

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

FAIRBANKS FIRE FIGHTERS)	
ASSOCIATION,)	
)	
Petitioner,)	
)	
and)	
)	CASE NO. ULP 87-2
CITY OF FAIRBANKS,)	
)	
Respondent.)	
_____)	

DECISION AND ORDER 87-3

On March 06, 1987, the Fairbanks Fire Fighters Association (FFFA) filed an Unfair Labor Practice charge against the City of Fairbanks. This Unfair Labor Practice charge was then amended on March 10, 1987 by FFFA. FFFA charged the City of Fairbanks with violating AS 23.04.110(a)(5) by failing to bargain in good faith with that organization. The FFFA alleges the City of Fairbanks circumvented the collective bargaining/ negotiation process by communicating directly with the members of FFFA while contract negotiations were on-going. Specifically, the City of Fairbanks issued a memorandum on March 04, 1987 to each FFFA member discussing the relative merits of on-going talks and statutory rights of FFFA members.

The Agency having found probable cause existed to support the Unfair Labor Practice charge, entered into informal conference and conciliation. The City of Fairbanks agreed to issue a second memorandum clarifying its intent not to circumvent the collective bargaining process through its March 04, 1987 memorandum.

This second memorandum explained the City's intent to resolve any contract issues at the bargaining table through the union and its negotiation teams. The issuance of this second memorandum resolved the matter to the satisfaction of the FFFA. As a result of informal conference and conciliation, the City of Fairbanks clarified its March 04, 1987 communication with FFFA members. Therefore, the Agency finds that additional formal proceedings at this juncture would not effectuate the meaning of APERA.

ORDER

As a matter of law, it is hereby ordered that the petition is DISMISSED.

Signed this 21st day of July, 1987.

THOMAS E. STUART, CHAIRMAN
LABOR RELATIONS AGENCY

JAMES R. CARR, 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 Fairbanks Fire Fighters Association, Petitioner and the City of Fairbanks, Respondent, Case No. ULP 87-2, dated and filed in the office of the Labor Relations Agency in Anchorage, Alaska, this 22nd day of July, 1987.

Clerk