

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

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| FRANKLIN COUNTY ROAD DEPUTIES |) | |
| GUILD, |) | |
| |) | |
| Complainant, |) | CASE 14467-U-99-3589 |
| |) | |
| vs. |) | DECISION 7389 - PECB |
| |) | |
| FRANKLIN COUNTY, |) | ORDER OF DISMISSAL |
| |) | |
| Respondent. |) | |
| |) | |
| |) | |

On March 18, 1999, the Franklin County Road Deputies Guild (union) filed a complaint charging unfair labor practices with the Public Employment Relations Commission under Chapter 391-45 WAC, naming Franklin County (employer) as respondent. The Executive Director issued a preliminary ruling under WAC 391-45-110, on August 11, 1999, finding a cause of action to exist on allegations that the employer had discriminated against Corporal Bill Corbett in retaliation for his having engaged in union activities. The employer filed its answer on August 26, 1999, framing contested issues of fact. Examiner Martha M. Nicoloff was assigned to conduct further proceedings in the matter, and a notice was issued, setting February 8, 2000, as the date to commence a hearing.

The hearing was postponed, on the request/concurrence of the parties. Attempts to reschedule the hearing were complicated initially by changes of union representatives and legal counsel, and later by the unavailability of Corporal Corbett due to surgery and recuperation following his involvement in a serious accident. The Examiner made contact with the union periodically, over the course of several months, and was informed that additional time was

needed before a hearing could be set in the matter. Later, the Examiner received no response to three telephone messages left for the union representative in December 2000 and January 2001.

In a letter to the parties and Corbett dated February 22, 2001, the Examiner stated concern as to whether the case remained active and should be scheduled for further processing. The parties and Corbett were informed that, unless good cause was shown within fourteen days following the date of the letter, the complaint would be dismissed for lack of prosecution. Nothing further has been heard or received from either party to the complaint, or from Corporal Corbett.

NOW, THEREFORE, it is

ORDERED

The complaint charging unfair labor practices filed in the above-entitled matter is hereby DISMISSED for lack of prosecution.

Dated at Olympia, Washington, this 7th day of May, 2001.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARTHA M. NICOLOFF, Examiner

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under WAC 391-45-350.