



REPRESENTATION PETITION

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

PARTIES Include information for all parties involved.

EMPLOYER City of Olympia
Contact RICH ALLEN
Title POLICE CHIEF
Address 601 4th Ave E
City, State, ZIP Olympia, WA 98501
Phone 360-753-8300 Ext. _____
Email RALLEN@CI.OLYMPIA.WA.US

PETITIONER OLYMPIA POLICE LIEUTENANTS ASSOCIATION
Contact BRYAN WYLLIE
Title PRESIDENT
Address 120 STATE AVE NE #101
City, State, ZIP OLYMPIA, WA 98501
Phone 360-789-2440 Ext. _____
Email WYLLIECONSTRUCTION@COMCAST.NET

CURRENT BARGAINING REPRESENTATIVE

(If One Exists) _____
Contact _____
Title _____
Address _____
City, State, Zip _____
Phone _____ Ext. _____
Email _____

TYPE OF REQUEST Select ONE of the following.

- ☒ **NEW ORGANIZING** to be certified as the representative of employees currently unrepresented.
- ☐ **ADD UNREPRESENTED EMPLOYEES** to an existing bargaining unit as described in WAC 391-25-080.
- ☐ **CHANGE REPRESENTATIVE** of existing bargaining unit.
- ☐ **REMOVE REPRESENTATIVE** of existing bargaining unit.

BARGAINING UNIT

For a new organizing petition, fill out section 2. For a petition to add unrepresented employees, fill out **both** sections 1 and 2. For a petition to change or remove the representative, fill out section 1.

SECTION 1—Describe the Existing Bargaining Unit:

Number of Employees in Existing Unit _____

SECTION 2—Describe the Proposed Bargaining Unit:

OLYMPIA POLICE LIEUTENANTS

Number of Employees in Proposed Unit 6

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

SHOWING OF INTEREST

A showing of interest indicating the support of at least 30 percent of the employees in the bargaining unit must be filed with the petition. **See instructions for more information.**

PETITIONER REPRESENTATIVE

Name Bryan Wyllie
Address 120 STATE AVE NE #101
Phone 360-789-2440 Ext. _____
Signature

Title President
City, State, ZIP OLYMPIA, WA 98501
Email wyllieconstruction@comcast.net
Date MARCH 4th, 2024

Instructions for Filing a Representation Petition

Do not file this page with PERC.

Who Can File a Petition?

The petitioner is the party who files the petition and may be an individual employee or a union. For more detailed information please refer to our website at perc.wa.gov/elections. For applicable rules, visit perc.wa.gov/laws-rules and refer to chapters 10-08, 391-08, and 391-25 WAC.

Filing Time Frame

A petition may be filed at any time if you (1) intend to organize a new bargaining unit or (2) your contract has expired and a new contract has not yet been signed.

A petition to change or remove the representative can only be filed during a 30-day window period, which is determined by the expiration date of the current contract:

- For employees covered by chapter 41.80 RCW, the window period begins 120 days and ends 90 days before the contract expires.
 - For employees covered by all other statutes, the window period begins 90 days and ends 60 days before the contract expires.
 - If PERC has issued a certification, no petition involving the same employees may be filed for 12 months from the date of the certification.
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Showing of Interest

A showing of interest is individual papers/cards from at least 30 percent of the employees in the bargaining unit. Each card must be signed and dated and clearly state the desired outcome. Example language for the card is as follows:

I want to be represented by [name of union] for the purpose of collective bargaining. OR

I no longer want to be represented by [name of union] for the purpose of collective bargaining.

A sheet of paper with multiple signatures will not be accepted. The showing of interest cards are confidential and should be filed ONLY with PERC. Showing of interest cards may be submitted electronically, provided the copy is legible. Do not provide copies of the cards to other parties.

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.

OLYMPIA POLICE LIEUTENANTS ASSOCIATION

BY-LAWS

ARTICLE I

NAME & PURPOSE

- Section 1 The name of the organization shall be the Olympia Police Lieutenants Association (and shall be referred to throughout these By-Laws as the Association or OPLA)
- Section 2 The purpose of the organization shall be to improve wages, hours, and working conditions through negotiations and collective bargaining, and through other lawful methods.

ARTICLE II

OFFICES

- Section 1 The principal office of the Association shall be in the City of Olympia, Thurston County, State of Washington or such other place as determined by the membership of this organization.
- Section 2 The Association's Executive Board shall be free to obtain office space, through purchase, lease, gift, or otherwise, to carry out the purpose of the Association.

ARTICLE III

ELIGIBILITY FOR MEMBERSHIP IN THE ASSOCIATION

- Section 1 Those holding the Commissioned rank of Lieutenant, who qualify for fulltime benefits within the City of Olympia are eligible for membership in the Association.

ARTICLE IV

MEMBERSHIP

- Section 1 **ACTIVE MEMBERS.** All persons employed within a bargaining unit represented by the Association who are in good standing will be granted active membership.
- Section 2 **DISABLED MEMBERS.** Any active member who goes on long-term disability and does not retire shall retain his/her active membership status and shall have all rights and benefits pertaining thereto during the period of such disability. A

disabled member will not be required to pay dues to the Association as long as he/she is on disability status.

Section 3

INACTIVE MEMBERS. Any active member who takes a leave of absence without pay from employment with the City of Olympia for longer than thirty (30) days shall be placed on inactive status. Such inactive members shall not be required to pay dues and shall have no vote or voice or be allowed to participate in the business of the Association or be eligible to hold office while on inactive status. Upon return to paid employment status from such leave, the member's active status shall automatically be reinstated and such member shall remain an active member so long as he/she remains in good standing. This section shall not apply to members who are called to active-duty military service by Title 10 or other official orders written or verbal. Members on unpaid leave of absence due to military service will be considered in "good standing" but shall not be required to pay dues and if they hold office their position will be temporarily vacated during the term of their military service.

Section 4

GOOD STANDING. Good standing shall mean the payment of any initiation fee, dues, and assessments required by this organization. Persons who fail to pay the required initiation fee, dues, and assessments within periods prescribed by the By-Laws and/or the Labor Contract or another existing contract between the Association and any member(s) shall be deemed delinquent, shall be suspended and cease to be members in good standing. Delinquent and suspended members are not entitled to voice, vote, or participate in the business of the Association.

Section 5

RIGHTS OF MEMBERS. Every active member shall have the right to: (a) attend any Association general or Executive Board meeting and to participate in such meeting in accordance with these By-Laws; (b) nominate candidates; and (c) vote in elections and referendums of the Association.

Section 6

This Association, its Officers, representatives, and members shall recognize, observe and be bound by the provisions of these By-Laws and the Association's Labor Contract with the City of Olympia.

Section 7

FAIR SHARE PAYORS. Bargaining unit employees who choose not to be an active member of the Association shall not be entitled to voice, vote, or participate in the business of the Association but will be assessed his/her fair share of the cost of negotiating and administering the Labor Contract with the City of Olympia.

1. This fair share amount will be determined by the Association's Executive Board after an independent auditor has examined the Association's expenditures for the previous year and detailed budget for the year. The accounting must designate the amount of funds which are to be clearly used for ideological purposes, those which are clearly to be used for the cost of negotiating and administering the Labor Contract, and those which are not clearly in either category. This accounting must also include all funds sent to state or national affiliates.

2. The Association will then inform the City of Olympia as to what amount of fair share (agency) fees are chargeable to fair-share members. The Association will then place in escrow the amount which is not clearly either for ideological purposes or for negotiating or administering the Labor Contract may be used immediately by the Association. The amount in escrow can only be used after fair share payers have had an opportunity to register their objections by utilizing the appeal process described below.
3. All fair share payers shall be provided with a copy of the budget along with an explanation of the amount to be deducted from their paychecks. They will also be provided with a copy of the procedures described in this article whereby they may register their objections to the amount deducted.
4. A non-member will have fifteen (15) days from the date they receive the information described in Section 3 of this article, to inform the Association in writing that they object to the amount being assessed and the reasons for these objections. Failure to inform the Association in a timely manner will be considered a waiver of the right to so object.
5. Upon receipt of this objection the Association's Executive Board will review the objection and inform the objecting fair share payer within fifteen (15) days of its decision. If the Board agrees with the fair share payer, the dues will be adjusted accordingly. If the Board rejects the fair share payers' objection, then the fair share payer has ten (10) days in which to inform the Board that he or she desires to have a dispute settled by arbitration.
6. Upon receipt of a request for arbitration, the Association will request as soon as possible, a list from the American Arbitration Association of the names of five arbitrators to be submitted to the Association and the fair share payer. Within ten (10) days of the receipt of the list, the Association's representative will meet with the fair share payer and each will alternately strike names until a single arbitrator is left. The Association will inform the arbitrator of his or her selection and schedule a hearing as soon as possible within the parameters of the parties' schedules.
7. The arbitrator will have thirty (30) days from the date of the hearing to render his or her decision. The decision will be final and binding upon both parties. The cost of the arbitrator will be born by the Association.
8. If the arbitrator sustains the objection by the fair share payer, the Association will refund to the fair share payer the appropriate amount. If the arbitrator rejects the objection and supports the Association, the remainder of the fair share payers' dues deducted and in escrow may be withdrawn and used by the Association.

ARTICLE V

MEETINGS

Section 1 REGULAR MEETINGS. Regular meetings of this Association shall be held bi-annually, at a day and time determined by the President. The place for the meeting will be determined by the President and notice of the date, time, and place for the meeting shall be given at least ten (10) days in advance of the meeting by the President or Secretary or Executive Board. The method of notice (e.g., personal delivery, mail, posting, or email) shall be determined by the President.

Section 2 ANNUAL MEETING. The annual meeting shall be held in December at a time and place determined by the Executive Board for the transaction of such business as may properly come before the meeting. Notice of the date, time, and place for the meeting shall be given at least ten (10) days in advance of the meeting by the President or Executive Board. The method of notice (e.g., personal delivery, mail, posting, or email) shall be determined by the Executive Board.

Section 3 SPECIAL MEETINGS. Special Meetings of the Association may be called in four ways:

1. By the OPLA President
2. By a majority vote of the Executive Board.
3. By an aggrieved member for the purpose of appealing a decision by the Grievance Committee regarding any grievance filed by said member.
4. By three (3) members in good standing petitioning the Executive Board to call a special meeting.

Any request for a special meeting under paragraph 3 or paragraph 4 above shall be in writing. The only item on the agenda for a special meeting called under paragraph 3 above shall be the appeal and no other business shall be in order at that meeting. The request for a special meeting under paragraph 4 above shall specifically state what business shall be included on the agenda and no other business shall be in order at that meeting.

The date, time, and place for the special meeting shall be determined by the Executive Board. The Secretary or the Executive Board shall be responsible for giving notice of the date, time, and place for the special meeting to all active members at least ten (10) days prior to the meeting. The method of notice (e.g., personal delivery, mail, posting, or email) shall be determined by the Executive Board.

Proxy votes shall be allowed on business discussed at special meetings only to the extent that proxy votes are allowed by these By-Laws and the advance notification meets the requirements set forth in Article VII, Section 11, Special Elections.

Section 4 QUORUM. The quorum for any meeting of this Association shall be sixty percent (60%) of the active members of the Association.

- Section 5 RULES OF PROCEDURE. Unless otherwise stated within the By-Laws or Labor Contract of the Association, all meetings shall be conducted in an orderly and businesslike manner.
- Section 6 DISSENT. An active member who is present at any meeting of the Association at which action on any Association matter is taken shall be presumed to have assented to the holdings of the meeting and action taken unless his/her dissent or objection shall be entered in the minutes of the meeting or unless he/she shall write his/her written dissent or objection to such action with the person acting as the Secretary of the meeting before the adjournment thereof, or shall forward such dissent by registered mail to the Secretary of the Association immediately after the adjournment of the meeting. Such right of dissent shall not apply to a member who voted in favor of such action.
- Section 7 EXECUTIVE SESSION. At any Executive Board or regularly called meeting of the Association the officers may, by majority vote, elect to go into Executive Session excluding from there all members not designated in the motion. The purpose of an Executive Session shall be to achieve harmony among the officers as to Association business and direction.

ARTICLE VI

OFFICERS

- Section 1 DESIGNATION. The officers of this Association shall consist of President, Vice-President and Secretary/Treasurer, which together will constitute the Executive Board. Members of the Executive Board shall perform faithfully not only those duties with which they are specifically charged under these By-Laws, but shall also perform such other duties as ordinarily pertain to their office or such as OPLA may from time to time impose.
- Section 2 ELIGIBILITY FOR OFFICE. Any active member shall be eligible to be a candidate for any office in this Association.
- Section 3 TERM OF OFFICE. Following the expiration of the term of office for the Officers first elected under these By-Laws, Officers shall hold office for a one (1) year term and until the election and installation of their successors, unless recalled from office as provided by these By-Laws.
- Section 4 RECALL FROM OFFICE. Officers of this Association can be recalled from office for the following reasons: (a) acts which would discredit the Association and prevent the Association from carrying out the best interests of its membership; and/or (b) failure to remain an active member (member in good standing) in the Association. A recall election may be initiated by a petition to the Executive Board signed by at least sixty percent (60%) of the active members in the Association. Such a petition shall contain any allegations against and Officer(s) and any other justification for such recall election. Recall elections shall be by secret written ballot according to the provisions of Article VII.

ARTICLE VII

NOMINATION AND ELECTION OF OFFICERS

Section 1 **METHOD OF NOMINATION.** The Executive Board shall set the date and method for the nominations of Officer Candidates. At least twenty (20) days before the date set for the nomination of Officer Candidates, specific notice of the date and method for nomination of candidates shall be given to all active members. The method of notice (e.g., personal delivery, mail, posting, or email) shall be determined by the Executive Board. Candidates may accept nomination for only one (1) office. If a question is raised concerning the eligibility of a candidate, the Executive Board shall investigate the eligibility of the candidate, which shall have the authority to disqualify any ineligible candidate.

Section 2 **METHOD OF VOTING.** Elections of Officers shall be by secret, written ballot. The Executive Board shall set the date and method for the election of Officer Candidates, except that: (a) there shall be no voting by proxy in the election of Association officers. The ballots will be placed in a secured lock box. At least twenty (20) days before the date of the election of officer candidates, specific notice of the date and method for election of candidates shall be given to all active members. The method of notice (e.g., personal delivery, mail, posting, or email) shall be determined by the Executive Board.

The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives a majority of the ballots cast, the balloting shall continue through a run-off election in which only the two candidates receiving the greatest number of votes shall participate until there is a majority, eliminating the candidate receiving the lowest vote.

Section 3 **FORM OF BALLOT.** Each ballot shall be in a form prescribed by the Executive Board and shall contain the name of every candidate, showing the office the nominee is running for. Each active member shall be furnished a ballot and plain envelope. Active members wishing to vote shall insert the marked ballot in the plain envelope and insert into the secured pre-designated lockbox.

Section 4 **COUNTING OF BALLOTS.** At the time of counting of ballots the Secretary/Treasurer, in the presence of a volunteer member, shall examine each return envelope.

When all the return envelopes have been examined and verified, the Secretary/Treasurer and the volunteer member shall then open the ballot envelopes and count the ballots.

Section 5 **CERTIFICATION OF RESULTS.** The Secretary shall sign the tally sheets which constitute the official results of the election. Election ballots shall be preserved by the Secretary/Treasurer for one (1) month following an election.

Section 6 **VACANCIES IN OFFICE.** When an office becomes vacant by reason of death, resignation, promotion, or recall of the incumbent, the active members shall elect a successor for the remainder of the current term by majority vote of those present

at the next regular meeting from the date the office is vacated, except in the case of President, in which the order of attrition shall take precedence. If less than six (6) months remain in the term of office of the vacant position, the Executive Board, by majority vote, may elect to leave the position unfilled until the next election.

Section 7 ORDER OF ATTRITION. In the case that the President shall be unable to complete a term of office, he/she shall be succeeded by the Vice President, Secretary/Treasurer, in that order, provided that the successor shall be an office holder by election of the membership and not by appointment.

Section 8 OTHER ELECTIONS/VOTING. Votes on initiation fees, increase in membership dues, ratification/rejection of collective bargaining agreements, reinstatement fees, special assessments and recall of an officer shall be by secret written ballot. The Executive Board shall determine the date and the method for the vote on initiation fees, increase in membership dues, ratification/rejection of collective bargaining agreements, reinstatement fees, special assessments and recall of an officer, provided however, that: (a) votes on offers for settlement of collective bargaining negotiations shall be limited to active members in the collective bargaining unit covered by such negotiations, and, (b) that recall elections shall follow the procedures set forth in Sections 4, 5, 6, and 7 of this Article. All other votes of regular Association business may be, at the option of the presiding officer, by voice or show of hands during a regular or special meeting or an online survey.

Proxy votes will be permitted in special elections provided that they are in the proper form and signed, and that the business to be voted on was included in the official agenda and posted for a period of ten (10) days prior to the meeting. Proxy votes will not be allowed for the elections or recalls of Officer, amendments to the By-Laws or on issues affecting financial assessments to the members as listed above in paragraph 1.

A proxy vote shall consist of the following form: Each vote shall be specified on a separate sheet of paper (approximately 3" x 5") and shall contain either a blanket proxy that can be voted by the bearer, or shall specify the issue and the desired vote. Each proxy shall be signed by the maker and endorsed by the bearer. The results of the ballot shall be subject to verification of the proxies. Any proxy that is unclear as to how a vote is to be cast shall be void.

ARTICLE VIII

DUTIES OF OFFICERS

Section 1 PRESIDENT: It shall be the duty of the President to preside at all meetings of the Association and at meeting of the Executive Board. The President shall be the executive head of the Association. The President shall be a member ex officio of all Committees. The President shall appoint such committees as may be authorized by the Executive Board of the Association. Together with the

Treasurer and/or the Vice President, the President may sign orders and checks lawfully drawn. The President shall enforce strict observance of the Constitution and By-Laws of the Association. The President shall have general supervision of other officers and chairman of committees.

Section 2

VICE-PRESIDENT: The Vice-President shall assist the President in such a manner as the President may determine. In the absence of the President, he/she the Vice-President shall preside at meetings of the Association and of the Executive Board. The Vice-President shall be chairman of the Grievance Committee.

Section 3

SECRETARY /TREASURER: The Treasurer shall discharge on behalf of the Association, such duties as may be imposed upon him/her by the President or by applicable law including the execution and filing of any reports to Federal or State authorities, including, but not limited to the following:

1. Maintain and have custody of all documents, records, books, and Papers belonging to the Association and/or required by law.
2. Keep an accurate record of the meetings of the Association and the Executive Board.
3. Attest all official documents with his/her signature.
4. Conduct the correspondence of the Association promptly.
5. Serve as Chairman of the Nominating Committee.
6. Maintain the official list of members of the organization in an accurate and current manner, including listings of retired members, and members not in good standing.
7. Receive all money due the Association, from whatever source, and disburse the same only by check signed by him/her and the President or Vice-President.
8. Maintain and keep current and accurate records of members' dues payments, assessments and all other financial transactions.
9. Be prepared to exhibit receipts and vouchers upon the audit of the Association's books.
10. Present to the membership at each regular meeting, an accounting of the past quarters financial transactions to provide accountability and justification of any disbursements.

Section 4

GREIVANCE COMMITTEE: The Grievance Committee will hear concerns of members who are considering or would like to file a grievance. The committee will consist of three (3) volunteer active members and gather to hear of member concerns, under internal investigation, and desire to file a grievance. The committee will vote by ballot to file a grievance or not and provide those results to the board. The President and Vice President will also vote to move forward or not based off of the ballots received and information gathered of the

committee. Such results will be final. The Secretary/Treasurer will vote should the grievance involve the President or VP.

Section 5

EXECUTIVE BOARD: The Executive Board shall consist of the President, Vice-President, and Secretary/Treasurer. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the Association. The Association's funds may only be invested in accounts or funds which are either federally insured or which are backed by the full faith and credit of the U.S. Government. It shall have the authority to act in the name of the Association.

ARTICLE IX

COMMITTEES

- (A) A grievance shall be defined as any dispute between labor and management cognizable under the Labor Contract between the Association and The City of Olympia. The procedure shall be set forth in the current Labor Contract between the Association and The City of Olympia. The member wanting the assistance of help from the Association shall appeal, in writing, to the committee (received by the Secretary/Treasurer). The Grievance Committee will determine by vote, the validity of the Grievance, after due investigation.
- (B) There will be an indefinite amount of money to assist in the legal defense of any member suspended or dismissed for reasons believed to be unjust, and any other grievance found by the body at large to be warranted.

Section 1

BARGAINING: The executive board shall conduct contract negotiations with the City of Olympia. The board shall be responsible for the gathering of any and all supportive or resource material deemed necessary for the productive pursuit of negotiations. The President shall keep the membership apprised of the status of negotiations.

Section 2

In addition to the above listed standing committees, the President may appoint, at any Regular Meeting, temporary committees as necessary to conduct the business of the Association. Committee members shall be appointed from Association members in good standing and shall serve as long as necessary to conduct the business of the committee they were appointed for.

ARTICLE X

INITIATION FEES, DUES AND ASSESSMENTS

Section 1 Dues, fair share and other assessments shall be paid by the payroll deduction plan as set forth in the Labor Contract between the Association and the City of Olympia. There are no initiation fees.

Section 2 Dues, fair share and other assessments shall be set by a majority vote of the body, currently assessed at \$100 a month per member. Those dues are broken down as:

WACOPS	\$12.50
PORACX Legal Defense Funds (LDF) plan 2 & plan 6	\$10.00
Labor Defense Group (LDG)	\$40.00
OPLA account (Twinstar CU)	\$37.50

ARTICLE XI

AUDIT

The financial records of this Association shall be audited every three years or with the election of a new Secretary/Treasurer. The method may be by committee or professional firm as directed by the Executive Board.

ARTICLE XII

Amendments, revisions and repeal amendments; revision and repeal of these By Laws, may be made by a majority vote of those full members in good standing of this Association, which are present at any Annual, Regular or Special Meeting, provided that notice of such meeting set forth at least fifteen (15) days prior to the meeting, staging such amendment, revision or repeal will be considered at the specified meeting at which the vote will be taken.

ADOPTED THIS 2 DAY OF MARCH, 2024

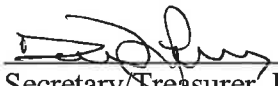
Olympia Police Lieutenants Association



President, Bryan Wyllie



Vice President, Ryan Hirotaka



Secretary/Treasurer, Paul Lower