

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UP-014-13

(UNFAIR LABOR PRACTICE)

CLACKAMAS COUNTY PEACE)	
OFFICERS ASSOCIATION AND)	
CHAD ATKESON,)	
)	
Complainants,)	
)	RULINGS,
v.)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
CITY OF WEST LINN,)	AND ORDER
)	
Respondent.)	
_____)	

Barbara J. Diamond, Attorney at Law, Diamond Law, Portland, Oregon, represented Complainants.

Kathy A. Peck, Attorney at Law, Peck, Rubanoff & Hatfield, Lake Oswego, Oregon, represented Respondent.

On April 3, 2014, this Board received Complainants’ objections to a March 20, 2014, Recommended Order issued by Administrative Law Judge (ALJ) Wendy L. Greenwald, after a hearing on October 2 and 3, 2013, in West Linn, Oregon, and on December 4, 5, and 6, 2013, in Salem, Oregon. The record closed on February 3, 2014, following receipt of the parties’ post-hearing briefs. On April 30, 2014, Complainants withdrew their objections.

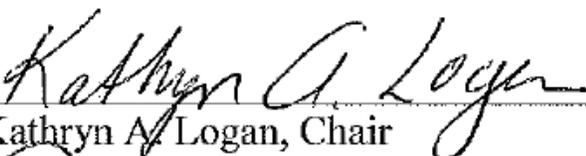
When neither party objects to a recommended order, we generally adopt the recommended order as our final order, and we consider any objections that could have been made to that order unpreserved and waived. *International Brotherhood of Electrical Workers, Local Union No. 659 v. Eugene Water & Electrical Board*, Case No. UP-008-13, 25 PECBR 901 (2014). This final order is binding on, and has precedential value for, the named parties only.

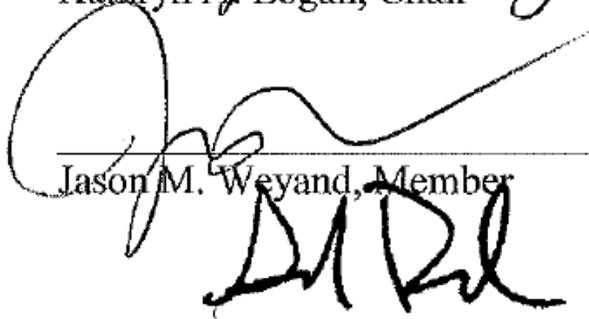
We have previously elected not to publish recommended orders, reasoning that there would not be a benefit to anyone other than the named parties. However, on further consideration, we have decided that we will publish uncontested recommended orders as an attachment to our final order in a case, even though such final orders are precedential only with respect to the named parties.

ORDER

1. The Board adopts the recommended order as the final order in this matter.
2. The City will cease and desist from violating the “in” the exercise portion of ORS 243.672(1)(a).
3. All other claims are dismissed.

DATED this 9 day of May, 2014.


Kathryn A. Logan, Chair


Jason M. Weyand, Member


Adam L. Rhynard, Member

This Order may be appealed pursuant to ORS 183.482.