



STATE OF WASHINGTON  
**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

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*Via Email Only*

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**Lifting Block of Representation Proceedings**

Cases 133171-E-20 and 133420-U-21, Washington State Language Access Providers  
Interpreters Bargaining Unit

Dear Parties:

I am responding to WA Interpreters' request to proceed with the processing of the representation petition in Case 133171-E-20, as WA Interpreters pursues an appeal to the Commission in Case 133420-U-21. I am granting the request and lifting the block of the representation proceedings.

As you know, the petitioned-for bargaining unit of language access providers in Case 133171-E-20 was also the subject of unfair labor practice complaints filed by both WA Interpreters (Case 133420-U-21) and the Washington Federation of State Employees (WFSE) (Case 134289-U-21).

At issue in both complaints was the employer's implementation of a new online scheduling tool. In its initial unfair labor practice complaint, WA Interpreters alleged that the employer made these changes to benefit the WFSE in the representation proceedings and alleged that these acts constituted unlawful domination of a bargaining representative under RCW 41.56.140(2). WA Interpreters later amended its complaint to withdraw the allegation of unlawful domination of a bargaining representative. Both the WFSE and Interpreter's Rising, an intervenor in the representation petition, requested that processing of the representation petition be blocked. WA Interpreters requested that processing of the representation petition be allowed to proceed.

Despite WA Interpreters' withdrawal of its allegation that the employer had engaged in unlawful domination of a bargaining representative, WA Interpreters raised the specter that the introduction of this new online scheduling system would improperly impact the outcome of the representation proceedings. Accordingly, and pursuant to WAC 391-25-370, I blocked the processing of the representation petition while the unfair labor practice complaints were pending.

The unfair labor practice complaints went to hearing before Examiner Michael Snyder, who issued a decision concluding that no unfair labor practice was committed and dismissing both complaints. *See Washington State Language Access Providers*, Decision 13355-A (PECB, 2021). The WFSE did not appeal the Examiner's decision and no longer provides a basis to block the processing of the representation petition. WA Interpreters has appealed the Examiner's decision to the Commission but again requests to proceed pursuant to WAC 391-25-370(2).

In reviewing the arguments and briefing before the Examiner, the Examiner's decision, and the appeal to the Commission in Case 133420-U-21, I do not believe that WA Interpreters has pursued any claims or arguments alleging that the employer's actions would improperly impact the outcome of the representation proceedings. WA Interpreters acknowledges that if the block is lifted, WA Interpreters would be precluded from raising election objections based upon the allegations in its unfair labor practice complaint. Because the WFSE's unfair labor practice case is now closed, it is not a basis to block the processing of the representation petition. Accordingly, I am lifting the block of the representation proceedings in Case 133171-E-20. Dario de la Rosa, the Representation Administrator who has been handling the representation proceedings, will be in contact with the parties.

Sincerely,



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