



PUBLIC EMPLOYMENT RELATIONS COMMISSION

NOTICE TO EMPLOYEES

STATE LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist an employee organization (union)
- Bargain collectively with your employer through a union chosen by a majority of employees
- Refrain from any or all of these activities except you may be required to make payments to a union or charity under a lawful union security provision

THE WASHINGTON PUBLIC EMPLOYMENT RELATIONS COMMISSION CONDUCTED A LEGAL PROCEEDING AND RULED THAT THE PORT OF SEATTLE COMMITTED AN UNFAIR LABOR PRACTICE AND ORDERED US TO POST THIS NOTICE TO EMPLOYEES:

WE UNLAWFULLY failed to provide Teamsters Local 117 notice and opportunity to bargain the impacts of the employer's decision to change the night shift sergeant staffing level when overtime is required.

TO REMEDY OUR UNFAIR LABOR PRACTICES:

WE WILL, upon request, bargain in good faith with Teamsters Local 117 concerning the mandatory effects on bargaining unit employees of the Port of Seattle's decision to change the night shift sergeant staffing level when overtime is required.

WE WILL provide back pay to employees affected by the decision to change the night shift sergeant staffing level when overtime was required at the rate of their normal wages from five days after the date of this Order until the occurrence of the earliest of the following conditions: (1) the Port of Seattle bargains with the Teamsters Local 117 to agreement over the effects of the decision to change night shift staffing of the second sergeant when overtime is required; (2) the parties bargain to bona fide impasse and proceed to interest arbitration as provided in RCW 41.56.430 - 470, the date on which an arbitrator issues an award; (3) the union fails to request bargaining within five business days following the date of this Order, or to commence negotiations within five business days of the Port of Seattle's notice of its desire to bargain with the union; or (4) Teamsters Local 117 fails to bargain in good faith. The sum paid to each employee shall not exceed the amount of overtime the employee would have earned from the date the employer stopped scheduling a second sergeant past midnight when overtime is required until the date on which the employer offered to bargain in good faith. However, in no event shall the sum of back pay be less than the employees would have earned in overtime for a two-week period. Back pay shall be computed in accordance with WAC 391-45-410.

WE WILL preserve and, within 14 days of a request, make available for examination and copying all payroll records, social security payment records, personnel records and reports, and all other records necessary to analyze the amount of back pay due under the terms of this Order.

WE WILL NOT, in any other manner, interfere with, restrain, or coerce our employees in the exercise of their collective bargaining rights under the laws of the State of Washington.

PORT OF SEATTLE

BY: _____ DATE: _____
Name and Title of Authorized Representative

This notice must remain posted for 60 consecutive days, and must not be altered or covered by any other material. The full decision in this case is published at www.perc.wa.gov

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE.

PERC is an independent State agency that enforces public sector collective bargaining laws in the State of Washington. Our mission is to prevent or minimize disruptions to public services by the uniform, impartial, efficient and expert resolution of labor-management disputes. PERC conducts secret ballot elections to determine whether employees want union representation, provides mediation services and conducts unfair labor practice and arbitration hearings. Questions about this notice or compliance with the Commission's order may be directed to PERC, 112 Henry Street NE, Suite 300, PO Box 40919, Olympia, Washington 98504-0919. To find out more about your rights, you may call our office: (360) 570-7300 or go to our website www.perc.wa.gov.