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EMPLOYMENT
RELATIONS BOARD

STATE OF OREGON
EMPLOYMENT RELATIONS BOARD

MARION COUNTY EMPLOYEES)
ASSOCIATION LOCAL 294 OF THE)
OREGON PUBLIC EMPLOYEES UNION,)
))
Complainant,)
))
v.)
))
MARION COUNTY,)
))
Respondent.)
_____)

Case No. UP-031-16

COMPLAINT

1.

Complainant, Marion County Employees Association Local 294 of the Oregon Public Employees Union (herein the Complainant or Union), is a labor organization as defined by ORS 243.650(13).

2.

Respondent, Marion County (herein MCO, the Employer or Respondent) is a public employer as defined by ORS 243.650(20).

3.

The Union is Exclusive Representative for various employees of MCO within the meaning of ORS 243.650(8).

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4.

The Union and the Employer have been parties to a series of successive collective bargaining agreements. The most recent collective bargaining agreement (the CBA) was signed on August 31, 2016. (See, CBA, p. 47, Exhibit A)

5.

After finalization of the CBA and continuing to the date of filing herein Respondent has failed and refused to implement Article 6 (Holidays) and Article 7 (Vacation Leave) of the CBA. Respondent has offered no valid basis for that failure and refusal.

6.

By the acts described above – particularly those set out in paragraph 5 above, Respondent MCO has violated the provisions of a written contract with respect to employment relations in violation of ORS 243.672(1)(g).

Remedy

In remedy of the various unlawful acts and omissions set forth above, Complainant respectfully urges that the Board take the following actions:

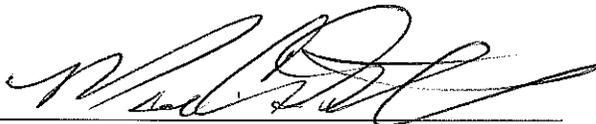
- A. Order Respondent to cease and desist from failing and refusing to apply the terms of the CBA;
- B. Order Respondent to immediately comply with Articles 6 and 7 of the CBA and pay employees any and all monies owed under those provisions, with interest;
- C. Order Respondent to post a Notice at all of its facilities that employ unit employees and send each such employee a copy of said Notice on the Respondent's e-mail system and by direct mail to unit employees who do not have access to the e-mail

system setting out all for the above and containing a pledge that Respondent will not commit like or related acts in the future.

D. Any other relief the Board finds just and proper.

DATED this 17th day of October, 2016, Salem, Oregon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marc A. Stefan', written over a horizontal line.

Marc A. Stefan, OSB #086075
Supervising Attorney
SEIU Local 503, OPEU
P.O. Box 12159
Salem, Oregon 97309-0159
(503) 581-1505
stefanm@seiu503.org