

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INTERNATIONAL ASSOCIATION)	MEC Case No. 2-94
OF MACHINISTS AND AEROSPACE)	
WORKERS, DISTRICT LODGE 160,)	
LOCAL LODGE 79,)	
)	DECISION NO. 115-MEC
Grievant,)	
)	
v.)	ORDER OF DISMISSAL
)	
WASHINGTON STATE FERRIES,)	
)	
Respondent.)	
)	

THIS MATTER came on before the Marine Employees' Commission (MEC) on March 10, 1994 when the International Association of Machinists and Aerospace Workers, Local Lodge 79, (IAM 79) filed a request for grievance arbitration against Washington State Ferries (WSF) on behalf of two members (Bob Wenzlaff and Ed Zak) who are WSF employees. IAM 79 charged that WSF had violated the Metal Trades Council/WSF collective bargaining agreement by denying premium pay for certain holidays. IAM 79 certified that the grievance procedures in the Metal Trades Council/WSF Agreement had been utilized and exhausted, "but with extensive time delays and an understanding that [the] issue was resolved satisfactorily to the Union."

The matter was docketed as MEC Case No. 2-94 and assigned to Commissioner Louis O. Stewart to serve as arbitrator, pursuant to WAC 316-65-070. Arbitrator Stewart contacted David A. Volkmann, IAM 79 Business Representative, to discuss an apparent lack of timeliness, pursuant to WAC 316-65-020, and Mr. Volkmann's reference to "extensive time delays" in his arbitration request.

Mr. Volkmann filed an amended arbitration request on March 28, 1994 intended to clarify the timeliness issue. Thereupon, Stewart scheduled pre-hearing conference and hearing dates of May 10 and 13, 1994 respectively.

On April 29, 1994 IAM 79 filed a statement that the "grievance has been satisfactorily resolved so a hearing will not be necessary."

Pursuant to WAC 316-65-538, the Commission now enters the following decision and order:

ORDER

NOW, THEREFORE, it is hereby ordered that the request for grievance arbitration filed by International Association of Machinists against Washington State Ferries on March 10, 1994, is hereby dismissed.

DONE this 9th day of May 1994.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, JR., Chairman

/s/ DONALD E. KOKJER, Commissioner

/s/ LOUIS O. STEWART, Commissioner