

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION OF THE  
PACIFIC,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 27-02

DECISION NO. 313 – MEC

ORDER DISMISSING  
ADJUSTED COMPLAINT

Schwerin, Campbell and Barnard, attorneys, by *Dmitri Iglitzin*, appearing for and on behalf of the Inlandboatmen's Union of the Pacific.

Christine Gregoire, Attorney General, by *David Slown*, Assistant Attorney General, for and on behalf of Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on January 24, 2002, when Dennis Conklin, 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. 27-02.

IBU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by refusing to bargain collectively with representatives of employees. Specifically, IBU alleged that on or about December 14, 2001, WSF issued a Fleet Advisory to all employees revising the disciplinary process within the Code of Conduct. IBU asserted that WSF unilaterally changed a working condition, refused to bargain with the Union about the condition, interfered with the Union's ability to represent its members and with the members' right to engage in collective bargaining.

Following initial review of the complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. Chairman John Nelson was designated to act as Hearing Examiner. A settlement conference was scheduled for March 26, 2002 and a hearing for April 23, 2002.

The parties met with Commissioner John Byrne on March 26 and reached an agreement. Commissioner Byrne forwarded the parties' signed settlement agreement (which includes IBU's withdrawal of the complaint) to the MEC office. That agreement 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 No. 27-02, be dismissed.

DATED this 4th day of April 2002.

MARINE EMPLOYEES' COMMISSION

  
\_\_\_\_\_  
JOHN NELSON, Chairman

  
\_\_\_\_\_  
JOHN SULLIVAN, Commissioner

  
\_\_\_\_\_  
JOHN BYRNE, Commissioner

MAR 27 2002

MARINE EMPLOYEES' COMMISSION  
OLYMPIA, WA

Case 27 - 02

- ① Late to work form will be revised as agreed upon (copy attached).
- ② Case withdrawn.

<u>Dennis Conklin</u>	03-26-02	<u>Paul J. How</u>
IBU		NSF
Date		Date 3/26/02



WASHINGTON STATE FERRIES

Incident Report Documentation  
regarding  
Late to work  
and  
Employee Response

NAME: \_\_\_\_\_  
Job Classification: \_\_\_\_\_ Run Location: \_\_\_\_\_  
Vessel Name: \_\_\_\_\_ Shift/Watch: \_\_\_\_\_  
Date(s) of violation: \_\_\_\_\_

Detail What, Where and How:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: You must meet with the employee to discuss the Code of Conduct violation Rule 10; Dependability, and have him/her explain below their position on arriving late for work. After such meeting, forward this completed form to the HR Port Captain for review and possible disciplinary action. *HR Port Captain may maintain this as a record. The employee will be given separate notice and a*

Employee Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*change to respond to the event disciplinary action is recommended*

*record ~~was~~ created*  
This notice was given on \_\_\_\_\_ Date \_\_\_\_\_ Employee Signature \_\_\_\_\_ Date \_\_\_\_\_  
Deck Officers Signature and Job Title \_\_\_\_\_ Date \_\_\_\_\_  
 Employee refused to sign - Requires witness signature  
HR Port Captains Signature \_\_\_\_\_ Date \_\_\_\_\_