

STATE OF WASHINGTON
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

VIVIAN WOMACK,)	
)	
Complainant,)	CASE NO. 6998-U-87-1424
)	
vs.)	
)	
OTHELLO SCHOOL DISTRICT,)	
)	
Respondent.)	
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VIVIAN WOMACK,)	
)	
Complainant,)	CASE NO. 7176-U-87-1466
)	
vs.)	
)	DECISION 3037-A - PECB
PUBLIC SCHOOL EMPLOYEES)	
OF WASHINGTON,)	
)	DECISION OF COMMISSION
Respondent.)	
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Thomas Cordell, Attorney at Law, appeared on behalf of the complainant.

Robert L. Eckert, Assistant Superintendent, appeared on behalf of respondent Othello School District.

Caroline Lacey, Staff Legal Counsel, appeared on behalf of respondent Public School Employees of Washington.

On November 4, 1988, Examiner Rex L. Lacy issued his findings of fact, conclusions of law and order in the above-entitled matter, finding that no unfair labor practices were committed and dismissing the complaints.

The petition for review filed on behalf of Vivian Womack on November 29, 1988, was untimely under WAC 391-45-350, having

been filed more than 20 days after the issuance of the Examiner's decision. Consistent with longstanding Commission policy and precedent, the petition for review must be dismissed. See: Spokane School District, Decision 310-A (EDUC, 1978); Port of Ilwaco, Decision 970-A (PECB, 1980); Seattle Public Health Hospital (American Federation of Government Employees), Decision 1781-B (PECB, 1984); City of Seattle, Decision 2230-A (PECB, 1985); Port of Seattle, Decision 2661-B (PECB, May, 1988), and, most recently, Lewis County, Decision 2957-A (PECB, August, 1988). The policy has been applied equally across the spectrum from pro se claimants to experienced labor and management advocates.

The document was mailed under cover of a letter dated November 21, 1988, but was received 8 days later. WAC 10-08-110(4) and WAC 391-08-120(4) each provide that filing is deemed complete only upon actual receipt by the agency.


NOW, THEREFORE, it is

ORDERED

The petition for review is dismissed as untimely.

DATED at Olympia, Washington, this 9th day of December, 1988.

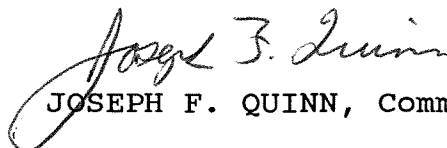
PUBLIC EMPLOYMENT RELATIONS COMMISSION



JANE R. WILKINSON, Chairman



MARK C. ENDRESEN, Commissioner



JOSEPH F. QUINN, Commissioner