

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the joint petition of:

KING COUNTY

and

PUBLIC SAFETY EMPLOYEES UNION

For clarification of an existing
bargaining unit.

CASE 25123-C-12-1527

DECISION 11507 - PECB

ORDER CLARIFYING
BARGAINING UNIT

Dustin Frederick, Business Manager, for the union.

Lance King, Labor Negotiator for the employer.

On September 10, 2012, King County (employer) and Public Safety Employees Union (PSEU) jointly filed a petition requesting clarification of PSEU's Non-Commissioned Professional Employees bargaining unit at the King County Sheriff's Office. PSEU's bargaining unit, which is described in Article 2, section 1 of the parties' 2009-2012 collective bargaining agreement, consists of employees performing a variety of administrative and technical functions in the King County Sheriff's Office, including employees in the Automated Fingerprint Identification System (AFIS) section.¹ The AFIS section provides fingerprint identification services to criminal justice agencies throughout King County.

The employer and PSEU are currently in negotiations for a successor agreement to replace the one that expires on December 31, 2012. Due to differences in funding source and regional obligations, the parties agreed during bargaining that the employees in the AFIS section should be in a separate bargaining unit. Additionally, the parties identified approximately 18 positions that are supervisory in nature. The petition seeks to separate the existing unit into three different

¹ PSEU and the employer's collective bargaining relationship has existed since 1976. No agency record exists demonstrating that this Commission formally certified the parties' bargaining relationship.

units: a supervisory bargaining unit, a unit consisting of employees in the AFIS section, and the non-commissioned professional employees unit.

On October 5, 2012, Hearing Officer Dario de la Rosa conducted a conference call with the parties to determine if they would stipulate to certain matters and resolve the case without the need for a hearing. The parties stipulated that the following three bargaining units are appropriate units where PSEU represents a majority of employees:

- All non-commissioned non-supervisory professional employees of the King County Sheriff's Office, excluding commissioned officers, employees in the AFIS section, confidential employees, supervisors, and all other employees.
- All non-commissioned non-supervisory professional employees of the King County Sheriff's Office in the AFIS section, excluding commissioned officers, confidential employees, supervisors, and all other employees.
- All non-commissioned supervisory professional employees of the King County Sheriff's Office, excluding commissioned officers, non-supervisory employees, confidential employees, and all other employees.

The parties also stipulated that this matter should be resolved without the need for a hearing. In accordance with the parties' stipulations, it is appropriate to clarify PSEU's bargaining unit.

FINDINGS OF FACT

1. King County is a public employer within the meaning of Chapter 41.56 RCW.
2. Public Safety Employees Union represents a bargaining unit of non-commissioned professional employees in the King County Sheriff's Office. The bargaining unit is described in Article 2, section 1 of the parties' 2009-2012 collective bargaining agreement.
3. King County and PSEU are currently in negotiations for a collective bargaining agreement to succeed their current agreement which expires on December 31, 2012.

4. On September 10, 2012, the King County and PSEU jointly filed a unit clarification petition seeking to separate PSEU's existing bargaining unit into three different units.
5. During a October 5, 2012 conference call, King County and PSEU stipulated that PSEU's existing bargaining unit should be separated into three different units described as follows:
 - All non-commissioned non-supervisory professional employees of the King County Sheriff's Office, excluding commissioned officers, employees in the AFIS section, confidential employees, supervisors, and all other employees.
 - All non-commissioned non-supervisory professional employees of the King County Sheriff's Office in the AFIS section, excluding commissioned officers, confidential employees, supervisors, and all other employees.
 - All non-commissioned supervisory professional employees of the King County Sheriff's Office, excluding commissioned officers, non-supervisory employees, confidential employees, and all other employees.
6. The petition to clarify PSEU's bargaining unit did not raise a question 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 Chapter 391-35-210.

CONCLUSIONS OF LAW

1. The Public Employment Relations Commission has jurisdiction in this matter under Chapter 41.56 RCW and Chapter 391-35 WAC.
2. The bargaining units described in Finding of Fact 5 are appropriate bargaining units under RCW 41.56.060.

ORDER

The existing bargaining unit represented by Public Safety Employees Union described in Finding of Fact 2 shall be separated into three different units as follows:

1. All non-commissioned non-supervisory professional employees of the King County Sheriff's Office, excluding commissioned officers, employees in the AFIS section, confidential employees, supervisors, and all other employees.
2. All non-commissioned non-supervisory professional employees of the King County Sheriff's Office in the AFIS section, excluding commissioned officers, confidential employees, supervisors, and all other employees.
3. All non-commissioned supervisory professional employees of the King County Sheriff's Office, excluding commissioned officers, non-supervisory employees, confidential employees, and all other employees.

ISSUED at Olympia, Washington, this 12th day of October, 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: 25123-C-12-01527 FILED: 09/10/2012 FILED BY: JOINT
DISPUTE: MISC CLARIF
BAR UNIT: NON UNIFORMED
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