

STATE OF WASHINGTON  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

KENNETH G. SULLIVAN,	)	
Complainant,	)	CASE NO. 4389-U-82-703
vs.	)	
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, LOCAL 1170,	)	DECISION NO. 1781-B - PECB
Respondent.	)	DECISION OF COMMISSION

Kenneth G. Sullivan, complainant, appeared pro se.

Stan Standifer, National Representative, appeared for the respondent.

Examiner Rex L. Lacy issued his findings of fact, conclusions of law and order in the above-entitled matter on July 12, 1984, finding a violation and ordering a remedy. On July 19, 1984, the union notified the Commission that it had taken steps to comply with the examiner's order. The complainant filed a petition for review on August 2, 1984.

The petition for review was filed one day late and, therefore, was untimely and must be dismissed. However, to be certain that this application of WAC 391-45-350 does not work a hardship on a complainant proceeding pro se, we read the petition.

The petition finds no fault with the examiner's findings of fact or conclusions of law, but solely with the remedy in failing to direct petitioner's reinstatement in employment. Only his former employer could reinstate the complainant. The former employer is not a party to this case. We cannot order reinstatement in a case to which the former employer is not a party.

The petition for review is hereby dismissed.

Dated this 9th day of November, 1984.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Jane R. Wilkinson  
JANE R. WILKINSON, Chairman

Mark C. Endresen  
MARK C. ENDRESEN, Commissioner

Mary Ellen Krug  
MARY ELLEN KRUG, Commissioner