



Kitsap County Prosecuting Attorney's Office

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Civil/Child Support
Division Chief

www.kitsapgov.com/pros

Please reply to: Civil Division

April 21, 2016

Clerk of the Court
Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
CLERK'S OFFICE
E Apr 21, 2016, 1:00 pm
RECEIVED ELECTRONICALLY

RE: Petition for Review - Substitution of Signature Page
Kitsap County v. Kitsap County Correctional Officers' Guild

Dear Clerk:

On April 20, 2016, we filed a Petition for Review via email attachment in the above-referenced case. We discovered an obvious typographical error in the last sentence of page 20 (signature page). The sentence as filed read "For the reasons set forth above, the Petitioner, Kitsap County, where the respectfully requests that the Court accept review." We have corrected this sentence and removed the words "where the".

Please remove page 20 from the filed Petition and insert the enclosed corrected signature page. Thank you very much for your assistance. Should you have any questions, please do not hesitate to call me at (360) 337-5776.

Sincerely yours,

TINA R. ROBINSON
Prosecuting Attorney

Tracy L. Osbourne
Legal Assistant

Enclosure
cc: Christopher Casillas
Mark Lyon

Adult Criminal & Administrative Divisions • 614 Division Street, MS-35 • Port Orchard, Washington 98366-4681 • (360) 337-7174 • FAX (360) 337-4949
Juvenile Criminal Division • 614 Division Street, MS-35 • Port Orchard, Washington 98366-4681 • (360) 337-5500 • FAX (360) 337-4949
Special Assault Unit • 614 Division Street, MS-35 • Port Orchard, Washington 98366-4681 • (360) 337-7148 • FAX (360) 337-4949

Bainbridge Island Municipal Court Division • 614 Division Street, MS-35 • Port Orchard, Washington 98366-4681 • (360) 337-7174 • FAX (360) 337-4949
Port Orchard Municipal Court Division • 614 Division Street, MS-35 • Port Orchard, Washington 98366-4681 • (360) 337-7174 • FAX (360) 337-4949

Civil Division • 614 Division Street, MS-35A • Port Orchard, Washington 98366-4681 • (360) 337-4992 • FAX (360) 337-7083
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ATTACHMENT TO EMAIL

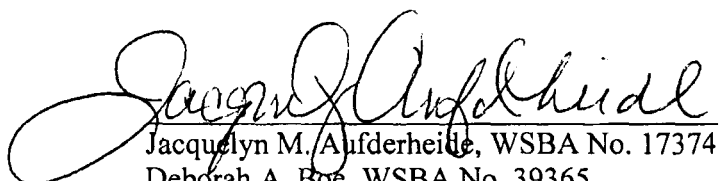
replacing union members with non-union employees. A public employer's decision to layoff as the result of a budget and staffing reduction is not amenable to collective bargaining, nor is the decision to layoff amenable to a remedy in interest arbitration. However, a public employer must bargain the impacts of the decision to layoff, and may engage in permissive bargaining.

A bargained for provision in a collective bargaining agreement and the civil service rules which mandate when layoffs may occur and the process for layoffs survive the expiration of the contract. If the Court holds that layoffs due to a budget reduction are a mandatory subject of bargaining, then the public employer's affirmative defense that the union has waived bargaining the decision to layoff is valid.

For the reasons set forth above, the Petitioner, Kitsap County, respectfully requests that the Court accept review.

Submitted this 20th day of April, 2016.

TINA R. ROBINSON
Kitsap County Prosecuting Attorney


Jacquelyn M. Aufderheide, WSBA No. 17374
Deborah A. Boe, WSBA No. 39365
Attorneys for Petitioners
ID No. 91114

CERTIFICATE OF SERVICE


I, Tracy L. Osbourne, certify under penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On April 21, 2016, I caused to be served in the manner noted a copy of the corrected signature page to the Petition for Review upon the following:

Christopher Casillas Cline & Casillas 520 Pike Street, Suite 1125 Seattle, WA 98101	Mark S. Lyon, AAG Transportation & Public Const. Div. P.O. Box 40113 Olympia, WA 98504-0113
<input checked="" type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> Via U.S. Mail
<input type="checkbox"/> Via Fax:	<input type="checkbox"/> Via Fax:
<input checked="" type="checkbox"/> Via E-mail: ccasillas@clinelawfirm.com	<input checked="" type="checkbox"/> Via E-mail: mark11@atg.wa.gov
<input type="checkbox"/> Via Hand Delivery	<input type="checkbox"/> Via Hand Delivery

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED April 21, 2016, at Port Orchard, Washington.


Tracy L. Osbourne, Legal Assistant
Kitsap County Prosecutor's Office
614 Division Street, MS 35-A
Port Orchard, WA 98366
(360) 337-5776
tosbourn@co.kitsap.wa.us

OFFICE RECEPTIONIST, CLERK

To: Tracy L. Osbourne
Cc: Jacquelyn M. Aufderheide; Deborah A. Boe; Chris Casillas (ccasillas@clinelawfirm.com); markl1@atg.wa.gov
Subject: RE: Kitsap County v. Kitsap County Correctional Officers' Guild - Correction to Petition for Review

Received 4-21-2016

Supreme Court Clerk's Office

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Tracy L. Osbourne [mailto:TOsbourn@co.kitsap.wa.us]
Sent: Thursday, April 21, 2016 12:52 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Jacquelyn M. Aufderheide <JAufderh@co.kitsap.wa.us>; Deborah A. Boe <DBoe@co.kitsap.wa.us>; Chris Casillas (ccasillas@clinelawfirm.com) <ccasillas@clinelawfirm.com>; markl1@atg.wa.gov
Subject: Kitsap County v. Kitsap County Correctional Officers' Guild - Correction to Petition for Review

Good afternoon:

Attached please find our correspondence of this date and a corrected signature page (page 20) for the Petition for Review filed by Kitsap County on April 20, 2016.

In the last sentence, the words "**where the**" were removed from the final sentence that read "*For the reasons set forth above, the Petitioner, Kitsap County, where the respectfully requests that the Court accept review.*"

Please switch out the signature page for this corrected page. Thank you for your assistance!

Sincerely,

Tracy L. Osbourne
Legal Assistant to Deborah A. Boe
Kitsap County Prosecutor's Office
614 Division Street, MS-35A
Port Orchard, WA 98366
(360) 337-5776