

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

CITY OF PUYALLUP,)	
)	
Complainant,)	CASE 13566-U-97-3313
)	
vs.)	DECISION 6674-A - PECB
)	
PUYALLUP PROFESSIONAL PUBLIC)	
SAFETY MANAGERS' ASSOCIATION,)	
)	ORDER OF COMMISSION
Respondent.)	
)	
)	

Foster, Pepper and Shefelman PLLC, by P. Stephen DiJulio, Attorney at Law, appeared for the complainant.

Schwerin, Campbell, Barnard LLP, by Lawrence R. Schwerin, Attorney at Law, appeared for Respondent.

This case comes before the Commission on an appeal filed by the employer, seeking to overturn an order issued by Examiner J. Martin Smith on May 4, 1999.¹

The employer sought to withdraw its complaint after the parties settled their differences, but its written request was not filed until May 6, 1999, after the issuance of the Examiner's decision. The employer then filed a timely notice of appeal, requesting reversal of the Examiner's decision, remand of the case to the Examiner for withdrawal of the decision,² or a reopening of the

¹ City of Puyallup, Decision 6674 (PECB, 1999). The Examiner dismissed "union refusal to bargain" allegations.

² Writing at the direction of the Commission on August 23, 1999, the Executive Director advised the parties that the Examiner's decision was a matter of public record, and that its publication could not be suppressed.

hearing. The union responded to the notice of appeal. On October 12, 1999, the parties filed a stipulation that proceedings on the appeal should be terminated on the basis that the Examiner's decision have no precedential value.

In the context of the parties having resolved their differences, the Commission finds that the parties' stipulation should be accepted as consistent with the purposes and policies of the Public Employees' Collective Bargaining Act.

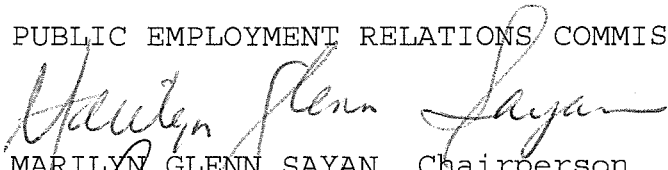
NOW, THEREFORE, it is


ORDERED

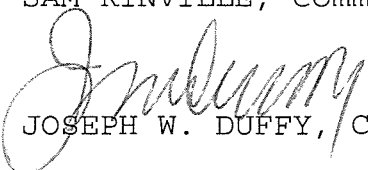
1. The proceedings in the above-captioned matter shall be terminated without Commission review of the Findings of Fact, Conclusions of Law and Order issued by Examiner J. Martin Smith.
2. The Examiner's decision shall have no precedential value.

Issued at Olympia, Washington, on the 12th day of October, 1999.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARILYN GLENN SAYAN, Chairperson


SAM KINVILLE, Commissioner


JOSEPH W. DUFFY, Commissioner