

TRANSMITTAL OF RULES ADOPTED BY INSTRUCTION OF HIGHER EDUCATION
(Instruction for Completion of Back of Page)

FROM: Community College District No. 12
(Name of Institution)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98504

The enclosed Permanent rules
 Emergency rules, being order No. 72-27

relating to (Name of rules or description of subject matter)

Adoption of reasonable rules and regulations for the administration of the employer-employee relationship including election procedures.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 3403 ① filed with the code reviser on 3/20/72 ② (date) were regularly adopted as permanent rules of this institution at Centralia College (place) on 4/13/72 (date) and are herewith filed in the office of the code reviser pursuant to chapter 28B.19 RCW (1971 1st ex.s. c 57). The effective date of such rules shall be _____ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this institution at _____ (place) on _____ (date) and are herewith filed in the office of the code reviser pursuant to chapter 28B.19 RCW (1971 1st ex.s. c 57).

The undersigned hereby certifies that the requirements of chapter 28B.19 RCW (1971 1st ex.s. ch 57) and of the Open Public Meetings Act of 1971, chapter 42.30 RCW (1971 1st ex.s. ch 250) have been fulfilled.

Dated this 17th day of April 1972.

Community College District No. 12
(AGENCY)
Nels W. Hanson
By Dr. Nels Hanson
Secretary of the Board of Trustees
Title _____

STATE OF WASH. GTON
FILED
APR 19 1972
CODE REVISER'S OFFICE
KET #494/FILE # 1

Effective 9/7/71

[Form CR-5]

STATE OF WASHINGTON
COMMUNITY COLLEGE DISTRICT NO. 12
Board of Trustees

RESOLUTION NO. 72-27

Administrative Order No. 72-27

A RESOLUTION Relating to permanent rules of the Community College District No. 12.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE DISTRICT NO. 12,
STATE OF WASHINGTON:

Section 1. The annexed regulations, to-wit:

Adoption of reasonable rules and regulations for the administration of the employer-employee relationship including election procedures.

are hereby approved and adopted as permanent rules of the Community College District No. 12.

Sec. 2. This resolution and annexed regulations, after being first recorded as an administrative order in the Order Register of the Community College District No. 12, shall be forwarded to the Code Reviser for filing pursuant to chapter 28B.19 RCW (1971 1st ex.s. c 57) and WAC 1-13-050.

APPROVED and ADOPTED April 13, 1972.



Attest:

Nils W. Hanson
Secretary of the Board of Trustees

PROCEDURES FOR ADMINISTERING THE
PROFESSIONAL NEGOTIATIONS LAW

NEW

WAC 132L-112-900 PURPOSE - ELECTIONS AND RECOGNITION. The Board of Trustees of Community College District No. 12 proposes the adoption of policies for the administration of chapter 196, Laws of 1971, 1st Ex. Sess. which has as its purpose the strengthening of methods of administering employer-employee relations through the establishment of orderly methods of communication between academic employees and the community college district by which they are employed. Therefore, the Board of Trustees of Community College District No. 12 adopts reasonable rules and regulations for the administration of employer-employee relations under this chapter.

NEW

WAC 132L-112-901 DEFINITIONS. "Employee organization" means any organization which includes as members the academic employees of Community College District No. 12 and which has as one of its purposes the representation of the employees in their employment relations with the community college district. "Academic employee" means any teacher, counselor, librarian, or department head, division head, or administrator, who is employed by Community College District No. 12, with the exception of the chief administrative officer of the community college district.

NEW

WAC 132L-112-902 REQUEST FOR ELECTION - CANVASS OF ACADEMIC EMPLOYEES BY INDEPENDENT AND NEUTRAL PERSON OR ASSOCIATION. Any organization, which includes as members academic employees of Community College District No. 12, desiring to be recognized as the majority organization representing such employees pursuant to chapter 196, Laws of Washington, 1971, 1st., Ex. Sess shall request in writing to the Board of Trustees of Community College District No. 12 that an election be held to determine whether a majority of such employees desire to designate it as their representative for the purposes of the Act. Upon the receipt of such a request the Board of Trustees of Community College District No. 12 will request some independent and neutral person or association (for example, the Industrial Relations Division of the Department of Labor and Industries) to determine whether thirty percent or more of the academic employees of Community College District No. 12 have indicated that they desire to be represented by that organization for such purposes. The independent and neutral person or association shall make such determination upon the basis of records of dues, paying membership, signed authorizations to represent, or other reliable and probative evidence.

NEW

WAC 132L-112-903 NOTICE OF ELECTION - ORGANIZATION TO BE INCLUDED ON BALLOT - TIME FOR FILING. If the independent and neutral person or association determines that thirty per cent or more of the academic employees of Community College District No. 12 have indicated that they desire to be represented by that organization for such purposes, the Board of Trustees of Community College District No. 12 will publish a notice that it will hold an election as soon as practical to determine whether the academic employees of Community College District No. 12 desire the requesting organization or any other

organization to represent them for the purposes of chapter 196, Laws of Washington, 1971, 1st. Ex. Sess. Any other organization of academic employees desiring to be designated as the majority organization representing such employees shall, within seven days after publication of such notice by the Board of Trustees of Community College District No. 12, file with the Board of Trustees a request in writing that its name be included on the ballot in the election to be held. No organization shall be permitted to have its name placed on the ballot used in the election unless such a request has been received within seven days after the publication of the notice that an election will be held. Such organization must accompany the request for placement on the ballot by written proof of at least ten percent representation of the academic employees within the district.

NEW

WAC 132L-112-904 CONTENTS OF NOTICE OF ELECTION - DESIGNATION OF CHIEF ELECTION OFFICER - DUTIES. The notice published by the Board of Trustees of Community College District No. 12 pursuant to WAC 132L-112-903, shall state the date, hours, and polling places for the election. The notice shall also designate a chief election officer of the election (for example the Department of Labor and Industries) and charge him with the duty of preparing the ballots and promulgating instructions concerning the details of the election to be conducted pursuant to these rules.

NEW

WAC 132L-112-905 LIST OF ACADEMIC EMPLOYEES - POSTING OF LIST. In any election conducted pursuant to these rules, lists of academic employees eligible to vote shall be prepared by the Board of Trustees listing academic employees by voting places. Such lists shall be posted at least 24 hours before the election. Such lists shall be for informational purposes and shall not be conclusive as to the right of an academic employee to vote in the election.

NEW

WAC 132L-112-906 ELECTION INSPECTORS - DUTIES - RIGHT TO CHALLENGE VOTER - IMPROPER CONDUCT. The election officer shall designate at least one inspector for each polling place to observe the conduct of the election. Any organization whose name shall appear on the ballot in the election shall also be entitled to have one inspector present at each polling place to observe the conduct of the election. Each organization shall also be entitled to have an inspector present at the College District Office for the counting of the ballots cast. Such inspectors must refrain from electioneering during the election. They may challenge the eligibility of any person to vote in the election, and, upon such challenge the ballot of that person shall be treated as provided in these rules. Inspectors shall also report in writing to the chief election officer any conduct which they observe in the course of balloting which they believe may have improperly affected the result of the voting at the polling place at which they serve as observers.

NEW

WAC 132L-112-907 BALLOTS. The ballots used in any election held pursuant to this part shall be in the following form:

* * * * *

* To select for representation purposes pur- *
 * suant to chapter 196, Laws of Washington, *
 * 1971, 1st Ex. Sess., a majority organization *
 * to represent academic employees of Community *
 * College District No. 12. *
 * * * * *

	Vote for one	
* Organization X	<input type="checkbox"/>	*
* Organization Y	<input type="checkbox"/>	*
* No Organization	<input type="checkbox"/>	*

* * * * *

* Do not sign your name or put other identifying *
 * marked on this ballot. Should you incorrectly *
 * mark your ballot you may obtain a new ballot *
 * by returning the incorrectly marked ballot to *
 * the chief election officer's inspector. *
 * * * * *

NEW WAC 132L-112-908 RECORD OF VOTE - SIGNATURE - CHALLENGE. At the time of the election, the name of each employee voting shall be recorded by his signature written beside his name on the voting list for the polling place at which he votes. Each academic employee may cast only one ballot in any election held pursuant to these rules and, in order to receive a ballot, the employee shall place his signature beside his name on the list. This shall serve as evidence the person has voted, and shall automatically constitute grounds for challenge to his right to cast another ballot in an election.

NEW WAC 132L-112-909 INCORRECTLY MARKED BALLOT. Any voter who incorrectly marks his ballot may obtain a new ballot by returning the incorrectly marked ballot to the chief election officer's inspector. Such incorrectly marked ballot shall be marked void in the presence of the inspectors of organizations participating in the election before the new ballot is delivered to the voter.

NEW WAC 132L-112-910 PRIVACY FOR VOTER - EQUIPMENT. Voters shall be provided with tables or desks so arranged that a voter may mark his ballot without making it possible for other persons to observe the manner in which he has marked it.

NEW WAC 132L-112-911 FOLDING BALLOT - BALLOT BOX. Each voter shall fold his ballot so that the manner in which he has marked it cannot be observed and shall then place it in the locked box provided at the designated voting place.

NEW WAC 132L-112-912 CHALLENGED BALLOT - PROCEDURE. A challenged ballot shall be placed in an envelope bearing no identifying marks. It shall then be placed in another envelope upon which shall be written the name of the employee desiring to cast the ballot, the reasons for which the ballot was challenged, by whom it was challenged, and the polling place at which it was challenged, and the envelope shall be sealed and initialed by the election inspectors.

NEW WAC 132L-112-913 EMPLOYEES PRESENT ENTITLED TO VOTE -

SEALING BALLOT BOX - UNUSED BALLOTS. At the time for closing the polls, all employees present and waiting at the polling place shall be entitled to vote. The ballot box shall then be sealed. All unused ballots shall then be counted in the presence of election inspectors.

NEW

WAC 132L-112-914 ELECTION INSPECTORS DUTIES AFTER VOTING HAS TERMINATED. When all voting has terminated at a polling place, the election inspectors will bring to the chief election officer at the Community College District Office the following: 1) signed voting list of eligible academic employees, 2) all unused ballots, 3) all challenged ballots, and 4) the sealed ballot box containing all ballots cast.

NEW

WAC 132L-112-915 DISPOSITION OF CHALLENGED BALLOTS - TALLY SHEETS - INVESTIGATION BY CHIEF ELECTION OFFICER. The challenged ballots previously placed in separate envelopes shall be placed in a sealed envelope marked "challenged ballots" and sent along with the tally sheet to the chief election officer. The challenged ballots shall not be opened or counted unless the counting of such ballots might affect the results of the election. If the challenged ballots might affect the results of the election, the chief election officer shall conduct an investigation into, or if necessary a formal hearing on, the validity of the challenges made. If he concludes that the challenge was properly made, that ballot shall be excluded from the count. Otherwise, such ballots shall be counted as cast.

NEW

WAC 132L-112-916 COUNTING OF BALLOTS - PROCEDURE - CERTIFICATION OF RESULTS OF ELECTION - RETENTION OF BALLOTS - SIGNED VOTING LISTS. When ballot boxes from all voting places have been received by the chief election officer's inspector, he shall open them and thoroughly mix all ballots cast so that it is impossible to identify the polling place from which any particular ballot came. The ballots cast shall be separated into the categories as they have been cast for organizations participating in the election, for no organization, and void ballots which are unintelligible or for an organization not participating in the election. The ballots in these categories shall be counted by the chief election officer with the assistance of such of his election inspectors as shall be necessary in the presence of the inspectors for the organizations participating in the election. After the ballots have been so counted the inspector designated by the organizations to serve at the Community College District Office shall indicate by his signature upon the tally sheet that he agrees with the count made, or in case of disagreement, he shall write a short statement of his grounds for disagreement with the count. The chief election officer shall certify to the Board of Trustees the results of the election within forty-eight hours after the polls have been closed. The used ballots, the unused ballots, the challenged ballots, and the signed voting lists of eligible academic employees shall be kept by the chief election officer or some person designated by him for one year after the election.

NEW

WAC 132L-112-917 ELECTIONEERING WITHIN THE POLLS FORBIDDEN. No election signs, banners, or buttons shall be permitted in the room in which the balloting takes place,

nor shall any person in that room discuss the advantages or disadvantages of representation by an organization whether on the ballot or otherwise, nor shall any person in that room engage in any other form of electioneering.

NEW

WAC 132L-112-918 CONTEST OF ELECTION - TIME FOR FILING OBJECTIONS - INVESTIGATION OF OBJECTIONS. Any organization, the name of which appears on the ballot, or any academic employee may within five days after the certification of the results of an election under the provisions of this part, file objections to the conduct of the election with the chief election officer designated by the Board of Trustees pursuant to WAC 132L-112-904 of this part. The election officer shall investigate such objections and, if necessary, hold formal hearings thereon. He shall report thereon to the Board of Trustees. If the Board of Trustees shall conclude that the conduct objected to may have improperly affected the results of the election, it shall order a new election. Otherwise, it shall overrule the objections and the results of the election shall be considered final. Objections to the conduct of the election which are not filed in accordance with the provisions of this section shall be waived and of no effect.

NEW

WAC 132L-112-919 PERSONS ELIGIBLE TO VOTE - AND - DEFINITION OF "ACADEMIC EMPLOYEE". An employee of Community College District No. 12 will be determined eligible to vote in the election as designated in chapter 196, section 2, Laws of Washington, 1971, 1st Ex. Sess. if the employee has a consistent and significant employment record as evidenced by the following criteria:

- (1) Is contracted for employment on a full-time basis for the full quarter in which the election is held; or
- (2) Is contracted for employment on a part-time basis for the full quarter in which the election is held; and
 - (a) Is scheduled to teach five or more credits during that quarter; or
 - (b) Has taught and is scheduled to teach a combined total of ten or more credits during that quarter and the two preceding quarters, excluding the summer quarter; or
 - (c) Is scheduled to perform non-teaching professional duties for more than one-third time during that quarter.

For the purposes of this part, the term "academic employee" means any teacher, counselor, librarian, or department head, division head, or administrator, who is currently employed by Community College District No 12 with the exception of the chief administrative officer of the district.

NEW

WAC 132L-112-920 ELECTION DETERMINED BY MAJORITY OF VALID VOTES CAST - RUN-OFF ELECTION. An organization of academic employees which receives a majority of the valid votes cast in an election held in accordance with the rules of this part shall be recognized as representing the academic employees of Community College District No. 12 pursuant to chapter 196, Laws of Washington, 1971, 1st Ex. Sess. If more than one organization of academic employees has participated in an election and a majority of the valid votes cast has not been either for representation by one of the organizations or for no representation, a run-off election shall be held. In such a run-off, only those two choices receiving the highest number of valid votes cast in the initial election shall appear on the ballot.

NEW

WAC 132L-112-921 TIME LAPSE FOR NEW ELECTION. If no organization of academic employees is selected as representative in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election. If an organization of academic employees is selected as the recognized employee organization in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election.

NEW

WAC 132L-112-922 RECOGNITION OF THE EMPLOYEE ORGANIZATION. Pursuant to the results of the election as certified by the chief election officer or the agency so designated, the Board of Trustees shall formally extend recognition to said employee organization receiving a majority of votes cast in accordance with WAC 132L-112-900 - WAC 132L-112-921 and shall deny recognition to those organizations receiving less than a majority.



COMMUNITY COLLEGE DISTRICT NO.12

CENTRALIA COLLEGE

AND OLYMPIA VOCATIONAL
TECHNICAL INSTITUTE

January 24, 1972

Mrs. Loma L. Barmore
Office of Code Reviser
Legislative Building
Olympia, Washington 98504

Re: Washington Administrative
Code rules

Dear Mrs. Barmore:

In checking with Tom Anderson, our Assistant Attorney General, I found that the effort has been made to coordinate the chapter numbers throughout the State Community College System. In keeping with this effort, the 112 chapter designation for "Rules and Procedures Concerning Work Load Requirements for Full-Time Faculty" and "Leave Policies for Professional Employees" are both correct, as they pertain to working conditions for professional full-time employees. However, we would like to follow your recommendation on numbering the order. In reference to permanent rules, filed January 19, 1972, the order number is 72-1.

We certainly appreciate your pointing out these two apparent irregularities.

Yours truly,

Kellis A. Hamilton
Dean of Instruction

KAH:am

Handwritten note:
Note - The subject of the
112 rules in the new Personnel
Book, Chapter 1, should be
be used to differentiate

DR. NELS W. HANSON
PRESIDENT

COMMUNITY COLLEGE DISTRICT NO. 12
BOARD OF TRUSTEES

VERNON L. MARTIN, Chairman
ERNEST HAMILTON, Vice Chairman
MELVIN D. HENDERSON
A. T. KOENNINGER, JR.
F. GEORGE WARREN