

members to vote and they did not have to join the union to do so. The Commission did not order reimbursement of expenses in the *Western Washington, Shoreline, or Columbia Basin* decisions. Lazar has not established unique circumstances requiring deviation from those decisions.

FINDINGS OF FACT

1. The State of Washington is a covered employer under RCW 41.80.005(8).
2. Washington Public Employees Association (union) is an employee organization within the meaning of RCW 41.80.005(7). It is the exclusive bargaining representative of a bargaining unit of certain employees of the Department of Revenue, a state agency under RCW 41.80.005(1). David Lazar is in the bargaining unit.
3. The employer and the union came to a tentative agreement for the terms of a new collective bargaining agreement on September 16, 2004.
4. On September 16, 2004, the employer agreed to a union proposal for a union security clause to be included in the contract, in exchange for the union accepting an employer proposal that all bargaining unit employees would be able to vote during the ratification process. The union agreed to the employer's proposal.
5. On Monday, September 20, 2004, Leslie Liddle, Executive Director of the union, posted a copy of the tentative agreement on the union's website along with a notice of polling times and places for the ratification vote.

