

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE AND PROFESSIONAL  
EMPLOYEES INTERNATIONAL  
UNION, LOCAL 8 on behalf of  
KIMMY LE,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 28-06

DECISION NO. 497 - MEC

ORDER OF MEDIATION  
RESULTS AND CLOSING  
SETTLED GRIEVANCE

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

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on June 26, 2006, when the Office and Professional Employees International Union, Local 8 (OPEIU) filed a request for grievance mediation concerning WSF's one-day suspension of Kimmy Le for alleged violation of Washington State Ferries' Code of Conduct, policies 13 and 14. OPEIU asserted that the discipline was in violation of just cause, Article 6.3, of the parties' contract.

The request for grievance mediation was docketed as MEC Case No. 28-06. Chairman John Swanson was assigned to serve as Mediator at a settlement conference scheduled for October 31, 2006.

The parties reached agreement during the October 31, 2006 settlement conference. Chairman Swanson forwarded the parties' signed settlement agreement to the MEC office

(received on November 2). That agreement constitutes OPEIU's request for withdrawal of the grievance. The signed agreement is appended to and becomes a part of this Order by reference.

**ORDER**

It is hereby ordered that the request for grievance mediation, filed by the Office and Professional Employees International Union, Local 8, and docketed as MEC Case No. 28-06, is closed in acknowledgment of the parties' settlement.

DATED this 28th day of November 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

## SETTLEMENT AGREEMENT

In full and complete settlement of MEC Case No. 28-06, OPEIU and WSF agree as follows:

WSF will remove the disciplinary letter of January 23, 2006 from the personnel file of Kimmy N. Le, effective immediately. This action shall not give rise to any back pay, but the parties agree that the letter of January 23, 2006 and the facts of the incident underlying the letter, shall not hereafter be used by WSF for any purpose.

OPEIU agrees to the withdrawal of MEC Case 28-06, and the underlying grievance.

/s/ Shannon Halme, OPEIU 10/31/06

/s/ Paul Elsey, WSF 10/31/06