



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

June 12, 2019

Delivered electronically to "jsanders@iafflocal1983.org"

Subject: PDC Case 50297

Dear International Association of Firefighters Local 1983:

Below is a copy of an electronic letter sent to Robert Fiedler and Glenn Ash concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Robert Fiedler and Glenn Ash, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

If you have questions, you may contact Tabatha Blacksmith at 360-586-8929, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

/s _____
Tabatha Blacksmith
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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June 12, 2019

Delivered electronically to "bofiedler54@comcast.net" and "gk_ash@hotmail.com"

Subject: Complaint regarding International Association of Firefighters, Local 1983, PDC Case 50297

Dear Bob Fiedler and Glenn Ash:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed on April 11, 2019. Your complaints alleged that International Association of Firefighters, Local 1983 (the "Respondent") may have violated RCW 42.17A.555 by using public facilities to promote the ballot proposition "Prop 1 Public Safety Fire Bond."

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; and the responses provided by the Respondent to determine whether they support a finding of one or more violations.

Based on staff's review, we found the following:

- In March and April of 2019, the Respondent sponsored a political advertisement supporting a ballot measure (Prop 1) wherein it disclosed an address of "1901 N LaVenture, ATTN Union Mail Box, Mount Vernon, WA 98273." Its mailer contained a specific reference to the union's mailbox and clearly identified the Respondent as the sponsor. Pursuant to RCW 42.17A.320, sponsors of written political advertising are required to disclose their address on the sponsored materials.
- The City of Mount Vernon Fire Department, its administrative staff, and Fire Station 2 are located at 1901 N LaVenture Road Mount Vernon, WA 98273. The fire department's mailing address is 910 Cleveland Avenue Mount Vernon, WA 98273.
- The Respondent has maintained a mailbox at 1901 N LaVenture Road Mount Vernon, WA 98273 for approximately 20 years; the Respondent indicated it considers access to a mailbox to be a prevailing right under its collective bargaining agreement with the City of Mount Vernon.
- RCW 42.17A.555 prohibits elected officials and employees of public offices and agencies from using or authorizing the use of public office/agency facilities to promote or oppose any ballot proposition. Activities exempted from this prohibition include, but are not limited to, activities that are "part of the normal and regular conduct of the office or agency." However, whereas a union is not an elected official or public employee, it cannot violate RCW 42.17A.555.
- The Respondent indicated that "no materials were created or distributed at or from any public facility at any time and no campaign activity took place outside of regularly scheduled union

meetings.” In addition, the Respondent’s mailer was created by union members during non-work hours on personal, home computers and send to a printer via personal email.

- As a public agency, the City of Mt. Vernon is subject to RCW 42.17A.555. However, the city’s practice of allowing the Respondent to use a mailbox located at its fire station appears to be “normal and regular conduct” for the city. WAC 390-05-273 defines normal and regular conduct as conduct that is 1) lawful; 2) specifically authorized, either expressly or implied; and 3) usual (e.g. not extraordinary). The city’s practice of allowing the Respondent to use a mailbox at its fire station therefore appears to meet the above criteria due to the implied authorization of its standing provision with the Respondent and the fact that the Respondent has received correspondence of all kinds via this mailbox for several years.
- The Respondent timely filed the necessary C-6 reports with the PDC disclosing its independent expenditures pertaining Prop 1 (reports C6-9093 and C6-9095).

Based on these findings, staff has determined that, in this instance, the Respondent’s use of a mailbox located on city property – and the disclosure of this address in its political advertising – does not amount to a violation warranting further investigation.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

/s _____
Tabatha Blacksmith
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