

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

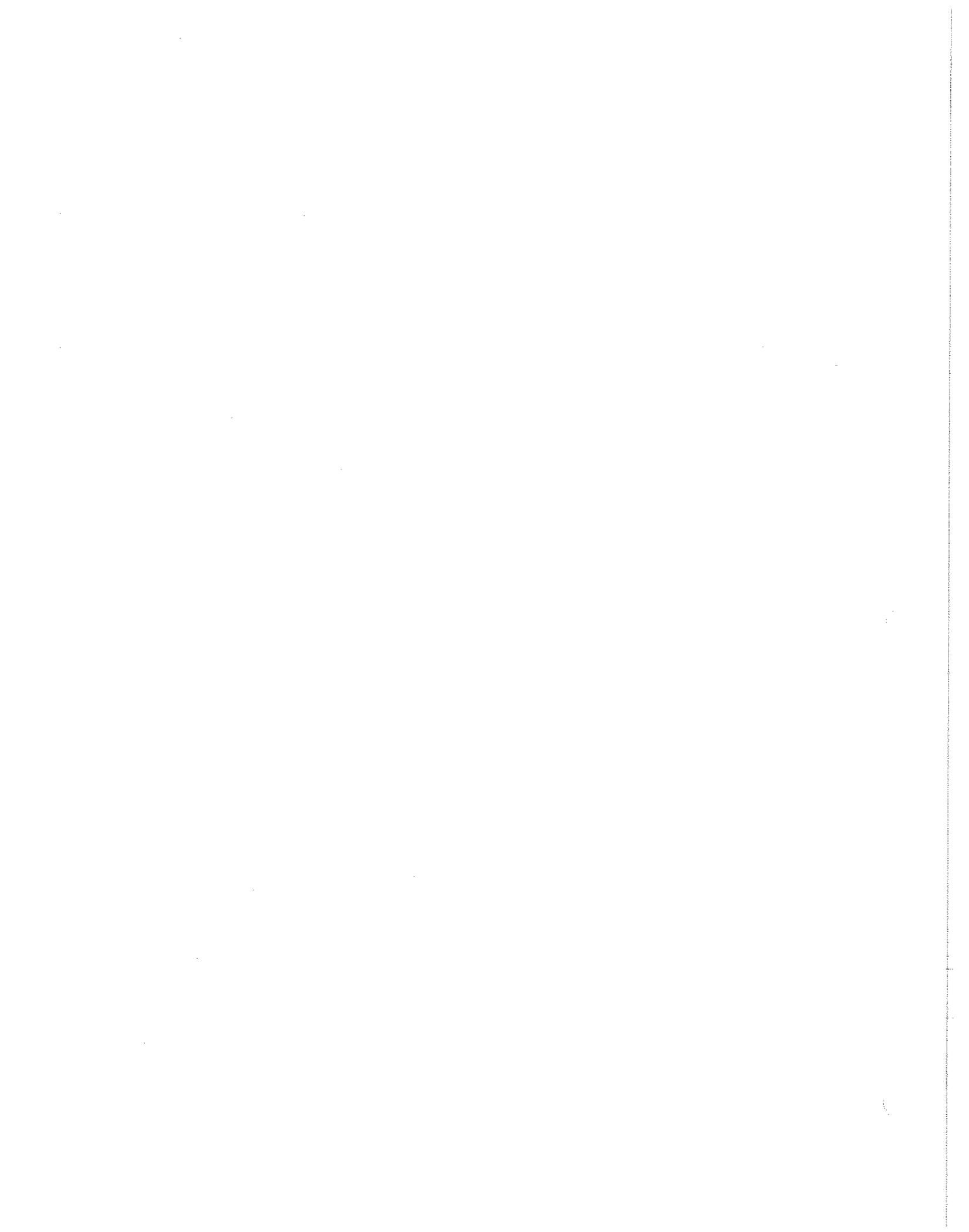
Case No. UP-62-02

REDMOND POLICE OFFICERS')
ASSOCIATION,)
)
Complainant,)
)
v.)
)
CITY OF REDMOND,)
)
Respondent.)
_____)

FINDINGS AND ORDER
ON COMPLAINANT'S PETITION
FOR REPRESENTATION COSTS

This Board issued an Order in this case on March 27, 2003. Complainant filed a petition for representation costs on April 9, 2003. Respondent filed objections to the petition on April 21, 2003. Pursuant to Board Rule 115-35-055, this Board makes the following findings:

1. Complainant is the prevailing party.
2. Complainant's petition for representation costs and Respondent's objections to the petition are both timely.
3. Complainant requests an award of \$1,602. That amount is based on 8.9 hours of legal services valued at \$180 an hour.
4. This case was processed in a modified expedited fashion. A hearing was held before an administrative law judge. The record was then transferred to this Board, and the parties submitted closing written arguments to the Board. The number of hours claimed is well below the average in similar cases. However, the hourly rate is well above the average claimed.



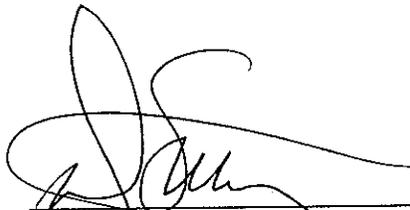
5. The issue in this matter was whether Respondent violated its duty to bargain in good faith when it refused to schedule future bargaining sessions after Complainant took the position that Respondent's bargaining proposals were untimely and would not be considered. One of the central policies of the Public Employee Collective Bargaining Act (PECBA) is to encourage public employers and the labor organizations representing public employees to bargain in good faith concerning employment relations. Respondent was understandably frustrated by the position taken by Complainant, but we concluded that its manner of expressing that frustration—refusing to schedule additional negotiations—was not lawful. Under the circumstances, an average award is appropriate.

Having considered the policies and purposes of the PECBA, our awards in similar cases, and the appropriate charges for services rendered, this Board awards Complainant \$550 in representation costs.

ORDER

Respondent shall remit \$550 to Complainant within 30 days of the date of this Order.

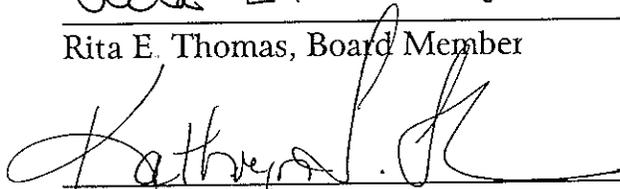
DATED this 30th day of May 2003.



David W. Stiteler, Chair



Rita E. Thomas, Board Member



Kathryn T. Whalen, Board Member

This Order may be appealed pursuant to ORS 183.482.