

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. UP-32-04

(UNFAIR LABOR PRACTICE)

DESCHUTES COUNTY 911 )  
EMPLOYEES ASSOCIATION, )

Complainant, )

v. )

DESCHUTES COUNTY 911 )  
SERVICE DISTRICT, )

Respondent. )

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FINDINGS AND ORDER  
ON COMPLAINANT'S PETITION  
FOR REPRESENTATION COSTS

This Board issued an Order on May 15, 2006, which held that Respondent violated ORS 243.672(1)(e). Complainant petitioned for representation costs on June 1, 2006. Respondent objected to the petition on June 20, 2006. Pursuant to OAR 115-35-055, this Board dismisses Complainant's petition because it fails to comply with Board rules.

Respondent objects that Complainant "failed to provide a copy of the Proof of Service with the copy of its petition sent to representatives of Respondent." OAR 115-35-055(2) states that:

A copy of the petition, together with a supporting affidavit, shall be served upon the opposing party at the time the petition is filed and proof of service shall be provided to the Board. The Board will dismiss petitions which do not comply with this rule. \* \* \*

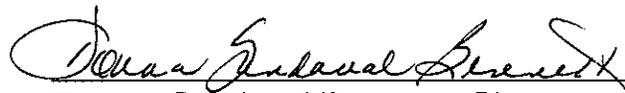
Complainant failed to provide the Board with proof of service.

Under OAR 115-35-055(5), “[f]ilings that do not strictly comply with these rules will be dismissed.” Complainant failed to provide the required proof of service. “Because Complainant failed to provide a proof of service, its petition must be dismissed, according to the express terms of the rule.” *International Association of Firefighters, Local 1817 v. City of Central Point*, Case No. UP-53-95, (Representation Cost Order, April, 1996).

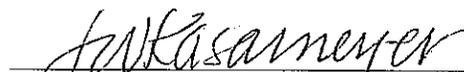
ORDER

The petition is dismissed.

DATED this 11<sup>th</sup> day of August 2006.

  
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Donna Sandoval Bennett, Chair

  
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Paul B. Gamson, Board Member

  
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James W. Kasameyer, Board Member

This Order may be appealed pursuant to ORS 183.482.