

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

STATE – ENTERPRISE SERVICES
(FINANCE)

and

WASHINGTON FEDERATION OF
STATE EMPLOYEES

For clarification of an existing
bargaining unit.

CASE 24631-C-12-1496
DECISION 11670-A – PSRA

CASE 24920-C-12-1515
DECISION 11671-A – PSRA

ORDER CLOSING CASES

In 2001, the Legislature passed Engrossed Substitute Senate Bill (ESSB) 5931 which consolidated all or parts of five separate agencies and created the Department of Enterprise Services (employer). That legislation directed this agency to review any bargaining unit transferred to Enterprise Services to ensure that the bargaining unit remained appropriate under RCW 41.80.070. If any bargaining unit was deemed inappropriate, ESSB 5931 granted authority to modify the transferred bargaining unit and, if necessary, conduct a representation election.

Prior to the enactment of ESSB 5931, the Washington Federation of State Employees (WFSE) represented a bargaining unit at the Department of Information Services (Information Services). The bargaining unit at Information Services contained approximately 300 employees in a wall-to-wall bargaining unit that encompassed all of the non-supervisory employees of the agency. Following enactment of ESSB 5931, Information Services was abolished and the employees in the Information Services bargaining unit were dispersed between two different state agencies, Enterprise Services and Consolidated Technology Services. The employees assigned to Enterprise Services were dispersed throughout that agency.

On March 1, 2012, the WFSE filed a petition concerning the employees transferred to the Finance Division. On June 22, 2012, the employer filed a petition concerning the employees transferred to the same division. Some, but not all, of the employees in the Finance Division originated from the Information Services bargaining unit.

A hearing was held and on February 25, 2013, a decision was issued that determined the Information Services bargaining unit that transferred to Enterprise Services was no longer appropriate under RCW 41.80.070 because the employees from that bargaining unit were not placed within the Enterprise Services organizational structure as a distinct, identifiable group. *State – Enterprise Services (Finance)*, Decision 11670 (PSRA, 2013). The decision also held some of the employees in the Finance Division could constitute a separate appropriate bargaining unit. However, because the evidence was incomplete regarding all of the employees in the division, the case was remanded to the hearing officer for additional evidence. Finally, the decision also directed that the administrative employees in the Finance Division should be included in a separate bargaining unit with the other administrative employees in Enterprise Services, and that an election would be held for those employees.¹

On June 20, 2013, WFSE filed written notice with this agency disclaiming any interest in the employees in the Finance Division who were formerly included in the Information Services bargaining unit. WFSE also disclaimed interest in the administrative employees within Enterprise Services. Based upon these disclaimers, WFSE requested that no further action concerning these employees be taken by this agency.

WFSE's disclaimers of interest in the represented employees within the Finance Division of Enterprise Services are accepted. These matters will be closed without the need of the additional hearing that was ordered for the employees in the Finance Division or the election that was directed for the administrative employees of the employer as required by *State – Enterprise Services (Finance)*, Decision 11670.

¹ The administrative employees were scattered throughout Enterprise Services, and other decisions related to creation of Enterprise Services also directed elections for the administrative employees. *State – Enterprise Services (Business Resources)*, Decision 11656 (PSRA, 2013); *State – Enterprise Services (Contracts & Legal Services)*, Decision 11652 (PSRA, 2013).

ORDERED

The disclaimers of interest filed by the Washington Federation of State Employees for the employees in the Finance Division of the Washington State Department of Enterprise Services are ACCEPTED and the above-captioned matters shall be CLOSED without the need of a representation election.

ISSUED at Olympia, Washington, this 25th day of June, 2013.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

A handwritten signature in black ink, appearing to read "MP Sellars", with a horizontal line 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

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 06/25/2013

The attached document identified as: **DECISION 11670-A - PSRA** 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

Majel C. Bowdla
BY: /s/ MAJEL C. BOWDLA

CASE NUMBER: 24631-C-12-01496 FILED: 03/01/2012 FILED BY: PARTY 2
 DISPUTE: MISC CLARIF
 BAR UNIT: TECHNICAL
 DETAILS: Finance
 COMMENTS:

EMPLOYER: STATE - ENTERPRISE SERVICES
 ATTN: RICK HALL
 210 11TH AVE SW STE 331
 PO BOX 43113
 OLYMPIA, WA 98504-3113
 Ph1: 360-725-5540

REP BY: KARA LARSEN
 OFFICE OF THE ATTORNEY GENERAL
 7141 CLEANWATER DR SW
 PO BOX 40145
 OLYMPIA, WA 98504-0145
 Ph1: 360-664-4167

PARTY 2: WA FED OF STATE EMPLOYEES
 ATTN: GLADYS BURBANK
 1212 JEFFERSON ST SE STE 300
 OLYMPIA, WA 98501-2332
 Ph1: 800-562-6002 Ph2: 360-352-7603

REP BY: EDWARD YOUNGLOVE
 YOUNGLOVE COKER
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MIKE SELLARS, EXECUTIVE DIRECTOR

RECORD OF SERVICE - ISSUED 06/25/2013

The attached document identified as: DECISION 11671-A - PSRA 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

Majel C. Boudia
 BY: /S/ MAJEL C. BOUDIA

CASE NUMBER: 24920-C-12-01515 FILED: 06/22/2012 FILED BY: EMPLOYER
 DISPUTE: COMMUNITY INT
 BAR UNIT: TECHNICAL
 DETAILS: Finance
 COMMENTS:

EMPLOYER: STATE - ENTERPRISE SERVICES
 ATTN: RICK HALL
 210 11TH AVE SW STE 331
 PO BOX 43113
 OLYMPIA, WA 98504-3113
 Ph1: 360-725-5540

REP BY: KARA LARSEN
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