PUBLIC EMPLOYMENT RELATIONS COMMISSION
112 Henry Street NE, Suite 300, Olympia WA 98506
PO Box 40919, Olympia WA 98504-0919
Phone: 360.570.7300 Email: filing@perc.wa.gov
Web: www.perc.wa.gov

Print Form

UNFAIR LABOR PRACTICE COMPLAINT

☐ Amended Complaint in Case # _____ Applicable Rules: Chapters 10-08, 391-08, and 391-45 WAC

PARTIES Include information for all parties involved.

COMPLAINANT _____
Contact _____
Address _____
City, State, ZIP _____
Telephone _____ Ext. _____
Email _____

RESPONDENT _____
Contact _____
Address _____
City, State, ZIP _____
Telephone _____ Ext. _____
Email _____

EMPLOYER _____
Contact _____
Address _____
City, State, ZIP _____
Telephone _____ Ext. _____
Email _____

ALLEGED VIOLATION

Indicate if the alleged violation is against:

☐ Employer ☐ Union ☐ Both*

***Note:** If the violation is against both the union and employer, two separate complaints must be filed with two statements of facts describing the alleged violation against each.

STATEMENT OF FACTS and REMEDY REQUESTED

Attach on separate sheets of paper in numbered paragraphs a brief statement of the facts regarding the alleged unfair labor practice(s).

- Include times, dates, places, and participants of occurrences.
- Indicate statutes allegedly violated.
- State whether a related grievance has been filed.
- Describe the remedies requested.
- For more information refer to WAC 391-45-050.

BARGAINING UNIT

***Note:** If the alleged violation relates to more than one bargaining unit, a separate complaint must be filed for each unit.

Indicate Bargaining Unit: _____

Department or Division: _____

Collective Bargaining Agreement:

☐ The parties have never had a contract.

☐ A copy of the most current contract is attached.

AUTHORIZED SIGNATURE FOR COMPLAINANT

Print Name _____ Telephone _____ Ext. _____

Address _____ Email _____

City, State, ZIP _____ Signature _____ Date _____

INSTRUCTIONS FOR FILING AN UNFAIR LABOR PRACTICE COMPLAINT **(Do not file this sheet with PERC)**

APPLICABLE RULES: The Public Employment Relations Commission (PERC) processes unfair labor practice complaints under Chapters 10-08, 391-08 and 391-45 WAC. Rules are available at www.perc.wa.gov or 360.570.7300. Also see Unfair Labor Practice FAQ.

Who can file an unfair labor practice complaint?

- Unions may file a complaint concerning employees it represents or is seeking to represent.
- Employers may file a complaint against a union that represents employees or is seeking to represent employees.
- Individual employees may file complaints alleging "interference", "domination" or "discrimination" violations against either the Employer, Union or both.

How should the unfair labor practice complaint form be completed?

- Provide contact information for the employer, respondent, complainant, and person signing the complaint form;
  - Respondent is the party accused of committing an unfair labor practice.
  - Complainant is the party who files the complaint.

  (A union may file on behalf of a group of employees, but individual employees with similar claims must file separate complaints.)
- Indicate whether the alleged violation is against the employer, union, or both. (If against both, two complaints must be filed.)
- Attach a brief statement of facts and the remedies requested for the alleged violation(s). Include in numbered paragraphs times, dates, places, and participants. Indicate the statutes allegedly violated and describe the status of any related grievance.
- Include a brief description of the existing or proposed bargaining unit and a copy of the current contract if one exists.

What is the basis for an unfair labor practice complaint?

Unfair labor practice complaints involve allegations by an employee, union, or employer that statutory collective bargaining rights have been violated, including:

- Interference: To interfere with, restrain, or coerce public employees in the exercise of their collective bargaining rights.
- Domination or Assistance: To control, dominate, or interfere with a bargaining representative.
- Discrimination: To deprive rights, benefits, or status in reprisal for union activities.
- Refusal to Bargain: To refuse to engage in collective bargaining.

Who may appear in an unfair labor practice case?

For the petitioner:

- An individual signing on behalf of the petitioner is considered the representative of that party.
- If the filing party intends to have another representative as the primary contact, that person must file a notice of appearance.

For other parties:

- Until a notice of appearance is received by PERC, only the non-filing party's chief executive officer as listed on PERC's notice of case filing document will be served with papers from PERC.

What is the time limit for filing an unfair labor practice complaint?

A complaint must be filed within 6 months from the date the complainant knew or should have known of the alleged violation.

How should the unfair labor practice complaint be filed with PERC?

- Mail or Deliver the complaint to PERC's Olympia office (addresses at top of form); or
- Email to filing@perc.wa.gov **AND** Mail the original complaint to PERC's Olympia office on the same day; or
- Fax to 360.570.7334 **AND** Mail the original complaint to PERC's Olympia office on the same day.

How should the unfair labor practice complaint be served on other parties?

- A party filing with PERC must copy all the other parties to the case no later than the day it is filed with PERC.
- Service may be made personally; by first class, registered, or certified mail or by parcel delivery company; or
- On the same day that service is completed, the person who completed the service must either:
  Obtain proof of delivery; or make a certificate of service stating the date and the method of service.