

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:

UNITED AUTOMOBILE, AEROSPACE,
AND AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA LOCAL 4121

Involving certain employees of:

WASHINGTON STATE UNIVERSITY

CASE 135073-E-22

DECISION 13591 - PECB

INTERIM CERTIFICATION
by Card Check

Amy Bowles, Attorney at Law, Douglas Drachler McKee & Gilbrough LLP, for United Automobile, Aerospace, and Agricultural Implement Workers of America Local 4121.

Cheryl L. Wolfe, Senior Counsel, Office of the Attorney General, Robert W. Ferguson, for the University of Washington.

FINDINGS OF FACT

1. The United Automobile, Aerospace, and Agricultural Implement Workers of America Local 4121 (UAW Local 4121) filed a representation petition concerning employees of the Washington State University. The Public Employment Relations Commission (PERC) determined the petition was timely filed and accompanied by a sufficient showing of interest. No other organization claimed to represent the employees involved.
2. The bargaining unit is described as follows:

All employees enrolled in academic programs and employed by the Washington State University in the following classifications: Graduate Teaching Assistant; Graduate Staff Assistant; Graduate Project Assistant; Graduate Veterinary Assistant; Tutor, Reader and/or Grader in all academic units and tutoring centers; Graduate Research Assistant, and any other student employees whose duties and responsibilities are substantially equivalent to those employees in the described positions; excluding students who have incidental or no service expectancy imposed upon them by the employer, casual employees, confidential employees, supervisors, employees covered under chapter 41.76 RCW, employees included in any other bargaining unit, and all other employees.

3. PERC conducted an investigation conference where the parties disagreed about the eligibility of certain employees to be included in the bargaining unit. PERC determined that the eligibility issues would be resolved following the card check.
4. Because the more than 50 percent showing of interest threshold was met, PERC conducted card check proceedings. The employees were given a free choice in the proceedings. The tally of results was provided to the parties and the eligibility issues do not affect the outcome of the card check. No meritorious election objections were filed.

CONCLUSIONS OF LAW

1. The unit described in finding of fact 2 is an appropriate unit within the meaning of RCW 41.56.205.
2. Representation proceedings were conducted in accordance with RCW 41.56.095 and chapter 391-25 WAC.

CERTIFICATION

1. The Washington State University employees in the bargaining unit described in finding of fact 2 have chosen

UNITED AUTOMOBILE, AEROSPACE, AND AGRICULTURAL IMPLEMENT WORKERS
OF AMERICA LOCAL 4121

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

2. This case is remanded for further proceedings on the eligibility issues described in finding of fact 3.

ISSUED at Olympia, Washington, this 9th day of November, 2022.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MICHAEL P. SELLARS, Executive Director



RECORD OF SERVICE

ISSUED ON 11/09/2022

DECISION 13591 - PECB 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 135073-E-22

EMPLOYER: WASHINGTON STATE UNIVERSITY

REP BY: KENDRA WILKINS-FONTENOT
WASHINGTON STATE UNIVERSITY
139 FRENCH ADMIN BLDG 1014
PO BOX 641014
PULLMAN, WA 99164
kfonten@wsu.edu

CHERYL L. WOLFE
OFFICE OF THE ATTORNEY GENERAL
1116 W RIVERSIDE AVE STE 100
SPOKANE, WA 99201-1106
cheryl.wolfe@atg.wa.gov

PARTY 2: UAW LOCAL 4121

REP BY: AMY BOWLES
DOUGLAS DRACHLER MCKEE & GILBROUGH LLP
1904 THIRD AVE STE 1030
SEATTLE, WA 98101
amyb@ddmglaw.com

DAVID PARSONS
UAW LOCAL 4121
PO BOX 665
PULLMAN, WA 99163
dparsons@uaw.net