

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

TRISTA STARKS,

Complainant,

vs.

WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES,

Respondent.

CASE 134543-U-21

DECISION 13444 - PSRA

ORDER OF DISMISSAL

Nathan Arnold, Attorney at Law, Cloutier Arnold Ortega, for Trista Starks.

Kate S. Worthington, Assistant Attorney General, Attorney General Robert W. Ferguson for the Washington State Department of Social and Health Services.

On October 12, 2021, Trista Starks (complainant) filed an unfair labor practice complaint against the Washington State Department of Social and Health Services (employer). The complaint was reviewed under WAC 391-45-110.¹ A deficiency notice issued on November 9, 2021, notified Starks that a cause of action could not be found at that time. Starks was given a period of 21 days in which to file and serve an amended complaint or face dismissal of the case.

No further information has been filed by Starks. The Unfair Labor Practice Administrator dismisses the complaint for failure to state a cause of action.

ISSUE

The complaint alleges the following:

No allegations included in the filing.

¹ At this stage of the proceedings, all of the facts alleged in the complaint or amended complaint are assumed to be true and provable. The question at hand is whether, as a matter of law, the complaint states a claim for relief available through unfair labor practice proceedings before the Public Employment Relations Commission.

The complaint is dismissed. The complaint did not include a statement of facts alleging the events that occurred, it did not identify the violation alleged, or a remedy requested within the Commission's jurisdiction.

BACKGROUND

On October 12, 2021, Trista Starks filed an unfair labor practice complaint against the Washington State Department of Social and Health Services (employer). The filing included a complaint form and several additional documents. The complaint did not include a statement of facts to determine if the complaint is within the Commission's jurisdiction.

ANALYSIS

Statement of Facts


Complaints must contain a statement of facts with numbered paragraphs. The statement of facts should include the times, dates, places, and participants in occurrences. In this case the complainant only submitted the ULP complaint form, a list of types of violations from the Public Employment Relations Commission's website, and additional documents. The complainant was provided the opportunity to correct the deficiency. The complainant did not file an amended complaint. The complaint must be dismissed.

ORDER

The complaint charging unfair labor practices in the above-captioned matter is **DISMISSED** for failure to state a cause of action.

ISSUED at Olympia, Washington, this 7th day of December, 2021.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


EMILY K. WHITNEY, Unfair Labor Practice Administrator

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under WAC 391-45-350.



RECORD OF SERVICE

ISSUED ON 12/07/2021

DECISION 13444 - 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 134543-U-21

EMPLOYER: WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

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