

STATE OF WASHINGTON

BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

MILES EDDY,

Complainant,

vs.

WASHINGTON STATE DEPARTMENT OF
CORRECTIONS,

Respondent.

CASE 143306-U-25

DECISION 14199 - PSRA

ORDER OF DISMISSAL

Miles Eddy, complainant.

Lynn Allan, Assistant Attorney General, Attorney General Nicholas W. Brown for
the Washington State Department of Corrections.

On June 30, 2025, Miles Eddy (complainant) filed an unfair labor practice complaint against the Washington State Department of Corrections (employer). The complaint was reviewed under WAC 391-45-110.¹ A deficiency notice issued on July 29, 2025, notified Eddy that a cause of action could not be found at that time. Eddy was given a period of 21 days in which to file and serve an amended complaint or face dismissal of the case.

On August 5, 2025, Eddy filed an amended complaint. The Unfair Labor Practice Administrator dismisses the amended complaint for failure to state a cause of action.

¹ At this stage of the proceedings, all of the facts alleged in the complaint or amended complaint are assumed to be true and provable. The question at hand is whether, as a matter of law, the complaint states a claim for relief available through unfair labor practice proceedings before the Public Employment Relations Commission.

ISSUE

The amended complaint alleges the following:

The employer violated a 2020 agreement between Teamsters Local 117 and the employer.

The amended complaint is dismissed. It asserts violations that cannot be filed with PERC by an individual employee. The amended complaint must be dismissed.

BACKGROUND

Miles Eddy is an employee at the Washington State Department of Corrections (employer) and is represented by Teamsters Local 117 (union). The union and employer are parties to a collective bargaining agreement effective July 1, 2025, through July 1, 2027. The union and employer entered into a settlement agreement to resolve a grievance on November 13, 2020. The settlement agreement permitted qualified non-food service/food manufacturing staff to work overtime in food service/food manufacturing. Eddy was one of the employees permitted to receive the overtime. From November 13, 2020, through May 5, 2025, the practice was followed.

On March 18 Eddy was notified by the employer that non-food service/food manufacturing staff were no longer allowed to work overtime in these areas per an LMC at MCC. Eddy responded to the employer with a copy of the 2020 agreement and stated the issue had been grieved and settled in 2020. On March 18 Eddy received an email from the employer informing Eddy that the employer had determined that AHCC was exempt and was to return to the agreed practice of overtime assignment.

On April 29, 2025, the employer sent an email to employees, including Eddy, that stated effective Monday May 5, 2025, the practice of allowing non-food service/food manufacturing staff to complete overtime within those areas will cease at all facilities. On April 29 Eddy sent an email to the union attempting to resolve the violation. June 3 Eddy received an update from the union. The union had informed the employer that it needed to return to the agreed practice.

On June 6 Eddy emailed the union's request to the employer.

On June 20 Eddy emailed the union requesting the union file a grievance.

On June 27 the union provided Eddy with an update that the employer was reviewing the overtime practice with the Office of Financial Management. In the meantime, the staff were to inform the union of any overtime bypass and the union would file a grievance.

On July 7 Eddy was bypassed for overtime. That same day Eddy sent an email to the union requesting a grievance be filed. The union filed the grievance on July 21.

ANALYSIS

Applicable Legal Standard

The Commission's jurisdiction is limited to the resolution of collective bargaining disputes between employers, employees, and unions. The agency does not have authority to resolve all disputes that might arise in public employment. *Tacoma School District (Tacoma Education Association)*, Decision 5086-A (EDUC, 1995). Just because the complaints do not state a cause of action for an unfair labor practice it does not necessarily mean the allegations involve lawful activity. It means that the issues are not matters within the purview of the Commission. *Tacoma School District (Tacoma Education Association)*, Decision 5086-A.

The Commission has consistently refused to resolve "violation of contract" allegations or attempts to enforce a provision of a collective bargaining agreement through the unfair labor practice provisions it administers. *Anacortes School District*, Decision 2464-A (EDUC, 1986) (citing *City of Walla Walla*, Decision 104 (PECB, 1976)). The Commission has consistently held that any remedy for a contract violation will have to come through the grievance and arbitration machinery of that contract, or through the superior courts. *South Whidbey School District*, Decision 11134-A (EDUC, 2011) (citing *Tacoma School District*, Decision 5722-E (EDUC, 1997)).

Application of Standard

The amended complaint asserts that the employer violated a 2020 agreement. The agreement was entered into between the union and employer. This agreement is a contractual agreement and the proper avenue for this claim is through the grievance procedure. It appears the union has filed a

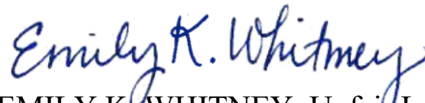
grievance in this matter. Because the amended complaint lacks facts asserting a violation that can be filed with PERC, the complaint must be dismissed.

ORDER

The amended complaint charging unfair labor practices in the above-captioned matter is DISMISSED for failure to state a cause of action.

ISSUED at Olympia, Washington, this 5th day of September, 2025.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



EMILY K. WHITNEY, Unfair Labor Practice Administrator

This order will be the final order of the agency unless a notice of appeal is filed with the Commission under WAC 391-45-350.



RECORD OF SERVICE

ISSUED ON 9/05/2025

DECISION 14199 - PSRA has been served electronically by the Public Employment Relations Commission to the parties and their representatives listed below. If no email address was provided, a paper copy was sent to the mailing address.

BY: DEBBIE BATES

CASE 143306-U-25

EMPLOYER: WASHINGTON STATE DEPARTMENT OF CORRECTIONS

REP BY: GINA L. COMEAU
OFFICE OF FINANCIAL MANAGEMENT
PO BOX 43113
OLYMPIA, WA 98504
LABOR.RELATIONS@OFM.WA.GOV

JAMIE DOLAN
WASHINGTON STATE DEPARTMENT OF CORRECTIONS
PO BOX 41115
OLYMPIA, WA 98504-1115
JPDOLAN@DOC1.WA.GOV

LYNN ALLAN
OFFICE OF THE ATTORNEY GENERAL
PO BOX 40145
OLYMPIA, WA 98504-0145
LYNN.ALLAN@ATG.WA.GOV

PARTY 2: MILES EDDY

REP BY: MILES EDDY#
1121 W INDIANA AVE
SPOKANE, 99205-4438
BASSCATCHER65@HOTMAIL.COM