



STATE OF WASHINGTON

## **PUBLIC EMPLOYMENT RELATIONS COMMISSION**

**MICHAEL P. SELLARS, 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](mailto:filing@perc.wa.gov) • Website: [www.perc.wa.gov](http://www.perc.wa.gov)*

### MINUTES

April 10, 2012

The regular meeting of the Public Employment Relations Commission was held at 10:00 a.m., in the Public Employment Relations Commission Conference Room, 112 Henry Street NE, Suite 300, Olympia, Washington. Those present and participating:

Marilyn Glenn Sayan, Chairperson  
Pamela G. Bradburn, Commissioner  
Thomas W. McLane, Commissioner, Executive Session only by telephone  
Michael P. Sellars, Executive Director  
Majel C. Boudia, Confidential Secretary  
Charity Atchison, Appeals Administrator

### MINUTES OF PREVIOUS MEETING

The minutes of the meeting held March 13, 2012, were adopted as presented.

### REPORT OF THE EXECUTIVE DIRECTOR

1. Executive Director Mike Sellars reported on monthly statistics. We opened 88 cases in March and 91 in February. This is more than last year, and 40 more than the 48 cases that were closed in March. Mike compared the case aging statistics for March to those of February. He emphasized that these are the statistics he wants to reduce. He thanked the Commission for issuing 10 decisions this year as compared to 6 in the previous year. So far, 14 Examiner decisions have been issued as compared to 8 decisions last year.
2. The Red List (cases ready for decision more than 90 days) was reviewed; there have been no cases on the Red List for two weeks. There are three cases on the Yellow List (cases ready for decision 45 to 89 days).
3. The LRAM I recruitment will remain open until the position is filled. Twenty-six applications have been received in the past 3 weeks.
4. The Labor and Employment Relations Association Conference will be held in Seattle on April 26 and 27, 2012. Mike extended an invitation to the Commission and the audience.
5. We are waiting for the budget to be approved. Multiple budgets have been released, but all provide similar funding for this agency. The budget released last week provided:



- \$25,000 for the election for post-doctoral candidates at the University of Washington and Washington State University.
  - Funding in the Transportation budget for buyout of the Marine Employees' Commission lease in the Evergreen Plaza Building in Olympia.
6. Executive Director Sellars reported that Outreach during March included a meeting with John Okamoto, Executive Director of the Washington Education Association; attending an International Brotherhood of Teamsters' benefit at the Catholic Seaman's Club on March 15<sup>th</sup>; and observing mediation at the City of Tumwater with Mediator Claire Nickleberry. Mike noted his appreciation that Claire extended the invitation to him. This mediation has not been completed.

### LEGISLATIVE UPDATE

Mr. Sellars, Charity Atchison, and Dario de la Rosa have been tracking the following legislation.

House Bill 2830 Collective bargaining for Language Access Providers is still pending. This legislation involves bargaining rights for interpreters at the Department of Labor and Industries and the Department of Social and Health Services. This legislation does not include an interpreter for legal proceedings or the Medicaid Administrative Match Program.

Senate Bill 6486 Collective bargaining for postdoctoral researchers at the University of Washington and Washington State University. This bill was signed with a partial veto.

Senate Bill 6095 Rewrites the rules with gender neutral language.

### COMPLIANCE DOCKET

Compliance Officer David Gedrose reported on the following cases:

*University of Washington*, Case 22340-U-09-5695. Mr. Gedrose informed the Commission that this case will be held over until the May meeting.

*Seattle School District*, Case 23073-U-10-5874. Mr. Gedrose reviewed the case and noted that the parties were diligent in providing information to complete the compliance process. He recommended that compliance be accepted. The Commission unanimously accepted compliance. The case will now be closed.

*City of Spokane*, Case 23584-U-10-6009. Mr. Gedrose reviewed the case and noted that the parties were diligent in providing information to complete the compliance process. He recommended that compliance be accepted. The Commission unanimously accepted compliance. The case will now be closed.

*Washington State Ferries*, Case 24113-U-11-6171. Mr. Gedrose reviewed the case. This is the first unfair labor practice decision involving the Washington State Ferries since jurisdiction was transferred to this agency on July 1, 2011. The employer no longer answers to the Transportation Commission. The Compliance Officer noted that the parties were diligent in providing information to complete the compliance process. Secretary Hammond read the notice

at a cabinet meeting. Mr. Gedrose recommended that compliance be accepted. The Commission unanimously accepted compliance. The case will now be closed.

COURT DOCKET

Appeals Administrator Charity Atchison reported on the following cases, and noted that the agency is not taking an active role in any of the cases:

*Toppenish School District*, Case 22083-C-08-1388. The Order Dismissing Petition for Review with Prejudice was issued February 27, 2012. The Court affirmed the Commission's decision. No further appeal has been filed.

*Community Transit*, Case 22253-U-09-5678. The trial is scheduled for June 15, 2012, in Thurston County Superior Court.

The updated Court Docket will be put on the agency website following this meeting.

ADJOURNMENT

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

COMMISSION DOCKET

Following adjournment, the Commission went into Executive Session to deliberate pending decisions on appeal.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

  
MARILYN GLENN SAYAN, Chairperson

  
PAMELA G. BRADBURN, Commissioner

  
THOMAS W. McLANE, Commissioner

ATTEST:

  
MICHAEL P. SELLARS  
Executive Director