

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petitions of:

TEAMSTERS, LOCAL 690

For clarification of an existing bargaining  
unit of employees of:

LINCOLN COUNTY

CASE 127692-C-15

DECISION 12471 – PECB

ORDER OF AFFILIATION

*Joseph Kuhn*, Business Representative, for Teamsters, Local 690.

*Wade Magers*, Sheriff, for Lincoln County.

On October 29, 2015, Teamsters, Local 690 (Teamsters) filed a unit clarification petition seeking to amend a bargaining unit certification involving the non-uniformed jail staff of Lincoln County (employer). The Lincoln County Deputies Guild (Guild) currently represents the jail staff bargaining unit. That bargaining unit is described as “All full-time and regular part-time jail staff Lincoln County, excluding supervisors, confidential employees, and all other employees.” A bargaining unit between the Guild and the employer expires on December 31, 2016.

Accompanying the petitions was evidence demonstrating that bargaining unit members did in fact affirmatively vote for the affiliation and merger. The employer has affirmatively stated that it is not opposed to the affiliation.

The only issue to be decided is whether the Guild’s request to affiliate with the Teamsters should be accepted. Based upon the evidence provided by the Teamsters, a majority of employees in the Guild’s jail staff bargaining unit have credibly demonstrated that they desire to affiliate with the Teamsters. Accordingly, the Guild is now an affiliate of the Teamsters.

DISCUSSION

When a union seeks to amend a certification due to its affiliation with another labor organization, it must show that its members were provided with due process during the affiliation process. Due process may be satisfied through a vote of the union's membership. *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 reject a union affiliation where the membership has been provided an opportunity to vote. However, an affiliation vote may be overturned due to a lack of "continuity" between the pre- and post- affiliation union. A lack of continuity will exist if the organizational changes to the union have been so extensive that a certified bargaining representative has been displaced by a wholly different organization. *Skagit Valley Hospital*, Decision 2509-A. An affiliation vote may also be overturned if other, more traditional evidence exists that the successor organization lacks majority support. *Id.*

The petitioning labor organization must satisfy due process concerns by providing evidence or documentation that the employees are in favor of the transfer. The employees must be provided notice of the election, given an opportunity to discuss the matter, and allowed to exercise his or her choice in a manner with reasonable precautions to maintain ballot secrecy.

The petition purports only to affiliate and merge the Guild into the Teamsters. The leadership structure in existence at the Guild remains intact and the negotiated agreements remain in effect. Additionally, the scope of the bargaining units to be represented by Teamsters remains unchanged. Finally, the Teamsters provided a notarized statement demonstrating that the bargaining unit employees were permitted a vote on whether the employees wanted to affiliate and merge with the Teamsters and that 100% of the employees supported the merger. Because it readily appears that continuity and due process requirements have been satisfied in this case, the Guild has affirmatively affiliated with the Teamsters.

FINDINGS OF FACT

1. Lincoln County is a public employer within the meaning of RCW 41.56.030(12).
2. The Lincoln County Deputies Guild (Guild) is a bargaining representative within the meaning of RCW 41.56.030(2).
3. Teamsters, Local 690 (Teamsters) is a bargaining representative within the meaning of RCW 41.56.030(2).
4. The Lincoln County Deputies Guild (Guild) currently represents the jail staff bargaining unit. That bargaining unit is described as “All full-time and regular part-time jail staff Lincoln County, excluding supervisors, confidential employees, and all other employees.”
5. On October 29, 2015, the Teamsters filed a petition seeking to affiliate and merge Guild with the Teamsters.
6. Accompanying the Teamsters’ petition was evidence demonstrating that the employees were provided an opportunity to vote on whether or not to affiliate and merge the Guild into the Teamsters, and evidence demonstrating that the employees affirmatively voted for the affiliation and merger.

CONCLUSIONS OF LAW

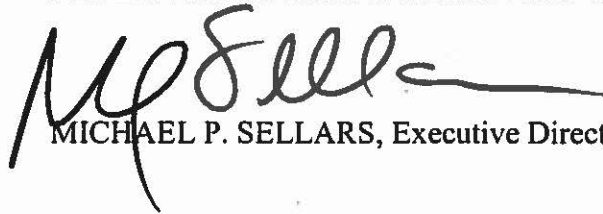
1. The Public Employment Relations Commission has jurisdiction in this matter pursuant to Chapter 41.56 RCW.
2. Based upon Findings of Fact 5 and 6, the Guild provided due process to employees in allowing them to vote on whether or not to affiliate with the Teamsters.
3. Based upon Finding of Fact 6, Guild has affiliated with the Teamsters.

ORDERED

The Lincoln County Deputies Guild is now an affiliate of the Teamsters, Local 690.

ISSUED at Olympia, Washington, this 19th day of November, 2015.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

A handwritten signature in black ink, appearing to read "M P Sellars", with a long horizontal flourish extending to the right.

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**

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**RECORD OF SERVICE - ISSUED 11/19/2015**

DECISION 12471 - PECB has been mailed by the Public Employment Relations Commission to the parties and their representatives listed below:

  
BY: DEBBIE BATES

CASE NUMBER: 127692-C-15

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