawn". On August 5, 1987, the union submitted a letter to the Commission in which it "concur[s] in the Employer's request to withdraw the petition for unit clarification and withdraws its request for review of the decision of the Executive Director". Both such communications report a settlement between the parties, the terms of which are not disclosed.

The request for withdrawal of the original petition cannot be honored, since an order has been issued on the merits of the dispute under WAC 391-35-190. The request to withdraw the petition for review can be and is accepted, resulting in termination of the proceedings.

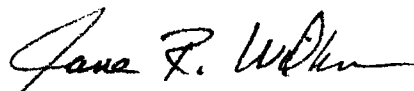
NOW, THEREFORE, it is

ORDERED

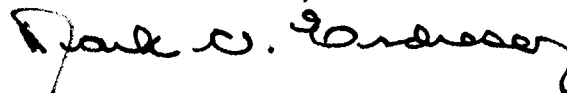
The request for withdrawal of the petition for review in the above-entitled matter is accepted and the proceedings are closed.

ISSUED at Olympia, Washington, this 28th day of August, 1987.

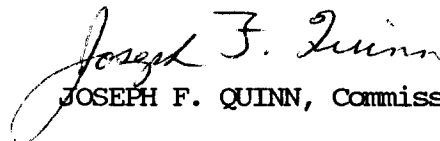
PUBLIC EMPLOYMENT RELATIONS COMMISSION



JANE R. WILKINSON, Chairman



MARK C. ENDRESEN, Commissioner



JOSEPH F. QUINN, Commissioner