



UNIT CLARIFICATION PETITION

Is this an amended petition? Yes No If yes, provide the case number: _____

PARTIES Include information for both parties. **TYPE OF REQUEST** Select ONE option.

Is this a jointly filed request? Yes No

EMPLOYER

Contact _____
Title _____
Address _____
City, State, ZIP _____
Phone _____ Ext. _____
Email _____

UNION

Contact _____
Title _____
Address _____
City, State, ZIP _____
Phone _____ Ext. _____
Email _____

AMEND CERTIFICATION to change only a position title, employer name, or union name. (WAC 391-35-085)

Request Change to PERC Decision No.: _____

Describe Reason for Amendment: _____

CLARIFY BARGAINING UNIT due to a change in employee position, status, or eligibility (WAC 391-35-020). *Select this type to add or remove employees to or from an existing bargaining unit to ensure the unit remains appropriate.*

Reasons for Clarification

In a separate document, include the following:

- The purpose of the petition and the party proposing the change.
- Any prior related decision or certification number.
- Information about each position, classification, or group at issue.
- The number of disputed employees in each position, classification, or group at issue.
- If the parties disagree about the proposed clarification.
- *If another union claims (or may claim) to represent the employees involved in the petition, the contact name, mailing address, phone number, and email address for all interested parties.*

BARGAINING UNIT

Number of Employees in Question _____

If a CBA exists, what is the expiration date? _____

PARTY REPRESENTATIVES If this petition is not being filed jointly, a copy must be served on the other party.

EMPLOYER

Name _____
Title _____
Address _____
City, State, ZIP _____
Phone _____ Ext. _____
Email _____
Signature _____ Date _____

UNION

Name _____
Title _____
Address _____
City, State, ZIP _____
Phone _____ Ext. _____
Email _____
Signature _____ Date _____

Instructions for Filing a Unit Clarification Petition

Do not file this page with PERC.

Who Can File a Petition?

Only the union or employer may file a unit clarification petition. Unit clarification petitions may be submitted jointly. If not submitted jointly, the submitting party must serve a copy on the other party.

For more information please refer to our website at perc.wa.gov/unit-clarification. For applicable rules, visit perc.wa.gov/laws-rules and refer to chapters 10-08, 391-08, and 391-35 WAC.

Filing Time Frame

Cases can be filed at any time to add or remove confidential employees or employees eligible for interest arbitration, add a newly created position, or to resolve disputes concerning positions claimed by two or more bargaining units. Requests to change the name of a party or position title on an existing certification may also be filed at any time.

For supervisory or part-time employees:

Petitions to add or remove supervisory or part-time employees to or from an existing bargaining unit will be dismissed as untimely, unless the following criteria are met:

1. All parties agree to raise the issue;
2. The petitioner put the other party on notice during negotiations for the most recent collective bargaining agreement that it would contest the inclusion or exclusion of the position or class through a unit clarification proceeding, and the petition is filed before ratification of the current collective bargaining agreement; or
3. A substantial change in circumstances occurred within a reasonable time before the filing of the petition and that change warrants a modification of the bargaining unit by inclusion or exclusion of a position or class.

WAC 391-35-020.

For a change of circumstances:

A petition to add or remove positions or employees to or from an existing bargaining unit due to a *change of circumstances that alters the community of interest* for the at-issue employees must be filed within a reasonable time of the change.

- *Change of circumstances* is any event that alters the duties, skills, or working conditions of the employees in the bargaining unit.
 - *Community of interest* is grouping employees by similar work, duties, skills, or working conditions to create appropriate units.
-

Filing and Service

Documents may be submitted to PERC by email attachment, by fax, by mail, or in person. Email filing is preferred and no paper copies are required.

- Email to filing@perc.wa.gov
- Fax to 360.570.7334
- Mail to PO Box 40919, Olympia WA 98504-0919
- Hand Deliver to 112 Henry St NE, Olympia, WA 98506

Service is required on all parties to the case and is considered complete when the document is received by email, fax, or hand delivery or when the document is put into the mail. A certificate of service is required to show when, how, and on whom the document was served. A certificate of service form can be found at perc.wa.gov/file-a-case.