

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC and  
INTERNATIONAL ORGANIZATION  
OF MASTERS, MATES & PILOTS,

Complainants,

v.

WASHINGTON STATE DEPARTMENT  
OF TRANSPORTATION, FERRIES  
DIVISION,

Respondent.

MEC CASE NO. 6-10

DECISION NO. 579 - MEC

ORDER CLOSING  
SETTLED COMPLAINT

Schwerin, Campbell, Barnard, Iglitzin and Lavitt, by *Robert Lavitt*, Attorney, appearing for the Inlandboatmen's Union of the Pacific (IBU) and the International Organization of Masters, Mates and Pilots (MM&P).

Robert McKenna, Attorney General, by *David Slown*, Assistant Attorney General, appearing for Washington State Department of Transportation, Ferries Division (WSF).

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on November 24, 2009, when the Inlandboatmen's Union filed an unfair labor practice complaint, MEC Case No. 6-10, against the Washington State Department of Transportation, Ferries Division.

IBU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by interfering with, restraining or coercing employees in the exercise of rights; and by refusing to bargain collectively with representatives of employees. Specifically, IBU alleged that WSF unilaterally implemented a shortened bid period (4 days) for the winter 2010 schedule, resulting in that schedule commencing on January 3, 2010, rather than January 17, 2010, as it would have under the historic 7-day bid period.

ORDER CLOSING  
SETTLED COMPLAINT

Following review of the IBU's complaint, the Commission determined that the facts alleged may constitute an unfair labor practice, if later found to be true and provable.

Commissioner John Cox was assigned as Mediator for the settlement conference scheduled on March 22, 2010. Chairman John Swanson was designated to act as Hearing Examiner and a hearing scheduled for May 26, 2010.

During the March 22, 2010 settlement conference, the parties resolved the issue. On March 29, WSF provided the MEC with a signed copy of the parties' settlement agreement, which constitutes withdrawal of the complaint. That agreement is appended to and becomes a part of this Order by reference.

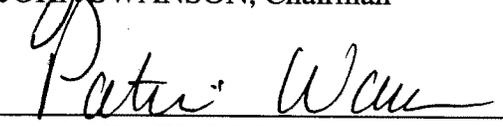
### ORDER

It is hereby ordered that the unfair labor practice complaint, filed by IBU against WSF and docketed as MEC Case 6-10, is closed in acknowledgement of the parties' agreement.

DATED this 21st day of April 2010.

#### MARINE EMPLOYEES' COMMISSION

  
\_\_\_\_\_  
JOHN SWANSON, Chairman

  
\_\_\_\_\_  
PATRICIA WARREN, Commissioner

  
\_\_\_\_\_  
JOHN COX, Commissioner

CCI MEC  
MAR 29 2010

MARINE EMPLOYEES COMMISSION  
OLYMPIA, WA

## Settlement Agreement MEC Case No. 06-10

The parties, Washington State Department of Transportation, Washington State Ferries (WSF), the International Organization of Masters, Mates, and Pilots (IOMM&P), and the Inlandboatmen's' Union of the Pacific (IBU), in full and complete settlement of MEC Case No. 6-10, hereby agree as follows:

WSF agrees:

1. To meet with representatives of IOMM&P and IBU, within two weeks of the signing of this agreement, for the purpose of scheduling meetings of the union-management deck scheduling committee. At or before the meeting, WSF shall provide the unions with a timeline for deck department seasonal bidding for the Summer 2010, Fall 2010, and Winter 2011 seasons. At the meeting, the parties shall agree upon dates and times for the scheduling committee to meet for those three seasons.
2. That, at the winter 2011 meetings of the scheduling committee, the parties shall set dates and times for the scheduling committee to meet for the next four seasonal bids. WSF shall provide a timeline for those seasonal bids at or before the meeting. The parties shall continue this pattern each year at the Winter season scheduling committee meetings, for the following four seasonal bids, under the same conditions.
3. That, for the Fall 2010, winter 2011, and spring 2011 deck scheduling meetings, WSF shall pay one eight hour day at the employee's normal rate of pay, for one additional employee member of the IOMM&P and IBU scheduling committees, for a total of three members of each union, and for a maximum of two meetings for each Season, a total of twelve eight hour days. Thereafter, the parties shall revert to the terms and conditions of the existing settlement agreement on scheduling committee meetings, except as set forth in the preceding paragraph.

The IOMM&P and IBU agree:

1. To meet with WSF as set forth in this agreement.
2. That attendance by any union representatives, other than the numbers specified in this agreement, shall be by mutual agreement of the parties, and that any additional attendees shall be compensated, if at all, through the union leave bank.
3. To the withdrawal of MEC Case No. 6-10. A signed copy of this Agreement shall constitute a request for withdrawal, and may be presented by any party.

**Settlement Agreement**  
**MEC Case No. 06-10**

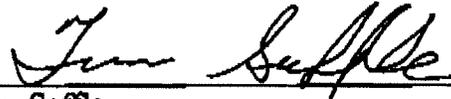
The parties mutually agree:

1. That this Agreement finally resolves any and all claims arising out of the shortened bid period for the winter 2010 seasonal bid.
2. That, except as set forth above, this Agreement shall not alter or amend any provisions of their collective bargaining agreements, or of any prior settlement agreements relating to the deck scheduling process.

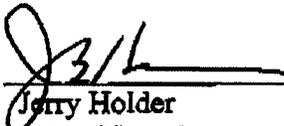
Dated this 26<sup>th</sup> day of March, 2010.



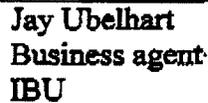
Leah Maurseth  
Labor Relations Manager  
WSDOT Ferries Division



Tim Saffle  
Business Agent  
IOMM&P



Jerry Holder  
Labor Negotiator  
OFM Labor Relations Office



Jay Ubelhart  
Business agent  
IBU

**Settlement Agreement**  
**MEC Case No. 06-10**

The parties mutually agree:

1. That this Agreement finally resolves any and all claims arising out of the shortened bid period for the winter 2010 seasonal bid.
2. That, except as set forth above, this Agreement shall not alter or amend any provisions of their collective bargaining agreements, or of any prior settlement agreements relating to the deck scheduling process.

Dated this 26 day of March, 2010.



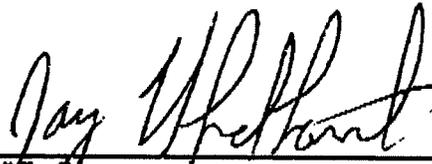
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