

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. 16-09

DECISION NO. 568 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Shannon Halme, Union Representative, appearing for Office and Professional Employees International Union, Local 8 (OPEIU).

Robert McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Department of Transportation, Ferries Division (WSF).

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on June 9, 2009, when Shannon Halme, representative for Office and Professional Employees International Union, Local 8, filed an unfair labor practice complaint, MEC Case No.16-09, against the Washington State Ferries.

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; and dominating or interfering with the formation or administration of an employee organization.

Specifically, OPEIU alleged that WSF/DOT repudiated the OPEIU/WSF contract by redistributing Payroll Department work to untrained employees, rather than utilizing backups identified in Job Descriptions, as a means to avoid paying the working out of class stipend.

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. A settlement conference was set for August 18, 2009 with Commissioner John Cox assigned to serve as Mediator. Chairman John Swanson was designated to act as Hearing Examiner; the

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hearing was scheduled for October 14, 2009. Due to a schedule conflict for Chairman Swanson, the hearing was continued to December 9.

On August 17, 2009, the parties requested the August 18 settlement conference be postponed pending settlement discussions on the related grievance.

On October 1, 2009 Shannon Halme, OPEIU, notified the MEC that this matter has been settled. OPEIU withdrew its complaint.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by OPEIU against WSF and docketed as MEC Case No. 16-09, is closed in acknowledgment of the parties' agreement.

DATED this 29th day of October 2009.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ PATRICIA WARREN, Commissioner

/s/ JOHN COX, Commissioner