

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

WASHINGTON FEDERATION OF
STATE EMPLOYEES

Involving certain employees of:

WASHINGTON STATE DEPARTMENT
OF SOCIAL AND HEALTH SERVICES

CASE 131593-E-19

DECISION 13061 - PSRA

CORRECTED
INTERIM CERTIFICATION
Cross-Check by
Agreement of Parties

Herb Harris, Coordinator of PERC Activities, for the Washington Federation of State Employees.

Laura L. Wulf, Assistant Attorney General, Attorney General Robert W. Ferguson, for the Washington State Department of Social and Health Services.

FINDINGS OF FACT

1. The Washington Federation of State Employees filed with the Public Employment Relations Commission a petition concerning representation of employees in the developmental disability administrator job class at the Department of Social and Health Services. The petition was timely filed and accompanied by a showing of interest administratively determined by the Commission to be sufficient.
2. Following an investigation conference, the Commission proceeded with a determination of the question concerning representation, and issues concerning the eligibility of certain employees for inclusion in the bargaining unit were reserved for subsequent determination.
3. The existing bargaining unit represented by the Washington Federation of State Employees, which was previously in *State – Social and Health Services*, Decision 12689-A (PSRA, 2017) and is currently described as:

All supervisory civil service employees of the State of Washington performing services for residents of 24-hour care and/or custody institutions operated by the Department of Social and Health Services, or providing alternative support and case services on a regional basis for the developmentally disabled who may not require institutionalizing, or those who have made the transition from a developmentally disabled institution setting back to the community, excluding confidential employees, internal auditors, Washington Management Service employees, nonsupervisory

employees, employees in other bargaining units, and employees historically excluded from the unit by such orders of the Washington Personnel Resources Board or its predecessors as have not been modified by orders of the Commission.

4. All proceedings were conducted in a manner designed to afford the affected employees a free choice in the selection of a bargaining representative, if any; a confidential card check of employer and union documents has been conducted by Commission staff and a tally of the results previously furnished to the parties is attached hereto; the reserved eligibility issues do not affect the outcome of the question concerning representation; and no meritorious objections have been filed with respect to these proceedings.
5. The existing bargaining unit represented by the Washington Federation of State Employees shall be modified to include the developmental disability administrators for a bargaining unit described as:

All supervisory civil service employees of the State of Washington performing services for residents of 24-hour care and/or custody institutions operated by the Department of Social and Health Services, or providing alternative support and case services on a regional basis for the developmentally disabled who may not require institutionalizing, or those who have made the transition from a developmentally disabled institution setting back to the community, excluding confidential employees, internal auditors, Washington Management Service employees, nonsupervisory employees, employees in other bargaining units, and employees historically excluded from the unit by such orders of the Washington Personnel Resources Board or its predecessors as have not been modified by orders of the Commission.

CONCLUSIONS OF LAW

1. The unit described in finding of fact 5 is an appropriate unit for the purpose of collective bargaining within the meaning of RCW 41.80.070.
2. All conditions precedent to issuance of an interim certification have been met.

CERTIFICATION

1. The developmental disability administrators at the Department of Social and Health Services have chosen

WASHINGTON FEDERATION OF STATE EMPLOYEES

as their representative for the purpose of collective bargaining with their employer.

2. The above-captioned matter is remanded for further proceedings on the eligibility issues reserved as described in finding of fact 2.

ISSUED at Olympia, Washington, this 6th day of September, 2019.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

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

MICHAEL P. SELLARS, Executive Director



TALLY OF CARD CHECK

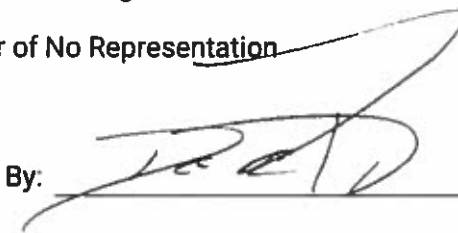
ISSUED ON 08/19/2019

Case Number 131593-E-19 (DDA Administrators) Employer Washington State Department of Social and Health Services

The Public Employment Relations Commission has conducted a confidential card check under WAC 391-25-410 and certifies the results as follows:

1. Employees eligible to be in the bargaining unit	<u>80</u>
2. Employees whose inclusion in the unit is challenged	<u>0</u>
3. Total employees to be considered (Total of Lines 1 and 2)	<u>80</u>
4. Valid authorization cards required (Majority of Line 3)	<u>41</u>
5. Total cards of eligible employees examined	<u>42</u>
6. Cards rejected as invalid	<u>0</u>
7. Valid cards accepted in support of	<u>42</u>
	<u>Washington Federation of State Employees</u>

8. The Result of the Card Check is:
- Eligibility challenges affect the result
 - In favor of the organization listed on line 7
 - In favor of No Representation

Date Issued August 19, 2019 By: 



RECORD OF SERVICE

ISSUED ON 09/06/2019

CORRECTED DECISION 13061 - PSRA has been served by mail and electronically by the Public Employment Relations Commission to the parties and their representatives listed below.

BY: DEBBIE BATES

CASE 131593-E-19

EMPLOYER: WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

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