

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION
OF THE PACIFIC on behalf of
DONALD CLARK,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 3-08

DECISION NO. 533 - MEC

ORDER CLOSING
SETTLED GRIEVANCE

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 Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on September 25, 2007, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration, docketed as MEC Case No. 3-08. The IBU's grievance alleged that WSF violated the collective bargaining agreement when it denied Donald Clark travel time, mileage and parking reimbursement during the nine months he worked as an EFS tester.

Commissioner Elizabeth Ford was assigned to act as Mediator for the settlement conference scheduled on October 26, 2007. Commissioner John Sullivan was designated to act as Arbitrator and a hearing scheduled for November 19, 2007.

During the October 26 settlement conference, the parties made some progress toward resolution. They agreed to schedule a second settlement conference to continue their discussion and to cancel the MEC hearing date.

IBU and WSF participated in a second settlement conference with Commissioner Ford on November 13; they were close to an agreement. By telephone on November 14, IBU confirmed the matter was resolved.

On November 19, 2007, WSF provided the Commission with a copy of the parties' signed settlement agreement, which constitutes withdrawal of the grievance. That agreement is appended to and becomes a part of this Order by reference.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by the IBU and docketed as MEC Case No. 3-08, is closed in acknowledgement of the parties' settlement agreement.

DATED this 25th day of January 2008.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner

SETTLEMENT AGREEMENT

INLANDBOATMEN'S UNION OF THE PACIFIC AND THE WASHINGTON STATE FERRIES

MEC CASE NO. 3-08

(Re: Donald Clark, et al)

In FULL AND COMPLETE SETTLEMENT of all matters raised in MEC Case No. 3-08, the parties, the Inlandboatmen's Union of the Pacific (IBU) and the Washington State Ferries (WSF), hereby agree to the following:

Washington State Ferries agrees:

1. Mr. Donald Clark will be provided the sum of two thousand (\$2,000.00) dollars for travel time and mileage. This amount is scheduled to be included in Mr. Clark's December 10, 2007 paycheck.
2. The Washington State Ferries will include Mr. Dennis Conklin, IBU Regional Director and Margaret Pelland, IBU Business Agent to the mailing list for WSF Quick Notices and Fleet Advisories. WSF will endeavor to accomplish this action as soon as practical.

Inlandboatmen's Union of the Pacific agrees:

1. The Union will withdraw MEC Case No. 3-08. A copy of this Agreement will constitute a request for withdrawal, and may be presented by either party to the Marine Employees' Commission.

/s/ David J. Slown Date: 11/16/07
For the Washington State Ferries
WSBA 24943

/s/ Margaret Pelland Date: 11/16/07
For the Inlandboatmen's Union