

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

PUGET SOUND METAL TRADES
COUNCIL,

Complainant,

v.

WASHINGTON STATE FERRIES,

Respondent.

MEC Case No. 6-06

DECISION NO. 477 - MEC

ORDER CLOSING
SETTLED COMPLAINT

Reid, Pedersen, McCarthy and Ballew, by *Ken Pedersen*, Attorney, appearing for Puget Sound Metal Trades Council.

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

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on September 12, 2005, when the Puget Sound Metal Trades Council (Metal Trades) filed an unfair labor practice complaint against the Washington State Ferries (WSF). The matter was docketed as MEC Case No. 6-06.

In its complaint, Metal Trades charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by refusing to bargain collectively with representatives of employees. Specifically, Metal Trades alleged that WSF refused, without justification, to execute a negotiated and ratify collective bargaining agreement for 2003-2005.

Following review of Metal Trades' complaint, the MEC determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable. A settlement conference was scheduled for November 29, 2005 with Chairman John Swanson assigned to

serve as Mediator. Commissioner Elizabeth Ford was designated to act as Hearing Examiner and a January 6, 2006 hearing scheduled.

The November 29, 2005 settlement conference was cancelled when the MEC needed to schedule an expedited hearing in another case during that week. The January 6, 2006 hearing date was eventually converted to a settlement conference. The parties were unable to resolve the matter on that date; the hearing was continued to April 7, 2006.

On April 6, 2006, counsel for WSF and Metal Trades requested the hearing be postponed to allow them additional time to try to resolve the issue. During MEC's April 28 public meeting, AAG Slown reported that the 2003-2005 Metal Trades contract has been ratified. On May 4, Metal Trades' counsel Ken Pedersen confirmed that the parties have resolved their disagreement over the terms of the 2003-2005 contract and withdrew the complaint.

ORDER

It is hereby ordered that the unfair labor practice complaint, filed by Metal Trades against WSF and docketed as MEC Case 6-06, is closed as settled.

DATED this 24th day of May 2006.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ JOHN SULLIVAN, Commissioner

/s/ ELIZABETH FORD, Commissioner