

STATE OF WASHINGTON

BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1, MARINE
ENGINEERS BENEFICIAL
ASSOCIATION and
INLANDBOATMEN'S UNION OF THE
PACIFIC,

Grievant/Complainants,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 5-01

DECISION NO. 280 - MEC

ORDER OF DISMISSAL

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

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on March 16, 2001, when District No. 1, Marine Engineers Beneficial Association (MEBA) filed a request for grievance arbitration on behalf of George Raymond. In its grievance arbitration request, MEBA alleged that Washington State Ferries (WSF) denied Engineer George Raymond reimbursement for five nights lodging in Anacortes when the reserved "WSF lodge" rooms were full.

MEBA certified that the grievance procedures in the pertinent 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. 5-01. Commissioner John P. Sullivan was designated to act as Arbitrator at the hearing scheduled for June 5, 2001.

By facsimile on May 29, 2001, Union Representative Mario Micomonaco requested a continuance of the hearing. He indicated that additional time was required to allow MEBA's legal counsel to prepare for hearing and to complete testing on the M.V. Sealth. (The hearing date was cancelled.) Mr. Micomonaco advised he would contact the MEC to reschedule the hearing after he had opportunity to discuss dates of availability with WSF counsel, David Slown.

Additionally, on June 1, 2001, MEBA amended Case 5-01 to include all members of the M.V. Sealth and all other vessels assigned to Anacortes and Port Townsend Routes.

By letter of June 25, 2001, Union Representative Mario Micomonaco withdrew the grievance indicating that the Union believes it will best serve its members by withdrawing and negotiating this issue.

ORDER

It is hereby ordered that the request for grievance arbitration, filed by District No. 1, MEBA on behalf of George Raymond and docketed as MEC Case No. 5-01, be dismissed.

DATED this ____ day of July 2001.

MARINE EMPLOYEES' COMMISSION

JOHN D. NELSON, Chairman

JOHN P. SULLIVAN, Commissioner