

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

DISTRICT NO. 1 MARINE)	MEC Case No. 6-94
ENGINEERS BENEFICIAL)	
ASSOCIATION on behalf of)	
PATRICK BEVERS,)	
)	DECISION NO. 125 - MEC
Grievant,)	
)	
v.)	ORDER OF DISMISSAL
)	
WASHINGTON STATE FERRIES,)	
)	
Respondent.)	
)	

Davies, Roberts and Reid, attorneys, by Kenneth J. Pedersen, attorney at law, appearing for and on behalf of District No. 1 Marine Engineers Beneficial Association.

Christine Gregoire, Attorney General, by Robert McIntosh, Assistant Attorney General, appearing for and on behalf of Washington State Ferries.

THIS MATTER came before the Marine Employees' Commission on May 10, 1994, when the District No. 1 Marine Engineers Beneficial Association filed a request for grievance arbitration.

In its grievance arbitration request, MEBA alleged that Patrick Bevers performed work in a void space aboard the M/V Chelan on January 3, 1994, for which he submitted time for payment of Penalty Time according to Section 8 of the WSF/MEBA Licensed Engineer Officers Collective Bargaining Agreement. Port Engineer John Christenson denied Mr. Bevers payment for the time submitted.

Commissioner Louis O. Stewart was assigned to act as arbitrator. A hearing was scheduled for July 19, 1994.

On July 18, 1994 Kenneth Pedersen informed the MEC, by letter, that the parties had reached a tentative agreement. He indicated a letter of withdrawal and a copy of the settlement agreement would follow as soon as the agreement was signed. The hearing was canceled.

On September 16, 1994, Kenneth Pedersen filed a withdrawal. A copy of the settlement agreement reached in this matter is attached and is hereby incorporated into this decision.

ORDER

MEC Case 6-94 is hereby dismissed.

DONE this 19th day of September 1994.

MARINE EMPLOYEES' COMMISSION

/s/ HENRY L. CHILES, Chairman

/s/ JOHN P. SULLIVAN, Commissioner

/s/ LOUIS O. STEWART, Commissioner

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

MARINE ENGINEERS' BENEFICIAL
ASSOCIATION, DISTRICT 1, and
PATRICK BEVERS,

vs.

WASHINGTON STATE FERRIES

MEC Case No. 6-94
SETTLEMENT AGREEMENT

IT IS HEREBY AGREED by and between the parties to this case that it shall be settled on the following terms:

- (1) WSF shall pay to Patrick Bevers two (2) hours of penalty time at the rate of \$29.94 an hour. Such payment shall be made on or before July 25, 1994.
- (2) MEBA and Mr. Bevers will dismiss MEC Case No. 6-94, with prejudice.
- (3) This agreement shall not operate to establish a precedent of any kind, nor shall it be admissible in any future arbitration case or other grievance or legal proceeding, except in a proceeding to enforce the terms of this settlement.

DATED this Sept. 2, 1994.

/s/ Ben Davidson
Washington State Ferries

CHRISTINE O. GREGOIRE
Attorney General

/s/ ROBERT M. McINTOSH, WSBA #4616
Assistant Attorney General
Attorney for WSF

/s/ Mark Austin
MARINE ENGINEERS BENEFICIAL ASSOC.

/s/ Ken Pedersen, WSBA #11150
Attorney for MEBA