



STATE OF WASHINGTON
PUBLIC EMPLOYMENT RELATIONS COMMISSION

CATHLEEN CALLAHAN, EXECUTIVE DIRECTOR

*112 Henry Street NE Suite 300 • Post Office Box 40919 • Olympia Washington 98504-0919
(360) 570-7300 • Fax: (360) 570-7334 • E-mail filings: filing@perc.wa.gov • Website: www.perc.wa.gov*

MINUTES

January 15, 2008

The regular meeting of the Public Employment Relations Commission was held at 10:00 a.m. in Conference Room N108, Office of the Attorney General, 7141 Cleanwater Drive SW, Tumwater, Washington. Those present and participating were:

Marilyn Glenn Sayan, Chairperson
Pamela G. Bradburn, Commissioner
Douglas G. Mooney, Commissioner
Cathleen Callahan, Executive Director
Majel C. Boudia, Confidential Secretary
Dario de la Rosa, General Counsel
David I. Gedrose, Compliance Officer
Kenneth J. Latsch, Operations Manager
James E. Lohr, Business Manager

Also present and participating:

Herb Harris, Washington Public Employees Association
John Bosenberg, State Board of Community and Technical Colleges
Martha Barron, Service Employees International Union, Local 925
Ken Lang, United Auto Workers
Dolly Garcia, Department of Revenue
Mike Gawley, Washington Education Association
Glenn Frye, OFM Labor Relations Office
Ed Younglove, Washington Federation of State Employees
Gladys Burbank, Washington Federation of State Employees
Anita Hunter, Washington Federation of State Employees
Greg Devereux, Washington Federation of State Employees

Chairperson Sayan announced that the Court Reporter was attending this meeting for the rules adoption process only.

MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on November 13, 2007, were approved as submitted.



REPORT OF THE EXECUTIVE DIRECTOR

1. Executive Director Callahan presented the new monthly statistics for the months of November and December to the Commissioners. There were 56 cases filed during the month of November, and 55 cases filed during the month of December. Case filings included more requests for mediation than unfair labor practice complaints. The majority of the filings involved cities and counties. There were 86 cases closed in November, and 38 cases closed in December. The year ended with 354 cases pending. Chairperson Sayan conveyed the Commission's appreciation for the new statistical format.
2. Ms. Callahan reported on the Outreach agenda:
 - Ms. Callahan and Claire Nickleberry met with Washington Education Association representatives in November.
 - Ken Latsch spoke with the OFM Labor Relations Office earlier this month in Ms. Callahan's place.
 - In February, Executive Director Callahan will speak to the Northeast Washington Association of School Administrators in Spokane.
 - Ms. Callahan, Ken Latsch, and Dario de la Rosa attended the Spokane Labor and Employment Relations Association (LERA) Conference in Spokane on November 1, 2007.
3. All staff will receive state mandated training this year.
4. In addition, LRAM staff members will also receive case handling training, including training on unfair labor practice hearings.
5. Jessica Bradley and Charity Atchison will attend mediation training at the University of Washington on two weekends in January.
6. Ms. Callahan announced that the agency will apply for the Washington State Quality Award. Not only is it required, it is the right thing to do because it will provide an inward look at the agency, and enable us to better measure how we are doing. Jim Lohr, Ken Latsch, and David Gedrose will prepare the "lite assessment" application.
7. The Red List (cases ready for decision more than 90 days) and Yellow List (cases ready for decision 45 to 89 days) were reviewed. Ms. Callahan noted that the Red List is not where we would like it to be, but six decisions should issue within the next week.

8. The Commission reviewed the following "Orchid" letters:

- Jean Moffatt, Public School Employees of Washington, sent a note to thank Sally Carpenter for her assistance in mediation with the Moses Lake School District.
- Lynn Starcher left a voicemail message thanking Katrina Boedecker for her assistance in mediation with Community Transit and IAMAW District 160.
- Ms. Callahan and Ken Latsch each received a note from the Spokane Chapter of LERA thanking them for participating in their conference.

COMPLIANCE DOCKET

Compliance Officer David Gedrose reviewed the Compliance Docket and reported the following:

Clover Park School District, Case 16668-U-02-4352. Compliance Officer Gedrose reported that this case had been dismissed in superior court without objection from the union, and he recommended closing the case. The Commission accepted the Compliance Officer's recommendation and the case will now be closed.

Snohomish County, Case 19549-U-05-4959. Mr. Gedrose reviewed the case. Commissioner Bradburn asked if this case impacted negotiations that are scheduled. The Commission asked Mr. Gedrose to follow-up on this case. The matter will be held over until the February meeting for a response from the union.

Snohomish County, Case 20177-U-06-5145. Following Mr. Gedrose's review of the case, the Commission accepted compliance in the matter and the case will now be closed.

COURT DOCKET

Whatcom County, Case 14690-U-99-3685. Mr. de la Rosa reported that this case has now been withdrawn.

Skagit County, Case 18259-U-04-4657 and Case 18260-U-04-4658. Mr. de la Rosa reported that the Court affirmed dismissal of the unfair labor practice complaint and the matter was settled. The case will now be closed.

City of Bellevue, Case 18830-U-04-4783. Mr. de la Rosa reported that King County Superior Court affirmed the Commission's decision. No further court action is expected.

RULES ADOPTION

Executive Director Callahan introduced staff and thanked Dario de la Rosa for working tirelessly on this task. Public hearings were held in September at Kirkland, in November at Spokane, and in December at Olympia regarding the rules review process. The rules were divided into three categories: non-controversial, rules of limited controversy, and controversial.

The proposed rules were processed individually by group. Each rule was read by title, comments were heard, discussion occurred, and the rule was voted upon.

The following rules were adopted:

WAC 391-08-010, 391-08-190, 391-08-640, 391-08-820

WAC 391-25-051, 391-25-110, 391-25-140, 391-25-210,
391-25-350, 391-25-370, 391-25-390, 391-25-397,
391-25-430, 391-25-530, 391-25-650, 391-35-660

WAC 391-35-020, 391-35-170, 391-35-190, 391-35-210
391-35-301

WAC 391-45-110, 391-45-260, 391-45-290, 391-45-310,
391-45-350

WAC 391-55-070, 391-55-255, 391-55-300, 391-55-310,
391-55-315, 391-55-320, 391-55-325, 391-55-330,
391-55-335, 391-55-340, 391-55-345, 391-55-350,
391-55-355

WAC 391-65-110, 391-65-150

WAC 391-95-010, 391-95-030, 391-95-936, 391-95-050,
391-95-056, 391-95-070, 391-95-076, 391-95-110,
391-95-130, 391-95-136, 391-95-150, 391-95-220,
391-95-230, 391-95-250, 391-95-270

These rules will go into effect on April 1, 2008.

The following rules will be revisited for adoption at the next Commission meeting:

WAC 391-25-430

WAC 391-35-026

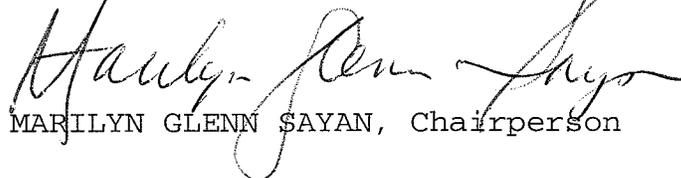
OTHER BUSINESS

There was no other business to report to the Commission.

ADJOURNMENT

There being nothing further to come before the Commission, the meeting was then adjourned.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARILYN GLENN SAYAN, Chairperson


PAMELA G. BRADBURN, Commissioner


DOUGLAS G. MOONEY, Commissioner

ATTEST:


CATHLEEN CALLAHAN
Executive Director