

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

MINTA POWERS,	)	
	)	
Complainant,	)	CASE 11600-U-95-2720
	)	
vs.	)	DECISION 5258-A - PECB
	)	
WENATCHEE SCHOOL DISTRICT,	)	
	)	
Respondent.	)	ORDER OF DISMISSAL
	)	
	)	

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On February 16, 1995, Minta Powers filed a complaint charging unfair labor practices with the Public Employment Relations Commission under Chapter 391-45 WAC, alleging that the Wenatchee School District had violated RCW 41.56.140 by actions taken in reprisal for her protected union activity. After a preliminary ruling letter, issued on August 16, 1995, informed Powers that the complaint was insufficient to state a cause of action, she filed an amendment with the Commission on August 28, 1995. A partial order of dismissal was issued on September 29, 1995, in which allegations concerning actions and words of employer officials that were not related to union activity were dismissed as failing to state a cause of action.<sup>1</sup>

The employer was directed to file and serve its answer to allegations that were found to state a cause of action, including that the employer interfered with Powers' protected union activity, by discriminating against her in subsequent assignments and "harassing" her. The employer filed its answer on October 20, 1995.

By letter dated January 4, 1996, the parties were advised that Kathleen O. Erskine of the Commission staff had been designated as

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<sup>1</sup> Wenatchee School District, Decision 5258 (PECB, 1995).

Examiner, to conduct further proceedings in the matter pursuant to Chapter 391-45 WAC. Examiner Erskine attempted to contact Powers on January 12 and 16, 1996, to schedule a hearing.

During the course of a conversation on January 16, 1996, Examiner Erskine was advised that Powers was unwilling to decide whether to proceed with the scheduling of a hearing at that time. Powers was given three weeks in which to decide whether to: (1) schedule a hearing and appear pro se; (2) secure an attorney to represent her; or, (3) withdraw the complaint.

Nothing further has been heard or received from the complainant. The case must be cleared from the Commission's docket for lack of prosecution.

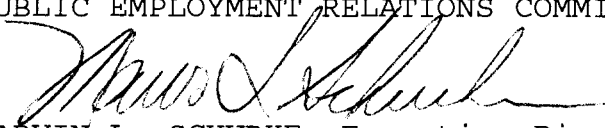
NOW, THEREFORE, it is

ORDERED

The complaint charging unfair labor practices filed in the above-entitled matter is hereby DISMISSED.

DATED at Olympia, Washington, this 9th day of April, 1996.

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.