

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

GLORIA BUTTS,

Complainant,

vs.

FEDERAL WAY SCHOOL DISTRICT,

Respondent.

CASE 131413-U-19

DECISION 13010-A - PECB

DECISION OF COMMISSION

GLORIA BUTTS,

Complainant,

vs.

PUBLIC SCHOOL EMPLOYEES OF  
WASHINGTON,

Respondent.

CASE 131414-U-19

DECISION 13011-A - PECB

DECISION OF COMMISSION

*Gloria Butts*, the complainant.

*Alexandria Sheridan*, General Counsel, for the Federal Way School District.

*Elyse B. Maffeo*, General Counsel, for the Public School Employees of Washington.

On March 28, 2019, Gloria Butts (complainant) filed an unfair labor practice complaint against the Federal Way School District (employer) and the Public School Employees of Washington (union). As the complaint contained allegations against two respondents, unique case numbers were assigned but the cases were jointly processed. After reviewing the complaints pursuant to WAC 391-45-110, the Unfair Labor Practice Administrator issued a deficiency notice on April 25, 2019. In the deficiency notice, the Unfair Labor Practice Administrator explained the deficiencies in the complaints. The Unfair Labor Practice Administrator provided the complainant

three options: (1) file an amended complaint within 21 days; (2) file nothing and have the complaint dismissed; or (3) withdraw the complaint.

The complainant did not file an amended complaint. On May 24, 2019, the Unfair Labor Practice Administrator dismissed the complaints. *Federal Way School District*, Decision 13010 (PECB, 2019).

The complainant did not file an appeal brief. The union did not file a response brief. The employer filed a response brief. In its brief, the employer stated that the complainant did not serve the employer with the notice of appeal.

“Documents filed with the agency shall be served upon all parties on the same day documents are filed.” WAC 391-08-120(3). The complainant did not include a certificate of service when she filed her notice of appeal. The Commission applies its rules equally to complainants represented by counsel and those appearing pro se. *City of Bellingham (Washington State Council of County and City Employees, Council 2)*, Decision 11422-A (PECB, 2013); *Port of Seattle (IBEW, Local 46)*, Decision 7604-A (PECB, 2002); *Seattle Public Health Hospital (American Federation of Government Employees, Local 1170)*, Decision 1781-B (PECB, 1984).

An unfair labor practice complaint is reviewed under WAC 391-45-110 to determine whether the facts, as alleged, state a cause of action. All facts are assumed to be true and provable. *Whatcom County*, Decision 8245-A (PECB, 2004).

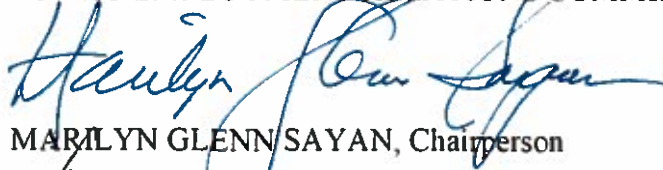
We have reviewed the complaints. The complaints do not state a cause of action. We affirm the Unfair Labor Practice Administrator. Further, we dismiss the appeal for failure to serve the employer with the notice of appeal.

ORDER

The Order of Dismissal issued by Unfair Labor Practice Administrator Dario de la Rosa is  
AFFIRMED.

ISSUED at Olympia, Washington, this 8th day of August, 2019.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



MARK BUSTO, Commissioner



KENNETH J. PEDERSEN, Commissioner



# RECORD OF SERVICE

---

ISSUED ON 08/08/2019

DECISION 13010-A - PECB has been served by mail and electronically by the Public Employment Relations Commission to the parties and their representatives listed below.

A handwritten signature in blue ink, appearing to read "Amy Riggs", is positioned above the typed name.

BY: AMY RIGGS

CASE 131413-U-19

EMPLOYER: FEDERAL WAY SCHOOL DISTRICT

REP BY: TAMMY CAMPBELL  
FEDERAL WAY SCHOOL DISTRICT  
33330 8TH AVE S  
FEDERAL WAY, WA 98003  
tcampbel@fwps.org

ALEXANDRIA SHERIDAN  
FEDERAL WAY SCHOOL DISTRICT  
33330 8TH AVE S  
FEDERAL WAY, WA 98003  
asherida@fwps.org

PARTY 2: GLORIA BUTTS

REP BY: GLORIA BUTTS  
31621 8TH AVE S  
FEDERAL WAY, WA 98003  
gbutts431@yahoo.com



# RECORD OF SERVICE

---

ISSUED ON 08/08/2019

DECISION 13011-A - PECB has been served by mail and electronically by the Public Employment Relations Commission to the parties and their representatives listed below.

BY: AMY RIGGS

CASE 131414-U-19

EMPLOYER: FEDERAL WAY SCHOOL DISTRICT

REP BY: TAMMY CAMPBELL  
FEDERAL WAY SCHOOL DISTRICT  
33330 8TH AVE S  
FEDERAL WAY, WA 98003  
tcampbel@fwps.org

PARTY 2: GLORIA BUTTS

REP BY: GLORIA BUTTS  
31621 8TH AVE S  
FEDERAL WAY, WA 98003  
gbutts431@yahoo.com

PARTY 3: PUBLIC SCHOOL EMPLOYEES OF WASHINGTON

REP BY: ELYSE B. MAFFEO  
PUBLIC SCHOOL EMPLOYEES OF WASHINGTON  
602 W MAIN ST  
PO BOX 798  
AUBURN, WA 98071-0798  
emaffeo@pseofwa.org