

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

KING COUNTY

For clarification of an existing bargaining  
unit represented by:

TECHNICAL EMPLOYEES  
ASSOCIATION

CASE 24873-C-12-1508

DECISION 11828-A - PECB

DECISION OF COMMISSION

Cline and Associates, by *James M. Cline*, Attorney at Law, for the union.

*Sasha P. Alessi*, Labor Negotiator, for the employer.

Schwerin Campbell Barnard Iglitzin & Lavitt L.L.P., by *Sean Leonard*, Attorney at Law, for Professional and Technical Employees, Local 17.

On June 12, 2012, King County (employer) filed a unit clarification petition seeking to include employees represented by the Technical Employees Association (TEA) in the information technology unit represented by Professional and Technical Employees, Local 17 (Local 17). The employer reorganized its workforce. Employees represented by TEA were moved from the Department of Natural Resources and Parks to the Department of Information Technology. Local 17 represented the majority of information technology employees in the Local 17 information technology bargaining unit. After a hearing, the Executive Director concluded that the petition was timely and granted the petition.<sup>1</sup> TEA filed a timely appeal.

The Commission reviews conclusions as applications of law, as well as interpretations of statutes, de novo. We review findings of fact to determine if they are supported by substantial evidence and, if so, whether those findings in turn support the Examiner's conclusions of law.

<sup>1</sup> *King County*, Decision 11828 (PECB, 2013).

*C-Tran*, Decision 7088-B (PECB, 2002). Substantial evidence exists if the record contains evidence of sufficient quantity to persuade a fair-minded, rational person of the truth of the declared premise. *C-Tran*, Decision 7088-B. The Commission attaches considerable weight to the factual findings and inferences, including credibility determinations, made by its examiners. *Cowlitz County*, Decision 7210-A (PECB, 2001).

The Executive Director correctly stated the legal standard. Substantial evidence supports the Executive Director's Findings of Fact, which support the Executive Director's Conclusions of Law. After fully considering the evidence and arguments before us, we affirm the Executive Director.

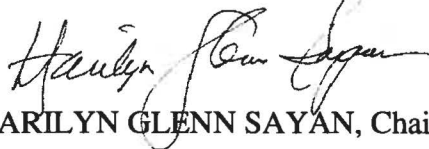
NOW, THEREFORE, it is

ORDERED

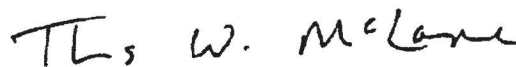
The Findings of Fact, Conclusions of Law, and Order issued by Executive Director Michael P. Sellars are AFFIRMED and adopted as the Findings of Fact, Conclusions of Law, and Order of the Commission.

ISSUED at Olympia, Washington, this 14<sup>th</sup> day of November, 2013.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



THOMAS W. McLANE, Commissioner



MARK E. BRENNAN, Commissioner



## 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 11/14/2013

The attached document identified as: DECISION 11828-A - 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/ MAJEL C. BOUDIA

CASE NUMBER: 24873-C-12-01508 FILED: 06/12/2012 FILED BY: EMPLOYER  
DISPUTE: COMMUNITY INT  
BAR UNIT: TECHNICAL  
DETAILS:  
COMMENTS:

EMPLOYER: KING COUNTY  
ATTN: JAMES JOHNSON  
500 4TH AVE RM 450  
ADM-ES-0450  
SEATTLE, WA 98104-2372  
Ph1: 206-205-5321 Ph2: 206-296-8556

REP BY: SASHA ALESSI  
KING COUNTY  
ADM-ES-0450  
500 4TH AVE RM 450  
SEATTLE, WA 98104  
Ph1: 206-205-1562

PARTY 2: TECHNICAL EMPLOYEES ASSN  
ATTN: ADE FRANKLIN  
KING STREET CENTER  
PO BOX 4353  
SEATTLE, WA 98104-0353  
Ph1: 206-684-1293

REP BY: JAMES CLINE  
CLINE AND ASSOCIATES  
2003 WESTERN AVE STE 550  
SEATTLE, WA 98121  
Ph1: 206-838-8770

PARTY 3: PTE LOCAL 17  
ATTN: JOSEPH MCGEE  
2900 EASTLAKE AVE E STE 300  
SEATTLE, WA 98102-3012  
Ph1: 206-328-7321 Ph2: 800-783-0017

REP BY: SEAN M LEONARD  
SCHWERIN CAMPBELL BARNARD IGLITZIN AND LAVITT  
18 WEST MERCER STREET STE 400  
SEATTLE, WA 98119-3971  
Ph1: 206-285-2828