

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

GRAYS HARBOR COUNTY,

Employer.

JESSICA TORRES,

Complainant,

vs.

WASHINGTON STATE COUNCIL OF  
COUNTY AND CITY EMPLOYEES,

Respondent.

CASE 128791-U-17

DECISION 12695-A - PECB

DECISION OF COMMISSION

*Jessica Torres*, the complainant.

*Audrey B. Eide*, General Counsel, for the Washington State Council of County and City Employees.

On February 15, 2017, Jessica Torres filed an unfair labor practice complaint alleging the Washington State Council of County and City Employees (union) interfered with employee rights by breaching its duty of fair representation in violation of RCW 41.56.150(1). After reviewing the complaint pursuant to WAC 391-45-110, the Unfair Labor Practice Manager issued a deficiency notice on March 17, 2017. Torres filed an amended complaint on April 4, 2017. After reviewing the amended complaint, the Unfair Labor Practice Manager dismissed the original and amended complaints on May 17, 2017.

On May 30, 2017, Torres appealed the dismissal of her complaints. Torres did not file an appeal brief. The union filed a response brief on June 27, 2017.

The only issue this appeal presents is whether the complainant's original and amended complaints state a cause of action or, in other words, whether the complainant has alleged sufficient facts to proceed to hearing.

An unfair labor practice complaint is reviewed under WAC 391-45-110 to determine whether the facts, as alleged, state a cause of action. All of the facts are assumed to be true and provable. *Whatcom County*, Decision 8245-A (PECB, 2004).


We have reviewed the original and amended complaints. The complaints do not state a cause of action. We affirm the Unfair Labor Practice Manager.

ORDER


The Order of Dismissal issued by Unfair Labor Practice Manager Jessica J. Bradley is AFFIRMED.

ISSUED at Olympia, Washington, this 7th day of August, 2017.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



MARK E. BRENNAN, Commissioner



MARK BUSTO, Commissioner



## PUBLIC EMPLOYMENT RELATIONS COMMISSION

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### RECORD OF SERVICE - ISSUED 08/07/2017

DECISION 12695-A - PECB has been mailed by the Public Employment Relations Commission to the parties and their representatives listed below:



BY: VANESSA SMITH

CASE NUMBER: 128791-U-17

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