



PUBLIC EMPLOYMENT RELATIONS COMMISSION

112 Henry Street NE, Suite 300, Olympia WA 98506
Mail: PO Box 40919, Olympia WA 98504-0919
Phone: (360) 570-7300 Fax: (360) 570-7334
E-mail: filing@perc.wa.gov

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PUBLIC EMPLOYMENT
RELATIONS COMMISSION

**PETITION FOR INVESTIGATION OF QUESTION
CONCERNING REPRESENTATION**

Form E-1 (9/2010)

Amended Petition in Case _____

Filing instructions: www.perc.wa.gov/Forms/E-1-inst.pdf

Applicable Rules: Chapters 10-08, 391-08 and 391-25 WAC

1. PARTIES The petitioner claims that a question concerning representation exists involving certain employees of the employer.

EMPLOYER University of Washington
Contact Person Peter Denis
Address PO Box 354555
City, State, ZIP Seattle, WA 98105-6207
Telephone 206-616-3564 Ext. _____
Fax _____
E-Mail denisjp@washington.edu

PETITIONER Washington Federation of State Employees
Contact Person Ed Younglove
Address PO Box 7846
City, State, ZIP Olympia, WA 98507-7846
Telephone 360-357-7791 Ext. _____
Fax 360-754-9268
E-Mail edy@ylclaw.com

INCUMBENT BARGAINING REPRESENTATIVE
(If one exists) _____
Contact Person _____
Address _____
City, State, ZIP _____
Telephone _____ Ext. _____
Fax _____
E-Mail _____

2. DESIGNATION OF REQUEST *Select ONE.*

- RECOGNITION REQUEST** The petitioner requests certification as exclusive representative of the bargaining unit.
- CHANGE OF REPRESENTATIVE** The employees in the bargaining unit want to designate the petitioner as their exclusive bargaining representative.
- DECERTIFICATION** The employees in the bargaining unit no longer wish to be represented by any employee organization.
- INCLUSION OF UNREPRESENTED EMPLOYEES** The petitioner requests to have a group of employees added to an existing bargaining unit pursuant to WAC 391-25-440.
- EMPLOYER PETITION -- DEMAND FOR RECOGNITION** The employer has been presented with one or more demands for recognition (per attached documents) and requests a determination by the Commission.
- EMPLOYER PETITION -- INCUMBENCY QUESTIONED** The employer has a good faith belief (per attached documents) that a majority of employees no longer desire to be represented by the incumbent bargaining representative.

3. BARGAINING UNIT

Department or Division Involved

Contact Center Employees

Number of Employees in Unit 25

Bargaining Unit Description *On a separate sheet of paper:*

For a new bargaining unit, describe the proposed bargaining unit. Indicate proposed inclusions and exclusions.

If the bargaining unit already exists, provide the description in the collective bargaining agreement or in the PERC decision certifying the unit. Attach a copy of the parties' current or most recent collective bargaining agreement, or indicate the agreement is already on file with PERC.

4. SHOWING OF INTEREST

A petition filed by an organization or by employees must be accompanied by a showing of interest indicating that the petitioner has the support of 30% or more of the employees in the bargaining unit.

5. OTHER RELEVANT FACTS *Indicate if applicable.*

ADDITIONAL INFORMATION is set forth on separate sheets of paper attached to this petition

6. AUTHORIZED SIGNATURE FOR PETITIONER

Print Name Edward Earl Younglove III Title Attorney

Signature [Signature] Date 10/4/2010

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APR 02 2010

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION **WESE-HQ**

In the matter of the petition of:

WASHINGTON FEDERATION OF
STATE EMPLOYEES

Involving certain employees of:

UNIVERSITY OF WASHINGTON

CASE 22954-E-10-3524

DECISION 10717 - PSRA

CERTIFICATION

Cross-check by
Agreement of Parties

Gladys Burbank, Director of PERC Activities, for the petitioner.

Lou Pisano, Labor Relations, for the employer.

FINDINGS OF FACT

1. The Washington Federation of State Employees filed a petition for investigation of a question concerning representation with the Public Employment Relations Commission, for the Truck Driver Lead classification at the University of Washington. The petition was timely filed and accompanied by a showing of interest which was administratively determined by the Commission to be sufficient. No other organization is known to claim to represent the employees involved.
2. The existing bargaining unit represented by the Washington Federation of State Employees is described as:

ALL FULL-TIME AND REGULAR PART-TIME NONSUPERVISORY CLASSIFIED EMPLOYEES OF THE UNIVERSITY OF WASHINGTON WORKING AT HARBORVIEW HOSPITAL, EXCLUDING MEMBERS OF THE GOVERNING BOARD, EMPLOYEES EXCLUDED FROM THE COVERAGE OF CHAPTER 41.06 RCW, STUDENTS, EMPLOYEES COVERED BY OTHER COLLECTIVE BARGAINING AGREEMENTS, CONFIDENTIAL EMPLOYEES AND SUPERVISORS.
3. All proceedings were conducted under the supervision of the Commission in a manner designed to afford the affected employees a free choice in the selection of whether they wished to be represented by the Washington Federation of State Employees in its existing bargaining unit. A confidential cross-check of employer and union documents has been conducted by the Commission staff and a tally of the results previously furnished to the parties is attached hereto; and no meritorious objections have been filed with respect to these proceedings.

4. The existing bargaining unit represented by the Washington Federation of State Employees shall be modified to include the Truck Drive Lead classification for a bargaining unit described as:

ALL FULL-TIME AND REGULAR PART-TIME NONSUPERVISORY CLASSIFIED EMPLOYEES OF THE UNIVERSITY OF WASHINGTON WORKING AT HARBORVIEW MEDICAL CENTER, EXCLUDING MEMBERS OF THE GOVERNING BOARD, EMPLOYEES EXCLUDED FROM THE COVERAGE OF CHAPTER 41.06 RCW, STUDENTS, EMPLOYEES COVERED BY OTHER COLLECTIVE BARGAINING AGREEMENTS, CONFIDENTIAL EMPLOYEES AND SUPERVISORS.

CONCLUSION OF LAW

The unit described in paragraph 4 of the foregoing Findings of Fact is an appropriate unit for the purposes of collective bargaining within the meaning of RCW 41.80.

NOW, THEREFORE, it is

CERTIFIED

The Truck Driver Leads of the University of Washington have chosen:

WASHINGTON FEDERATION OF STATE EMPLOYEES

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

Issued at Olympia, Washington, this 1st day of April, 2010.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



CATHLEEN CALLAHAN, Executive Director



STATE HEADQUARTERS OFFICE

1212 JEFFERSON ST. S.E., SUITE 300 • OLYMPIA, WA 98501-2332
(360) 352-7603 • 1-800-562-6002 • FAX: (360) 352-7608 • www.wfse.org

Certificate of Servicing

As per PERC Commission requirements and WAC 391-08-120(4), I, Chris McGill, WFSE Director of PERC Activities, do certify that the following facts regarding servicing of the representation petition and the letter requesting withdrawing the clarification petition for the Contact Center employees is true.

On October 4, 2010 I deposited in the United States mail properly stamped and addressed a copy of the petition to Peter Denis, University of Washington; Mark Yamashita, AAG for the U of W; and Martha Barron representative for SEIU. To the best of my knowledge and belief this is the representative of the other party that would need to be notified to fulfill our obligations under WAC 391-08-120 (4).

Signed on October 4, 2010 by

Chris McGill


Signature

OLYMPIA FIELD OFFICE
1210 Eastside St. S.E., Suite 100
Olympia, WA 98501-2443
(360) 786-1303
1-800-624-0256
Fax: (360) 786-1338

SEATTLE FIELD OFFICE
444 N.E. Ravenna Blvd., Suite 108
Seattle WA, 98115-6467
(206) 525-5363
1-800-924-5754
Fax: (206) 525-5366

SMOKEY PDINT FIELD OFFICE
16710 Smokey Point Blvd., Suite 308
Arlington, WA 98223-8435
(360) 659-4333
1-800-967-3816
Fax: (360) 657-3336

SPOKANE FIELD OFFICE
316 W. Boone Ave., Suite 353
Spokane, WA 99201-2346
(509) 326-4422
1-800-442-8618
Fax: (509) 326-4424

TACOMA FIELD OFFICE
3516 S. 47th St., Suite 102
Tacoma, WA 98409-4437
(253) 581-4402
1-800-924-5753
Fax: (253) 581-4404

VANCOUVER FIELD OFFICE
3305 Main St., Suite 109
Vancouver, WA 98663-2234
(360) 735-1115
1-800-967-9356
Fax: (360) 735-1121

YAKIMA FIELD OFFICE
3804 Kern Road, Suite B
Yakima, WA 98902-7801
(509) 452-9855
1-800-439-9855
Fax: (509) 457-1939



Younglove & Coker

A PROFESSIONAL LIMITED LIABILITY COMPANY

ATTORNEYS AT LAW

WESTHILLS II OFFICE PARK
1800 COOPER POINT ROAD SW, BLDG 16
PO BOX 7846
OLYMPIA, WASHINGTON 98507-7846
FACSIMILE (360) 754-9268
OFFICE@YLCLAW.COM

(360) 357-7791

ATTORNEYS AT LAW
"SINCE 1974"

CHRISTOPHER J. COKER
SHARON ENGLISH
GREGORY M. RHODES
EDWARD EARL YOUNGLOVE III

October 4, 2010

Cathleen Callahan, Executive Director
Public Employment Relations Commission
P. O. Box 40919
Olympia, WA 98504-0919

Dear Ms. Callahan:

On October 1, 2010 we submitted a petition requesting a clarification of the University of Washington Harborview Medical Center Bargaining Unit. We specifically requested that PERC clarify that the newly hired civil service employees who perform call center work at the UW Contact Center are included in the bargaining unit since they are performing the same work as the call center employees who are already in the WFSE unit and will be co-located with the WFSE represented employees later this month.

By this letter, we are notifying PERC that we are withdrawing the clarification petition and submitting a representation petition on behalf of these employees. We are filing our petition requesting that PERC conduct a self determination election/crosscheck under WAC 391-25-440 for the purpose of adding these employees to the Harborview Bargaining Unit. Since we submitted showing of interest cards for a majority of the employees when we submitted the clarification petition, we would like you to use those cards as a majority showing of interest cards for a cross check in these self determination proceedings.

We are enclosing PERC Decision 10717 – PSRA in order to meet the requirements of number 3 on the “Petition For Investigation of Question Concerning Representation” which requires that we provide a description of the unit. Decision 10717 provides a description of the unit and is the most recent PERC Decision which does so. The Harborview Unit includes approximately 750. Our request would add an additional 25 employees to the unit.

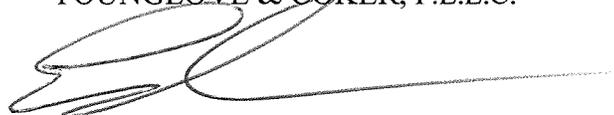
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Cathleen Callahan, Executive Director
Public Employment Relations Commission
October 4, 2010
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Thank you for your consideration of our request.

Sincerely,

YOUNGLOVE & COKER, P.L.L.C.

A handwritten signature in black ink, appearing to read 'Edward Earl Younglove III', with a long horizontal flourish extending to the right.

Edward Earl Younglove III
Attorney for the Petitioner

Enclosure

c: Peter Denis, University of Washington
Mark Yamashita, AAG, University of Washington
Martha Barron, SEIU