

Everett Community College, Decision 11135-D (CCOL, 2015)

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

AMERICAN FEDERATION OF
TEACHERS WASHINGTON,

Complainant,

vs.

EVERETT COMMUNITY COLLEGE
(COMMUNITY COLLEGE DISTRICT 5),

Respondent.

CASE 23327-U-10-5942

DECISION 11135-D - CCOL

ORDER REMANDING FOR
COMPLIANCE HEARING

The Rosen Law Firm, by *Jon Howard Rosen*, Attorney at Law, for the union.

Attorney General Robert W. Ferguson, by *Scott Majors*, Assistant Attorney General, for the employer.

In August 2014, the employer entered into compliance with the order in *Everett Community College*, Decision 11135 (CCOL, 2011). As ordered, the employer took actions to restore *status quo* terms and conditions of employment, made an offer to bargain, and completed the notice posting and reading requirements. The only portion of compliance in dispute is whether the employer properly restored *status quo ante* with regards to tenure track eligible positions. On February 10, 2015, the Commission reviewed compliance in this case and considered written arguments submitted by the parties on the tenure track issue. The Commission is remanding the case to an examiner for a narrowly focused compliance hearing.

Scope of Compliance Hearing

The hearing will be limited to collecting evidence about the number of tenure track counselor positions in the academic employees bargaining unit.

The union and employer will have the opportunity to introduce relevant exhibits and present witnesses, with the testimony focusing on the following topics:

The number of tenure track positions in counseling services in the bargaining unit from 2009 to the present.

Workload, transfers, and other factors that may impact or explain the number of job positions, including tenure track positions, within the bargaining unit since 2009.

Settlement mediation is available in compliance disputes.

NOW, THEREFORE, it is

ORDERED

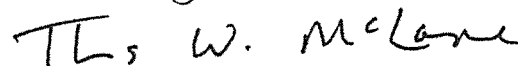
The compliance hearing shall be scheduled to take place within 90 days following the date of this order.

ISSUED at Olympia, Washington, this 9th day of March, 2015.

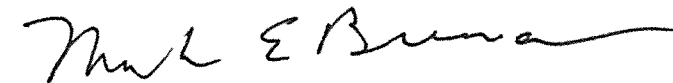
PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



THOMAS W. McLANE, Commissioner



MARK E. BRENNAN, Commissioner



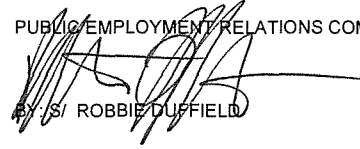
PUBLIC EMPLOYMENT RELATIONS COMMISSION

112 HENRY STREET NE SUITE 300
PO BOX 40919
OLYMPIA, WASHINGTON 98504-0919

MARILYN GLENN SAYAN, CHAIRPERSON
THOMAS W. McLANE, COMMISSIONER
MARK E. BRENNAN, COMMISSIONER
MIKE SELLARS, EXECUTIVE DIRECTOR

RECORD OF SERVICE - ISSUED 03/09/2015

The attached document identified as: **DECISION 11135-D - CCOL** has been served by the Public Employment Relations Commission by deposit in the United States mail, on the date issued indicated above, postage prepaid, addressed to the parties and their representatives listed in the docket records of the Commission as indicated below:

PUBLIC EMPLOYMENT RELATIONS COMMISSION

BY: /s/ ROBBIE DUFFIELD

CASE NUMBER: 23327-U-10-05942 FILED: 06/30/2010 FILED BY: PARTY 2
DISPUTE: ER MULTIPLE ULP
BAR UNIT: ACADEMIC
DETAILS: 27058-S-15-00457
COMMENTS:

EMPLOYER: EVERETT COMMUNITY COLLEGE
ATTN: DAVID BEYER
2000 TOWER ST
EVERETT, WA 98201-1390
dbeyer@everettcc.edu
Ph1: 425-388-9572

REP BY: SCOTT MAJORS
OFFICE OF THE ATTORNEY GENERAL
3501 COLBY AVE STE 200
EVERETT, WA 98201
Ph1: 425-257-2153 Ph2: 425-257-2170

PARTY 2: AFT WASHINGTON
ATTN: KAREN STRICKLAND
625 ANDOVER PARK W STE 111
TUKWILA, WA 98188-3332
kstrickland@aftwa.org
Ph1: 206-432-8080 Ph2: 866-992-3892

REP BY: GARY NEWLIN
AFT WASHINGTON
2000 TOWER ST
EVERETT, WA 98201-1390
Ph1: 425-388-9385

REP BY: JON ROSEN
THE ROSEN LAW FIRM
705 2ND AVE STE 1200
SEATTLE, WA 98104-1798
Ph1: 206-652-1464 Ph2: 206-682-6711