

STATE OF ALASKA
before, THE DEPARTMENT OF LABOR
LABOR RELATIONS AGENCY

I.U.O.E. LOCAL 302,)		
))	
Petitioner,))	
))	
and))	CASE NO. ULP 86-002
))	
CITY OF FAIRBANKS))	
))	
Respondent.))	
_____))	

DECISION AND ORDER 86-6

The above-captioned case charging a violation under AS 23.40. 110(a)(S) of the Public Employees Relations Act (PERA) has been carefully investigated and considered.

The investigation revealed that further proceedings on the charge are not warranted. I.U.O.E. Local 302 has alleged that the City of Fairbanks unilaterally changed job qualifications and bidding procedures without negotiating their changes with I.U.O.E. Local 302 as required by contract.

Article XI of the agreement between the City of Fairbanks MUS and Local 302 I specifies any dispute involving the interpretation, application or alleged violation of the agreement will be handled as a grievance. In accordance with AS 23.40.210 and Article XI, binding arbitration is the final step of the grievance procedure between the two parties. As stated in 2AAC 10.440, relevant decisions of the National Labor Relation Board will be given great weight in making determinations under AS 23.40. Collyer Insulated Wire 192 NLRB S37 (1971) guides the Department of Labor, Labor Relations Agency in this issue. The National Labor Relation Board has specifically held that parties to a contract are required by law to honor their contractual obligation to arbitrate. PERA would be ill served by permitting parties to pursue other legal remedies and to ignore agreed upon dispute resolution machinery, UNITED TECHNOLOGIES 115 LRRM 1049. We find this rationale appropriate to this case.

ORDER

Therefore, we find that the petition should be DISMISSED, and IT IS SO ORDERED.

Signed this _____ day of July, 1986.

ROBERT J. BACOLAS, CHAIRMAN
LABOR RELATIONS AGENCY

DONALD R. WILSON, MEMBER

DENNIS GEARY, MEMBER

[SEAL AFFIXED AND SIGNATURES ON FILE]

APPEAL PROCEDURES

An Agency order may be appealed through proceedings in Superior Court brought by a party in interest against the Agency and all other parties to the proceedings before the Agency, as provided in the Rules of Appellate Procedure of the State of Alaska.

An Agency order becomes effective when filed in the office of the Agency, and unless proceedings to appeal it are instituted, it becomes final on the 31st day after it is filed.

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of the Decision and Order in the matter of the I.U.O.E. Local 302, Petitioner and City of Fairbanks, Respondent, Case No. ULP 86-002, dated and filed in the office of the Labor Relations Agency in Anchorage, Alaska, this _____ day of _____, 1986.

Clerk