

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

RONALD SLAUGHTER,)	
)	
Complainant,)	CASE 13292-U-97-3237
)	
vs.)	DECISION 6009 - PECB
)	
WASHINGTON STATE DEPARTMENT)	
OF SOCIAL & HEALTH SERVICES,)	
)	
Respondent.)	ORDER OF DISMISSAL
)	
_____)	

On July 8, 1997, Ronald Slaughter filed a complaint with the Public Employment Relations Commission, alleging that the Washington Department of Social and Health Services (employer) had committed unfair labor practices pursuant to Chapter 41.56 RCW. Specifically, the complainant asserted that the employer had interfered with his rights and had discriminated against him, in the selection of another employee to fill a vacant position.

The complaint was reviewed by the Executive Director for the purpose of making a preliminary ruling under WAC 391-45-110. At that stage of the proceedings, all of the facts alleged in a complaint are assumed to be true and provable, and the question is whether the complaint states a claim for relief available through unfair labor practice proceedings before the Public Employment Relations Commission. In a deficiency notice issued on July 28, 1997, the complainant was notified that the coverage of the Public Employees' Collective Bargaining Act, Chapter 41.56 RCW, and therefore the jurisdiction of the Commission, is generally limited to units of local government, and that the limited group of "state"

operations covered by that statute does not include the Department of Social and Health Services. It was further noted that the other collective bargaining statutes administered by the Commission are clearly inapplicable to this matter, and that any collective bargaining rights of Department of Social and Health Services employees would arise under the state civil service law, Chapter 41.06 RCW, administered by the Department of Personnel.

The complainant was given a period of 14 days to show cause why the complaint should not be dismissed. Nothing further has been received from the complainant.

NOW, THEREFORE, it is

ORDERED

The complaint filed in the above-captioned matter is DISMISSED for lack of jurisdiction.

DATED at Olympia, Washington, this 25th day of August, 1997.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARVIN L. SCHURKE, Executive Director

This order will be the final order of the agency unless appealed by filing a petition for review with the Commission pursuant to WAC 391-45-350.