

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petitions of:

INTERNATIONAL ASSOCIATION OF  
FIRE FIGHTERS, LOCAL 2950

For clarification of an existing bargaining  
unit of employees of:

KING COUNTY FIRE DISTRICT 36  
d/b/a/ WOODINVILLE FIRE & RESCUE

CASE 24923-C-12-1518  
DECISION 11424 - PECB

CASE 24924-C-12-1519  
DECISION 11425 - PECB

CASE 24968-C-12-1522  
DECISION 11426 - PECB

ORDER AMENDING  
CERTIFICATIONS

*Chris Mezzone*, Vice President, for the union.

Summit Law Group, by *Sofia Mabee*, Attorney at Law, for the employer.

On June 25, 2012, International Association of Fire Fighters, Local 2950 (Local 2950) filed two unit clarification petitions seeking amendment of two bargaining unit certifications involving employees of King County Fire District 36 (employer). The amendment sought by Local 2950 was to reflect the results of a vote undertaken by the employees to affiliate and merge Local 2950 into International Association of Fire Fighters, Local 2099 (Local 2099). Accompanying each petition was evidence demonstrating that bargaining unit members did in fact affirmatively vote for the affiliation and merger. On July 3, 2012, Local 2950 filed a third petition seeking amendment to a third bargaining unit description in a manner similar to the earlier filed petitions. The three bargaining units at issue are described as follows:

Case 24923-C-12-1518 involves the “support services” bargaining unit. That unit is described as “All full-time and regular part-time non-uniformed personnel of the King County Fire District 36 (Woodinville Fire and Life Safety District) excluding supervisors, confidential employees and uniformed personnel.” *King County Fire District 36*, Decision 9842 (PECB, 2007).

Case 24923-C-12-1519 involves the “uniformed staff” bargaining unit. That unit is described as “All full-time and regular part-time uniformed employees of the fire department except supervisory and confidential employees.” *King County Fire District 36*, Decision 2341 (PECB 1985).

Case 24968-C-12-1522 involves the “battalion chiefs” bargaining unit. That unit is described as “All full-time uniformed battalion chiefs of the Woodinville Fire and Life Safety District, excluding all other employees of the employer.” *King County Fire District 36*, Decision 4616 (PECB, 1994).

On July 5, 2012, the employer submitted a letter stating that it did not dispute that Local 2950 and Local 2099 provided the necessary documentation to meet the continuity and due process standards. The employer also stated that it did not oppose the transfer provided there was no attempt to modify or merge the existing bargaining units other than changing the name of the exclusive bargaining agent.

## DISCUSSION

When a union seeks to amend a certification to reflect its affiliation with another labor organization, the union must show that union members were provided with due process and there is sufficient continuity between the pre- and post-affiliation union, thereby not raising a question concerning representation. *Skagit Valley Hospital*, Decision 2509-A (PECB, 1987), *aff’d*, *Skagit Valley Hospital v. PERC*, 55 Wn. App. 348 (1989). Generally, this Commission will not be inclined to overturn a union affiliation because of lack of “continuity” unless the organizational change has been so extensive that a certified bargaining representative has been displaced by a wholly different organization, or unless other, more traditional evidence exists that the successor organization lacks majority support. *Skagit Valley Hospital*, Decision 2509-A.

Due process concerns are satisfied where the petitioning labor organization provides documentation that a majority of employees were in favor of the transfer. The affiliation process

is completed with due process when there is notice to the employees, an opportunity to discuss, and an election conducted with reasonable precautions to maintain ballot secrecy.

The stated purpose of each petition is only to affiliate and merge Local 2950 into Local 2099, two separate locals within the umbrella of the International Association of Fire Fighters. Additionally, the scope of the three bargaining units to be represented by Local 2099 remains unchanged. Finally, Local 2950 provided a notarized statement demonstrating that the bargaining unit employees were permitted a vote on whether the employees wanted to affiliate and merge with Local 2099 and that 92.6% of the employees supported the merger. Because it readily appears that continuity and due process requirements have been satisfied in this case, the existing certifications are amended.

#### FINDINGS OF FACT

1. King County Fire District 36 is a public employer within the meaning of RCW 41.56.030(12).
2. International Association of Fire Fighters, Local 2950, is a bargaining representative within the meaning of RCW 41.56.030(2).
3. International Association of Fire Fighters, Local 2099, is a bargaining representative within the meaning of RCW 41.56.030(2).
4. On June 26, Local 2950 filed two petitions seeking to amend the existing certification of the support services and uniformed staff bargaining units to reflect that the employees voted to affiliate and merge Local 2950 with Local 2099.
5. On July 3, 2012, Local 2950 filed a petition seeking to the existing certification of the battalion chiefs' bargaining unit to reflect that the employees voted to affiliate and merge Local 2950 with Local 2099.

6. Accompanying all three of Local 2950's petitions was evidence demonstrating that the employees were provided an opportunity to vote on whether or not to affiliate and merge Local 2950 into Local 2099, and evidence demonstrating that the employees affirmatively voted for the affiliation and merger.
7. On July, 5, 2012, King County Fire District 36 filed a letter indicating that it had no opposition to the merger.

#### CONCLUSIONS OF LAW

1. The Public Employment Relations Commission has jurisdiction in this matter pursuant to Chapter 41.56 RCW.
2. Based upon Findings of Fact 6 and 7, Local 2950 provided due process to employees in allowing them to vote on whether or not to affiliate with Local 2099.
3. Based upon Finding of Fact 6, Local 2950 has affiliated with Local 2099.

#### ORDERED

1. Decision 11424 - PECB clarifies the certification issued in *King County Fire District 36*, Decision 9842 (PECB, 2007), which is amended to reflect that the International Association of Fire Fighters, Local 2099, is now the exclusive bargaining representative of record. The bargaining unit description remains unchanged.
2. Decision 11425 - PECB clarifies the certification issued in *King County Fire District 36*, Decision 2341 (PECB, 1985), which is amended to reflect that the International Association of Fire Fighters, Local 2099, is now the exclusive bargaining representative of record. The bargaining unit description remains unchanged.

3. Decision 11426 - PECB clarifies the certification issued in *King County Fire District 36*, Decision 4616 (PECB, 1994), which is amended to reflect that the International Association of Fire Fighters, Local 2099, is now the exclusive bargaining representative of record. The bargaining unit description remains unchanged.

ISSUED at Olympia, Washington, this 17<sup>th</sup> day of July, 2012.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MICHAEL P. SELLARS, Executive Director

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under WAC 391-35-210.



## PUBLIC EMPLOYMENT RELATIONS COMMISSION

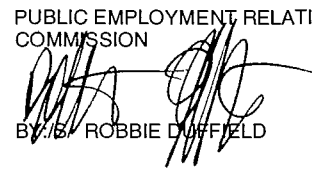
112 HENRY STREET NE SUITE 300  
PO BOX 40919  
OLYMPIA, WASHINGTON 98504-0919

MARILYN GLENN SAYAN, CHAIRPERSON  
PAMELA G. BRADBURN, COMMISSIONER  
THOMAS W. McLANE, COMMISSIONER  
MIKE SELLARS, EXECUTIVE DIRECTOR

### RECORD OF SERVICE - ISSUED 07/17/2012

The attached document identified as: **DECISION 11424 - PECB** has been served by the Public Employment Relations Commission by deposit in the United States mail, on the date issued indicated above, postage prepaid, addressed to the parties and their representatives listed in the docket records of the Commission as indicated below:

PUBLIC EMPLOYMENT RELATIONS  
COMMISSION

BY:  ROBBIE DUFFIELD

CASE NUMBER: 24923-C-12-01518                      FILED: 06/25/2012                      FILED BY: PARTY 2  
DISPUTE: MISC CLARIF  
BAR UNIT: NON UNIFORMED  
DETAILS: Support Services  
COMMENTS:

EMPLOYER: KING FIRE DIST 36  
ATTN: MARK CHUBB  
WOODINVILLE FIRE & LIFE SAFETY  
PO BOX 2200  
WOODINVILLE, WA 98072  
Ph1: 425-483-2131

REP BY: SOFIA MABEE  
SUMMIT LAW GROUP  
315 5TH AVE S STE 1000  
SEATTLE, WA 98104  
Ph1: 206-676-7112    Ph2: 206-676-7000

PARTY 2: IAFF LOCAL 2950  
ATTN: TONY WOODS  
PO BOX 652  
WOODINVILLE, WA 98072  
Ph1: 206-979-6939

REP BY: CHRIS MEZZONE  
IAFF LOCAL 295  
PO BOX 652  
WOODINVILLE, WA 98072  
Ph1: 425-417-4234



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THOMAS W. McLANE, COMMISSIONER  
MIKE SELLARS, EXECUTIVE DIRECTOR

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The attached document identified as: **DECISION 11425 - PECB** has been served by the Public Employment Relations Commission by deposit in the United States mail, on the date issued indicated above, postage prepaid, addressed to the parties and their representatives listed in the docket records of the Commission as indicated below:

PUBLIC EMPLOYMENT RELATIONS  
COMMISSION

BWS/ ROBBIE DUFFIELD

CASE NUMBER: 24924-C-12-01519 FILED: 06/25/2012 FILED BY: PARTY 2  
DISPUTE: MISC CLARIF  
BAR UNIT: FIREFIGHTERS  
DETAILS: Uniformed Staff  
COMMENTS:

EMPLOYER: KING FIRE DIST 36  
ATTN: MARK CHUBB  
WOODINVILLE FIRE & LIFE SAFETY  
PO BOX 2200  
WOODINVILLE, WA 98072  
Ph1: 425-483-2131

REP BY: SOFIA MABEE  
SUMMIT LAW GROUP  
315 5TH AVE S STE 1000  
SEATTLE, WA 98104  
Ph1: 206-676-7112 Ph2: 206-676-7000

PARTY 2: IAFF LOCAL 2950  
ATTN: TONY WOODS  
PO BOX 652  
WOODINVILLE, WA 98072  
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REP BY: CHRIS MEZZONE  
IAFF LOCAL 295  
PO BOX 652  
WOODINVILLE, WA 98072  
Ph1: 425-417-4234



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THOMAS W. McLANE, COMMISSIONER  
MIKE SELLARS, EXECUTIVE DIRECTOR

### RECORD OF SERVICE - ISSUED 07/17/2012

The attached document identified as: **DECISION 11426 - PECB** has been served by the Public Employment Relations Commission by deposit in the United States mail, on the date issued indicated above, postage prepaid, addressed to the parties and their representatives listed in the docket records of the Commission as indicated below:

PUBLIC EMPLOYMENT RELATIONS  
COMMISSION

BY: S/ROBBIE DUFFIELD

CASE NUMBER: 24968-C-12-01522                      FILED: 07/03/2012                      FILED BY: PARTY 2  
DISPUTE: MISC CLARIF  
BAR UNIT: SUPERVISORS  
DETAILS: -  
COMMENTS:

EMPLOYER: KING FIRE DIST 36  
ATTN: MARK CHUBB  
WOODINVILLE FIRE & LIFE SAFETY  
PO BOX 2200  
WOODINVILLE, WA 98072  
Ph1: 425-483-2131

REP BY: SOFIA MABEE  
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PARTY 2: IAFF LOCAL 2950  
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REP BY: CHRIS MEZZONE  
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