

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL  
EMPLOYEES INTERNATIONAL  
UNION, LOCAL 8,

Complainant,

v.

WASHINGTON STATE DEPARTMENT  
OF TRANSPORTATION, FERRIES  
DIVISION,

Respondent.

MEC CASE NO. 14-09

DECISION NO. 562 - MEC

ORDER CLOSING  
WITHDRAWN COMPLAINT

*Shannon Halme*, Union Representative, appearing for Office and Professional Employees International Union, Local 8.

Robert McKenna, Attorney General, by *Don Anderson*, Assistant Attorney General, appearing for Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on May 13, 2009, when Shannon Halme, representative for Office and Professional Employees International Union, Local 8, (OPEIU), filed an unfair labor practice complaint, MEC Case No.14-09, against the Washington State Ferries (WSF).

OPEIU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by interfering with, restraining, or coercing employees in the exercise of rights; dominating or interfering with the formation or administration of an employee organization; and encouraging or discouraging membership in an employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment.

Specifically, OPEIU alleged that WSF had repudiated the OPEIU/WSF bargaining agreement under the guise of reorganization, by failing to properly notice the Union of a reorganization (Article 6.2 of the agreement) and by assigning OPEIU bargaining unit work—L & I and Jones Act claims—to non-bargaining unit personnel in the Olympia Department of Transportation Payroll Office.

Following review of OPEIU's complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. The Commission decided to consolidate this matter with MEC Case 13-09 for purposes of settlement and hearing. Chairman John Swanson was assigned as Mediator; Commissioner Patricia Warren was designated to act as Hearing Examiner.

On June 8, 2009, prior to a settlement conference or hearing being scheduled, Shannon Halme, OPEIU Union Representative, withdrew the complaint. Ms. Halme noted that on May 22, the Employer provided OPEIU with notice of a department reorganization and staff revision. The Union has requested to bargain over the decision to centralize payroll and HRMS functions to WSF Headquarters, as well as the impact of such action.

### **ORDER**

It is hereby ordered that the unfair labor practice complaint, filed by OPEIU, Local 8, against WSF and docketed as MEC Case No. 14-09, is closed in acknowledgment of OPEIU's withdrawal.

DATED this 26<sup>th</sup> day of June 2009.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ PATRICIA WARREN, Commissioner

/s/ JOHN COX, Commissioner