

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO 1, MARINE)	
ENGINEERS BENEFICIAL)	MEC Case No. 41-00
ASSOCIATION on behalf of)	
CALVIN KUYKENDALL,)	
)	
Grievant,)	DECISION NO. 261 – MEC
)	
v.)	
)	ORDER OF DISMISSAL
WASHINGTON STATE FERRIES,)	
)	
Respondent.)	
_____)	

Mario Micomonaco, Union Representative, appearing for and on behalf of District No. 1, Marine Engineers Beneficial Association and Calvin KuyKendall.

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 November 16, 2000, when District No. 1, Marine Engineers Beneficial Association (MEBA) filed a request for grievance arbitration on behalf of Calvin KuyKendall. In its grievance arbitration request, MEBA alleged that Washington State Ferries (WSF) failed to pay Calvin KuyKendall eight hours overtime he claimed for traveling to Poulsbo for a required hearing test on his scheduled day off, in violation of Rule 11.07 of the MEBA/WSF collective bargaining agreement. MEBA further asserted that WSF instead paid Mr. KuyKendall two hours overtime, plus three hours travel time and eighty-six miles (which he did not claim).

MEBA certified that the grievance procedures in the MEBA/WSF collective bargaining agreement had been utilized and exhausted. In addition, the union certified that the arbitrator's decision shall not change or amend the terms, conditions or application of said collective bargaining agreement and that the arbitrator's award shall be final and binding.

The request for grievance arbitration was docketed as MEC Case No. 41-00 and assigned to Chairman John D. Nelson, to act as Arbitrator. A hearing was scheduled for February 6, 2001.

On February 2, 2001, MEBA Union Representative, Mario Micomonaco informed the MEC that the union and WSF had reached an agreement to settle this matter. Based upon the conditions of their agreement, MEBA withdrew MEC Case No. 41-00.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by District No. 1, MEBA on behalf of Calvin KuyKendall and docketed as MEC Case No. 41-00, be dismissed.

DATED this _____ day of February 2001.

MARINE EMPLOYEES' COMMISSION

JOHN D. NELSON, Chairman

JOHN P. SULLIVAN, Commissioner

DAVID E. WILLIAMS, Commissioner