



**PUBLIC EMPLOYMENT RELATIONS
COMMISSION**

NOTICE

**INVESTIGATION STATEMENT
TO BE POSTED FOR SEVEN DAYS**

RE: Washington State University
Case 131233-E-19
Filed January 3, 2019

DATE: February 27, 2019

An investigation conference was held by electronic mail. The participants were:

Dean Bushey, on behalf of the petitioner, International Union of Operating Engineers, Local 280.
Kendra Wilkins-Fontenot, on behalf of the employer, Washington State University.
Emily K. Whitney, on behalf of the Commission.

This statement is issued pursuant to WAC 10-08-130 to state the stipulations made by the parties at the Investigation Conference and to control the subsequent course of proceedings. WAC 391-25-220 requires posting of this statement on the employer's premises for a period of at least seven days.

1. The following matters were resolved during the course of the conference:
 - a. The Public Employment Relations Commission has jurisdiction in this matter under Chapter 41.80 RCW.
 - b. The petitioner, International Union of Operating Engineers, Local 280, is a lawful labor organization qualified to act as bargaining representative under RCW 41.80.005(9).
 - c. The Representation Petition was timely filed.
 - d. None of the parties claim that an unfair labor practice charge has been filed that should be treated as a blocking charge.

- e. The description of an appropriate bargaining unit:

All full-time and regular part-time stationary engineers and maintenance mechanics employed in the Washington State University Steam Plant; excluding supervisors, confidential employees and all other employees.

- f. The correct eligibility list is the list dated January 18, 2019, prepared by the employer. To be eligible, an employee must have been employed in the bargaining unit on February 27, 2019, and must remain an employee on the date of the tally.
- g. There were no requests that the notices and ballots be reproduced in a language other than English or for any disability accommodations.

- 2. There will be a cross-check conducted upon receipt of employment records from the employer bearing the signatures of the eligible employees to compare with the authorization cards submitted by the union.

The Commission will honor an employee’s written request to revoke their authorization card for the purposes of the cross-check provided such request is submitted in writing on or before **March 12, 2019**. WAC 391-25-410. Any request to withdraw an authorization card for purposes of the cross-check should be addressed to:

Representation Case Administrator
PO Box 40919
Olympia, Washington 98504-0919

The cross-check will occur no sooner than **March 13, 2019**. The employer is instructed to provide the Commission with updated employment records that bear the employees names and signatures by no later than **March 12, 2019**.

- 3. The following matters remain in dispute between the parties:

The parties disagree about whether the informational technology specialist 3 position has a community of interest with the petitioned-for bargaining unit and this matter will be resolved after the cross-check.

Any objections to the foregoing must be filed at the Olympia office of the Commission, in writing, within 10 days following the date of this statement and shall, at the same time, be served upon each of the other participants named above. This statement becomes part of the record in this case as binding stipulations of the parties, unless modified for good cause by a subsequent order.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

By: Emily K. Whitney
EMILY K. WHITNEY, Representation Administrator

COPIES OF THIS STATEMENT AND THE ATTACHED ELIGIBILITY LIST ARE TO BE POSTED BY THE EMPLOYER IN CONSPICUOUS PLACES ON ITS PREMISES WHERE NOTICES TO EMPLOYEES ARE USUALLY POSTED FOR AT LEAST SEVEN DAYS.

ELIGIBILITY LIST

**CASE 131233-E-19
Washington State University**

Bidwell, Tyler
Chilson, Daniel
Chilson, Michael
Grant, Mark
Intermill, Brian
Line, Steven
Mills, Kevin
Mobley, Dion
Richards, Daniel
Rossi Duane
Varvel, David
Wharton, William
Young, John - CHALLENGED



RECORD OF SERVICE

ISSUED ON 02/27/2019

INVESTIGATION STATEMENT has been served electronically by the Public Employment Relations Commission to the parties and their representatives listed below. If no e-mail address was provided, a paper copy was sent to the mailing address.

BY: DEBBIE BATES

CASE 131233-E-19

EMPLOYER: WASHINGTON STATE UNIVERSITY

REP BY: KENDRA WILKINS-FONTENOT
WASHINGTON STATE UNIVERSITY
139 FRENCH ADMIN BLDG 1014
PO BOX 641014
PULLMAN, WA 99164
kfonten@wsu.edu

PARTY 2: INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 280

REP BY: DEBBIE HENDRICK
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