

WAC 296-133-230 Unfair labor practices—Who may file. Any employee or employee organization or a health care activities employer may file in writing an unfair labor practice charge with the department of labor and industries, alleging an unfair labor practice as set forth in the applicable provisions of sections 4 and 5 of the act: Provided, That this section and other sections of these rules relating to unfair labor practice charges, shall not be construed to prohibit an employee, an employee organization or an employer from instituting court proceedings as authorized under section 7 of the act without first having exhausted the remedies provided by these rules, except, in those cases in which an employee, an employee organization or an employer requests the director of labor and industries to exercise the authority invested in him to institute court proceedings to seek relief from the commission of an unfair labor practice. Any decision by a court rendered upon the merits of an unfair labor practice charge pursuant to a legal action instituted under the authority of section 7 shall be deemed res judicata and a bar to maintaining proceedings under this section and other sections of these rules relating to unfair labor practice charges.

[Order 72-13, § 296-133-230, filed 7/31/72.]