

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

SEATTLE PROSECUTING ATTORNEYS'
ASSOCIATION

For clarification of an existing bargaining
unit of employees of:

CITY OF SEATTLE

CASE 24626-C-12-1491

DECISION 11406 - PECB

ORDER CLARIFYING
BARGAINING UNIT

Cline and Associates, by *Christopher Casillas*, Attorney at Law, for the union.

City of Seattle, by *Zahraa V. Wilkinson*, Assistant City Attorney, for the employer.

The Seattle Prosecuting Attorneys' Association ("SPAA") was certified by this agency as the exclusive bargaining representative of "all full-time and regular part-time Assistant City Attorneys of the City of Seattle in the Criminal Division, excluding supervisors, confidential employees, and all other employees." *City of Seattle*, Decision 10869 (PECB, 2010). The Criminal Division formerly included attorney positions in a Precinct Liaison Program, which was a bargaining unit position. The Precinct Liaison Program was eliminated near the end of 2011 and was reorganized in a new Precinct Liaison Division in the City Attorney's Office, separate from both the Civil and Criminal Divisions.

On March 1, 2012, the SPAA filed a petition for unit clarification requiring that the four Assistant City Attorney positions working within the newly created Precinct Liaison Division within the City of Seattle City Attorney's Office be included in the existing bargaining unit. Casey King was assigned as the Hearing Officer in this matter.

On May 3, 2012, the Hearing Officer conducted a pre-hearing conference to determine if the parties would stipulate to certain matters and resolve the case without the need for a hearing. The parties agreed that they would stipulate to including the four Assistant City Attorney positions working in the

newly created Precinct Liaison Division within the existing bargaining unit. On May 7, 2012, the Hearing Officer issued a "Statement of Results" detailing the stipulations made by the parties prior-to and during the conference call, and provided a 14-day period to file objections to those results. No objections to the Statement of Results were filed. Based on the stipulations of the parties, it is appropriate to certify the bargaining unit represented by SPAA.

FINDINGS OF FACT

1. The City of Seattle is a public employer within the meaning of Chapter 41.56 RCW.
2. The Seattle Prosecuting Attorneys' Association is certified as the exclusive bargaining representative of a bargaining unit described as:

All full-time and regular part-time Assistant City Attorneys of the City of Seattle in the Criminal Division, excluding supervisors, confidential employees, and all other employees.

3. On March 1, 2012, the Seattle Prosecuting Attorneys' Association filed a petition for a unit clarification requiring the four Assistant City Attorney positions working within the newly created Precinct Liaison Division within the City of Seattle City Attorney's Office be included in the existing bargaining unit.
4. On May 3, 2012, the parties stipulated that the bargaining unit definition should be changed to the following:

All full-time and regular part-time Assistant City Prosecutors of the City of Seattle in the Criminal Division and all full-time and regular part-time Assistant City Attorneys in the Precinct Liaison Division, excluding supervisors, confidential employees and all other employees in both divisions.

5. On May 7, 2012, a Statement of Results letter was sent to the parties verifying the stipulations that the parties had agreed to during the May 3, 2012 pre-hearing conference. The parties had 14 days following the issuance of the Statement of Results to object to any

of the statements made in the Statement of Results. No objections to the Statement of Results were made.

6. The petition did not raise questions concerning representation.
7. The parties waive their right to a hearing under Chapter 391-35 WAC.
8. The parties waive their right to appeal under WAC 391-35-210.

CONCLUSIONS OF LAW

1. The Public Employment Relations Commission has jurisdiction in this matter under Chapter 41.56 RCW.
2. The bargaining unit described in Finding of Fact 4 is an appropriate bargaining unit under RCW 41.56.060.

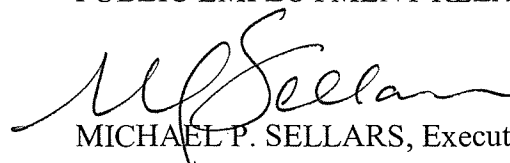
ORDER

The existing bargaining unit described in Finding of Fact 2 shall be modified as follows:

All full-time and regular part-time Assistant City Prosecutors of the City of Seattle in the Criminal Division and all full-time and regular part-time Assistant City Attorneys in the Precinct Liaison Division, excluding supervisors, confidential employees and all other employees in both divisions.

ISSUED at Olympia, Washington, this 26th day of June, 2012.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MICHAEL P. SELLARS, Executive Director



PUBLIC EMPLOYMENT RELATIONS COMMISSION

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PUBLIC EMPLOYMENT RELATIONS
COMMISSION

BY:  ROBBIE DUFFIELD

CASE NUMBER: 24626-C-12-01491 FILED: 03/01/2012 FILED BY: JOINT
DISPUTE: COMMUNITY INT
BAR UNIT: PROFESSIONAL
DETAILS: -
COMMENTS:

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