

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

ANN DAVIS,	)	
	)	
Complainant,	)	CASE 13205-U-97-3214
	)	
vs.	)	DECISION 6370 - PECB
	)	
KENNEWICK SCHOOL DISTRICT,	)	
	)	
Respondent.	)	ORDER OF DISMISSAL
	)	
	)	

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Ann Davis, appeared pro se.

Hames, Anderson & Whitlow, by Timothy D. Anderson,  
Attorney at Law, appeared for the employer.

On June 2, 1997, Ann Davis filed a complaint charging unfair labor practices with the Public Employment Relations Commission under Chapter 391-45 WAC, naming the Kennewick School District (employer) as respondent. Specifically, Davis alleged that the employer had interfered with her exercise of collective bargaining rights, and discriminated against her, by targeting her for criticism, ignoring its own procedure for processing parent complaints, and conducting an unreasonable investigation into her activities. The complaint was reviewed under WAC 391-45-110,<sup>1</sup> and a preliminary ruling issued on July 9, 1997, finding that a cause of action existed. The employer was directed to file and serve its answer to the complaint, and it did so on July 25, 1997. The Examiner assigned to

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<sup>1</sup> At this stage of the proceedings, all of the facts alleged in a complaint are assumed to be true and provable. The question at hand is whether the complaint states a claim for relief available through unfair labor practice proceedings before the Commission.

the matter issued a notice setting February 19, 1998, as the date for a hearing.

On February 5, 1998, David Fleming of Public Employees of Washington was substituted for Eric Nordlof of the same organization, as counsel for the complainant. The hearing set for February 19, 1998, was continued at the request of the complainant. On February 20, 1998, Fleming withdrew as counsel for the complainant.

In a letter issued April 17, 1998, the Executive Director notified Davis that the case would be held open for 21 days to allow her to file and serve a statement indicating her intent to prosecute the matter. The same letter indicated that the case would be dismissed for lack of prosecution, if no response was forthcoming from Davis within the specified time period. Nothing further has been heard or received from Davis.

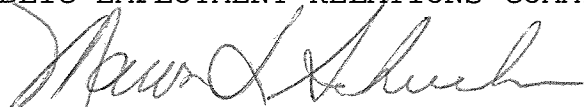
NOW, THEREFORE, it is

ORDERED

The petition filed in the above-captioned matter is DISMISSED for lack of prosecution.

DATED at Olympia, Washington, this 15<sup>th</sup> day of July, 1998.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

  
MARVIN L. SCHURKE, Executive Director

This order will be the final order of the agency unless appealed to the Commission under WAC 391-45-350.