

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC on behalf of  
JERRY TUSON,

Grievant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC CASE NO. 41-04

DECISION NO. 419 - MEC

ORDER CLOSING  
SETTLED GRIEVANCE

*Jay Ubelhart*, Business Agent, appearing for the Inlandboatmen's Union of the Pacific and Jerry Tuson.

Christine Gregoire, 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 February 26, 2004 when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration. In its grievance arbitration request, IBU alleged that Washington State Ferries (WSF) denied shoregang employee, Jerry Tuson, shift differential pay, in violation of the collective bargaining agreement.

IBU certified that the grievance procedures in the pertinent IBU/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. 41-04. Chairman John Swanson was assigned to act as Mediator at the settlement conference scheduled for April

6, 2004. Commissioner John Byrne was designated to act as Arbitrator for the hearing scheduled on May 27, 2004.

The April 6 settlement conference was not held, but continued to April 8. The matter was not resolved on April 8. During the May 21, 2004 MEC public meeting, the parties requested the May 27 hearing date be cancelled. They had reason to believe the matter might be resolved, would confirm and then notify the MEC.

On June 22, 2004 the IBU withdrew this request for grievance arbitration, noting “WSF provided the IBU with payroll records, showing that Mr. Tuson was paid correctly, as per the contract.”

### **ORDER**

It is hereby ordered that the request for grievance arbitration, filed by the Inlandboatmen’s Union of the Pacific and docketed as MEC Case No. 41-04, be closed in acknowledgement of the parties’ settlement.

DATED this 2nd day of July 2004.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ JOHN BYRNE, Commissioner