

HISTORICAL NOTE

KENT SCHOOL DISTRICT
and
KENT EDUCATION ASSOCIATION

DECISION 898-H (EDUC)

NPER 74.37UNFAIR PRACTICE REMEDIES--TYPES OF ORDERS--INTERIM
RELIEF

Following is an excerpt from the minutes of the Commission meeting held on February 8, 1980:

"Ms. Judith Lonnquist, general counsel for the Washington Education Association represented the Kent Education Association. Mr. Larry Hanna represented the Kent School District. The case involves the creation of a new position by the Kent School District. Both parties presented extensive arguments. At the conclusion of the arguments, a recess was taken to permit the commission to consider the motion after which the Chairman stated that the motion for temporary relief is denied at this time. This order is conditioned on the school district proceeding to negotiate in good faith the salary of the individual employee concerned here.

"Any contention of the school district that the right of the Kent Education Association to negotiate rates of pay for newly established positions will have to be litigated and proved as an affirmative defense. The correlative of that ruling is that the Kent Education Association will also negotiate in good faith the salary of the individual employee here at issue and will not condition agreement on that salary on any other issue. All other issues shall be reserved for litigation in due course.

"Should a situation arise in the future in which the district declines to negotiate about a salary of an individual or a newly created position, another application can be made at that time for temporary relief and will be considered as may be appropriate. But in the meantime, the Commission sees no occasion for applying for temporary relief in this situation but it does expect the parties to conclude in good faith the one issue and that is the salary for the position that we are concerned with here. Should the problem arise we will consider a new application in the future."

By: Mary Ellen Krug, Chairman
Robert J. Williams, Commissioner

February 8, 1980

Case 2490-U-79-358