

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

TACOMA SCHOOL DISTRICT,	)	
	)	
Employer	)	
-----	)	
LOIS MEHLHAFF,	)	CASE 11775-U-95-2770
	)	
Complainant,	)	DECISION 5465-A - EDUC
	)	
vs.	)	
	)	
TACOMA EDUCATION ASSOCIATION,	)	ORDER DENYING MOTION
	)	TO MAKE COMPLAINT MORE
Respondent.	)	DEFINITE AND CERTAIN
	)	
	)	

On April 2, 1996, the respondent in the above-captioned case filed a motion pursuant to WAC 391-45-250, seeking an order requiring the complainant to make her complaint more definite and certain. The respondent contended that the complaint (as previously amended in response to a preliminary ruling letter issued pursuant to WAC 391-45-110) consisting of 32 single-spaced pages does not conform to the requirements of WAC 391-45-050.

Although the materials filed by the complainant are lengthy, each and every line has been read and reviewed by the staff of the Commission as part of the preliminary ruling process. The more arcane claims have already been dismissed as being outside of the Commission's jurisdiction,<sup>1</sup> and that order became final in the absence of a timely petition for review. The respondent was only called to file an answer, by April 2, 1996, to the allegations which were identified in the order of partial dismissal as legally cognizable under Chapter 41.59 RCW. Indeed, the entire purpose of

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<sup>1</sup> Tacoma School District (Tacoma Education Association), Decision 5465-A (EDUC, March 12, 1996).

that order was to limit and focus the future course of these proceedings, by exclusion of substantial portions of the 32 pages of materials filed by the complainant. The partial order of dismissal was based on a preliminary ruling letter issued on February 14, 1996, which had also distinguished claims which stated a cause of action from those that did not.

The respondent now appears to seek a repetition of the preliminary ruling process already completed by the Commission. It would be inappropriate to re-visit issues on which a final dismissal order has already been issued, and would only cause further delay in these proceedings.

NOW, THEREFORE, it is

ORDERED

1. The motion of the Tacoma Education Association for a more definite and certain complaint is DENIED.
2. The Tacoma Education Association is directed to file and serve its answer, within 14 days following the date of this order, to the allegations which survive after the preliminary ruling letter and partial order of dismissal.

Issued at Olympia, Washington, on the 22nd day of April, 1996.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

  
J. MARTIN SMITH, Examiner