

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

KING COUNTY, Employer.	
CHUCK LARE, Complainant, vs. AMALGAMATED TRANSIT UNION LOCAL 587, Respondent.	CASE 134523-U-21 DECISION 13453-A - PECB DECISION OF COMMISSION

Charles Lare, the complainant.

Jon Howard Rosen, Attorney at Law, The Rosen Law Firm, for the Amalgamated Transit Union Local 587.

On October 6, 2021, Charles (Chuck) Lare (complainant) filed an unfair labor practice complaint against the Amalgamated Transit Union Local 587 (union). The allegations of the complaint concern conduct during an internal union election. On November 9, 2021, Unfair Labor Practice Administrator Emily K. Whitney (Administrator) issued a deficiency notice explaining why the complaint did not qualify for further processing.

On November 30, 2021, the complainant filed an amended complaint. After reviewing the amended complaint, the Administrator dismissed the complaint and amended complaint. *King County*, Decision 13453 (PECB, 2021). The complaints concerned internal union matters, which are not within the Commission's jurisdiction. *Id.* Additionally, the Administrator found that the complaints lacked sufficient facts to find a cause of action for union interference, union discrimination, or a breach of the union's duty of fair representation. *Id.*

On January 10, 2022, the complainant filed a timely notice of appeal. The complainant filed an appeal brief. The union filed a response brief.

The issue before the Commission is whether the facts, as alleged, are sufficient to state a cause of action.

An unfair labor practice complaint is reviewed under WAC 391-45-110 to determine whether the facts, as alleged, state a cause of action under chapter 41.56 RCW. All alleged facts are assumed true and provable. *Whatcom County*, Decision 8245-A (PECB, 2004).


We reviewed the complaints. The complaints do not state a cause of action under the statutes administered by the Commission.

ORDER

The Order of Dismissal issued by the Unfair Labor Practice Administrator is AFFIRMED.

ISSUED at Olympia, Washington, this 12th day of May, 2022.

PUBLIC EMPLOYMENT RELATIONS COMMISSION


MARILYN GLENN SAYAN, Chairperson


MARK BUSTO, Commissioner


KENNETH J. PEDERSEN, Commissioner

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under RCW 34.05.542.



RECORD OF SERVICE

ISSUED ON 05/12/2022

DECISION 13453-A - PECB has been served by mail and electronically by the Public Employment Relations Commission to the parties and their representatives listed below.

BY: AMY RIGGS

CASE 134523-U-21

EMPLOYER: KING COUNTY

REP BY: ANGELA MARSHALL
KING COUNTY
401 5TH AVE STE 850
SEATTLE, WA 98104-2372
amarshall@kingcounty.gov

PARTY 2: CHUCK LARE

REP BY: CHUCK LARE
3522 BURKE AVE N
SEATTLE, WA 98103
chuck@lareassoc.com

PARTY 3: AMALGAMATED TRANSIT UNION LOCAL 587

REP BY: KEN PRICE
AMALGAMATED TRANSIT UNION LOCAL 587
13028 INTERURBAN AVENUE S STE 116
TUKWILA, WA 98168
kprice.president@atu587.org

JON HOWARD ROSEN
THE ROSEN LAW FIRM
705 2ND AVE STE 1200
SEATTLE, WA 98104-1798
jhr@jonrosenlaw.com