

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

STEVEN J. NELSON,

Complainant,

vs.

STATE – AGRICULTURE,

Respondent.

CASE 130656-U-18

DECISION 12886-A - PSRA

DECISION OF COMMISSION

On May 25, 2018, Steven J. Nelson filed an unfair labor practice complaint alleging that the Washington State Department of Agriculture (employer) discriminated against him by terminating his employment. After reviewing the complaint pursuant to WAC 391-45-110, the Unfair Labor Practice Administrator issued a deficiency notice on June 11, 2018. Nelson filed two amended complaints on June 18 and 19, 2018. After reviewing the amended complaints, the Unfair Labor Practice Administrator dismissed the original and amended complaints on July 10, 2018.

On July 23, 2018, Nelson filed an appeal. Neither Nelson nor the employer filed briefs on appeal.

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 facts are assumed to be true and provable. *Whatcom County*, Decision 8245-A (PECB, 2004).

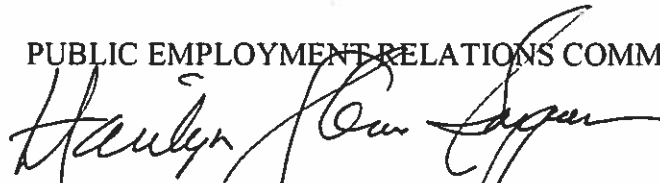
We have reviewed the original and amended complaints. The complaints do not state a cause of action. We affirm the Unfair Labor Practice Administrator.

ORDER

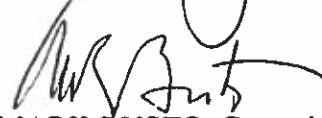
The Order of Dismissal issued by Unfair Labor Practice Administrator Emily K. Whitney is AFFIRMED.

ISSUED at Olympia, Washington, this 24th day of September, 2018.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



MARK BUSTO, Commissioner



PUBLIC EMPLOYMENT RELATIONS COMMISSION

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DECISION 12886-A - PSRA has been mailed by the Public Employment Relations Commission to the parties and their representatives listed below:

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CASE NUMBER: 130656-U-18

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