

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 17-06

DECISION NO. 490 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Margaret Pelland, Business Agent, appearing for the Inlandboatmen's Union of the Pacific.

Rob McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for the Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on January 13, 2006 when the Inlandboatmen's Union of the Pacific (IBU) filed an unfair labor practice complaint against the Washington State Ferries (WSF). The matter was docketed as MEC Case No. 17-06.

IBU'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 encouraging or discouraging membership in an employee organization by discrimination in regard to: hiring, tenure, any term or condition of employment.

Specifically, IBU alleged that WSF made a unilateral change in terms and conditions of employment by implementing a new policy directing the Bremerton terminal supervisors to perform IBU jurisdictional bargaining unit work (back -lot traffic attendant).

Following review the Commission determined that the facts alleged in the complaint may constitute an unfair labor practice, if later found to be true and provable. A settlement conference

was set for August 7, 2006 with Commissioner John Sullivan assigned to serve as Mediator. Chairman John Swanson was designated to act as Hearing Examiner for the hearing scheduled on October 3, 2006.

The parties resolved this matter during the August 7 settlement conference with the assistance of Mediator Sullivan. The signed agreement (received in the MEC office on August 9) is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case 17-06, is closed in acknowledgement of the parties' settlement agreement.

DATED this 25th day of August 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT

MEC Case No. 17-06

The IBU and WSF hereby agree to settle MEC Case No. 17-06 on the following basis:

1. WSF and the IBU agree and understand that Terminal Supervisors shall not perform the duties of Traffic Attendant, Ticket Taker, or Ticket Seller, except in cases of emergency, not a daily basis.
2. MEC Case No. 17-06 is hereby dismissed.

Dated: August 7, 2006

/s/ Steve V. Rodgers

/s/ Dennis W. Conklin