

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the matter of the petition of:)	
WASHINGTON ASSOCIATION OF FISH AND)	
WILDLIFE PROFESSIONALS)	CASE 21001-E-07-3246
Involving certain employees of:)	DECISION 9975-A - PSRA
WASHINGTON STATE - FISH)	CERTIFICATION
AND WILDLIFE)	Representation Election
)	by Agreement of Parties
)	

Garrettson, Goldberg, Fenrich & Makler, by Rhonda J. Fenrich, Attorney at Law, for Washington Association of Fish and Wildlife Professionals.

Brad Garrett, Labor Negotiator, for the employer.

Herb Harris, Organizer, for the intervenor, Washington Public Employees Association.

Yuk Cheng, Union President, for the intervenor, Washington Department of Fish and Wildlife Employees Association.

FINDINGS OF FACT

1. The above-named petitioner filed with the Public Employment Relations Commission a petition for investigation of a question concerning representation of employees of the above-named employer. The petition was timely filed and was accompanied by a showing of interest which was administratively determined by the Commission to be sufficient.
2. The organization(s) listed above as intervenors (if applicable) timely moved for intervention in the proceedings, and each motion for intervention was supported by a showing of interest which was administratively determined by the Commission to be sufficient.
3. These representation proceedings were conducted by the Commission in the bargaining unit described as:

ALL NON-SUPERVISORY PERMANENT CIVIL SERVICE EMPLOYEES OF THE DEPARTMENT OF FISH AND WILDLIFE, AS

FOLLOWS: INCLUDING ALL PERMANENT EMPLOYEES IN THE JOB CLASSES OF ENVIRONMENTAL SPECIALIST 1, 2, AND 3, AND ENVIRONMENTAL SPECIALIST 4 AND 5 IN THE FISH PROGRAM, AND ENVIRONMENTAL SPECIALIST 4 AND 5 IN THE TECHNICAL APPLICATIONS PROGRAM (TAPPS); AND INCLUDING PERMANENT SEASONAL FISH COUNTERS/SCIENTIFIC TECHNICIANS IN REGIONS 3 AND 5; MICROBIOLOGIST 2; FISH AND WILDLIFE BIOLOGIST 1, 2, 3, AND 4; FISH BIOMETRICIAN; FISH RESEARCH SCIENTIST 1 AND 2; RESEARCH ANALYST 1, 2, AND 3; AND SCIENTIFIC TECHNICIAN 1, 2, 3, AND 4, EXCLUDING ALL TEMPORARY, SEASONAL CAREER OR PERMANENT EMPLOYEES IN THE WILDLIFE PROGRAM; IN THE FISH PROGRAM SCIENCE DIVISION (INLAND FISH INVESTIGATIONS); FISH PROGRAM MANAGEMENT DIVISION (MARINE RESOURCE UNIT, INLAND FISH MANAGEMENT SECTION); FISH PROGRAM REGIONS (FISH AND WILDLIFE BIOLOGIST); HABITAT PROGRAM ENVIRONMENTAL SERVICES DIVISION; HABITAT PROGRAM MAJOR PROJECTS DIVISION; AND HABITAT PROGRAM REGIONS, AS WELL AS CONFIDENTIAL EMPLOYEES, INTERNAL AUDITORS, SUPERVISORS, NON-SUPERVISORY WASHINGTON MANAGEMENT SERVICES EMPLOYEES (ON OR AFTER JULY 1, 2004), AND EMPLOYEES INCLUDED IN ANY OTHER BARGAINING UNIT.

4. All proceedings were conducted under the supervision of the Commission in a manner designed to afford the affected employees a free choice in the selection of their bargaining representative, if any; a tally of the results previously furnished to the parties is attached hereto; and no meritorious objections have been filed with respect to these proceedings.

CONCLUSION OF LAW

1. The unit described in paragraph 3 of the foregoing Findings of Fact is an appropriate unit for the purposes of collective bargaining within the meaning of RCW 41.80.
2. All conditions precedent to a certification have been met.

DECISION 9975-A - PSRA

Page 3

NOW, THEREFORE, it is

CERTIFIED

The employees of the above-named employer in the appropriate bargaining unit described in paragraph 3 of the foregoing Findings of Fact have chosen:

WASHINGTON ASSOCIATION OF FISH AND WILDLIFE PROFESSIONALS

as their representative for the purpose of collective bargaining with their employer.

Issued at Olympia, Washington, this 31st day of March, 2008.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



CATHLEEN CALLAHAN, Executive Director



PUBLIC EMPLOYMENT RELATIONS COMMISSION

Street: 112 Henry Street NE, Suite 300, Olympia, WA 98506
Mail: PO Box 40919, Olympia, WA 98504-0919
Phone: (360) 570-7300 Fax: (360) 570-7334 E-mail: filing@perc.wa.gov

DO NOT WRITE IN THIS SPACE

TALLY OF ELECTION BALLOTS

Instructions: Other side of this form (Page 2)

Applicable Rules: WAC 391-25-550

CASE NUMBER 21001-E-07-3246 EMPLOYER State - Fish & Wildlife

The Public Employment Relations Commission has tabulated the ballots cast in the election conducted in this case, and certifies that the results of the election are as follows:

- 1. APPROXIMATE NUMBER OF ELIGIBLE VOTERS 168
- 2. VOID BALLOTS 0
- 3. VOTES CAST FOR Wa ASSN OF Fish & Wildlife Professionals 76
- 4. VOTES CAST FOR Wa Public Employees ASSN 33
- 5. VOTES CAST FOR Wa Dept of Fish & Wildlife Employees ASSN 8
- 6. VOTES CAST FOR NO REPRESENTATION 2
- 7. VALID BALLOTS COUNTED (Total of lines 3 through 6) 119
- 8. CHALLENGED BALLOTS CAST 2
- 9. VALID BALLOTS COUNTED PLUS CHALLENGED BALLOTS (Total of lines 7 and 8) 121
- 10. NUMBER OF VALID BALLOTS NEEDED TO DETERMINE ELECTION 101
- 11. CHALLENGED BALLOTS (check one):
 - ARE SUFFICIENT IN NUMBER TO AFFECT THE RESULTS OF THE ELECTION.
 - DO NOT AFFECT THE OUTCOME OF THE ELECTION.
- 12. THE RESULTS OF THE ELECTION APPEAR TO BE (check one):
 - INCONCLUSIVE, SO THAT A RUNOFF ELECTION WILL BE NECESSARY.
 - CONCLUSIVE, FAVORING THE CHOICE LISTED ON LINE 3 ABOVE.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

DATE ISSUED Mar 21, 2008 BY Sally Swerson

ACKNOWLEDGMENT OF OBSERVERS

The undersigned acted as authorized observers for the parties, and acknowledge service of a copy of this tally of ballots.

For the Employer	<u>[Signature]</u>	Title <u>LRO Negotiator</u>	Date <u>3/21/08</u>
For organization listed on Line 3	<u>[Signature]</u>	Title <u>Board Member</u>	Date <u>3/21/08</u>
For organization listed on Line 4	<u>[Signature]</u>	Title <u>Organizer</u>	Date <u>3/21/08</u>
For organization listed on Line 5	Title	Date
de-certification petitioner	Title	Date

PUBLIC EMPLOYMENT RELATIONS COMMISSION

112 HENRY STREET NE
P. O. BOX 40919
OLYMPIA, WASHINGTON 98504-0919

MARILYN GLENN SAYAN, CHAIRPERSON
PAMELA G. BRADBURN, COMMISSIONER
DOUGLAS G. MOONEY, COMMISSIONER
CATHLEEN CALLAHAN, EXECUTIVE DIRECTOR

RECORD OF SERVICE - ISSUED 03/31/2008

The attached document identified as: **DECISION 9975-A - PSRA** 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

Sally Iverson
BY: *SI* SALLY IVERSON

CASE NUMBER:	21001-E-07-03246	FILED:	03/30/2007	FILED BY:	PARTY 2
DISPUTE:	QCR RAID				
BAR UNIT:	PROFESSIONAL				
DETAILS:	Non-Sup Biologists Unit 1 (PRO-S)				
COMMENTS:					
EMPLOYER:	STATE - FISH AND WILDLIFE				
ATTN:	DIANE LEIGH 210 11TH AVE SW STE 331 PO BOX 43113 OLYMPIA, WA 98504-3113 Ph1: 360-725-5154 Ph2: 360-725-5152				
REP BY:	CINDY LERCH STATE - FISH AND WILDLIFE 600 CAPITOL WAY N MS 43200 OLYMPIA, WA 98501-1091 Ph1: 360-902-2277 Ph2: 360-902-2276				
REP BY:	BRAD GARRETT STATE - CORRECTIONS PO BOX 41105 OLYMPIA, WA 98504-1105 Ph1: 360-725-8417				
PARTY 2:	WA FISH AND WILDLIFE PROF				
ATTN:	STEVE BELL PO BOX 104 CENTRALIA, WA 98531 Ph1: 360-457-4601				
REP BY:	RHONDA FENRICH GARRETTSON GOLDBERG FENRICH 423 LINCOLN ST EUGENE, OR 97401 Ph1: 541-342-7820				

PARTY 3:
ATTN: WA PUBLIC EMPLOYEES ASSN
GREG PARKER
140 PERCIVAL ST NW
PO BOX 7159
OLYMPIA, WA 98502
Ph1: 360-943-1121

REP BY: HERB HARRIS
WA PUBLIC EMPLOYEES ASSN
140 PERCIVAL ST NW
PO BOX 7159
OLYMPIA, WA 98507-7159
Ph1: 360-943-1121

REP BY: LAWRENCE R SCHWERIN
SCHWERIN CAMPBELL BARNARD
18 W MERCER ST STE 400
SEATTLE, WA 98119-3961
Ph1: 206-285-2828 Ph2: 800-238-4231

PARTY 4:
ATTN: WA FISH AND WILDLIFE EMP ASSN
YUK CHENG
4005 16TH LANE NE
OLYMPIA, WA 98506
Ph1: 360-943-2585