

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

INLANDBOATMEN'S UNION  
OF THE PACIFIC,

Grievant,

v.

WASHINGTON STATE DEPARTMENT  
OF TRANSPORTATION, FERRIES  
DIVISION,

Respondent.

MEC CASE NO. 9-09

DECISION NO. 574 – MEC

ORDER CLOSING  
SETTLED GRIEVANCE

Schwerin, Campbell, Barnard, Iglitzin and Lavitt, by *Robert Lavitt*, Attorney, appearing for the Inlandboatmen's Union of the Pacific.

Rob McKenna, Attorney General, by *Don Anderson*, Assistant Attorney General, appearing for Washington State Department of Transportation, Ferries Division.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on December 29, 2008, when the Inlandboatmen's Union of the Pacific (IBU) filed a request for grievance arbitration, docketed as MEC Case No. 9-09, on behalf of Kristine Seeklander and all on-call employees. The IBU's grievance alleged that Washington State Ferries (WSF) incorrectly classified Kristine Seeklander as a non-permanent employee, which denied her medical benefits.

Commissioner Patricia Warren was assigned to act as Mediator for the settlement conference scheduled on May 22, 2009. Chairman John Swanson was designated to act as Arbitrator and a hearing scheduled for June 3, 2009.

Although the matter was not fully resolved during the May 22 conference, the parties continued discussions. During MEC's May 29 public meeting, IBU Business Agent Jay Ubelhart

reported that the IBU and WSF were close to signing an agreement resolving the matter. He requested that the June 3 hearing be cancelled.

On October 27, 2009, WSF provided the Commission with a copy of the parties' signed settlement agreement, which constitutes withdrawal of Case 9-09. That agreement is appended to and becomes a part of this Order by reference.

**ORDER**

It is hereby ordered that the request for grievance arbitration, filed by the IBU and docketed as MEC Case No. 9-09, is closed in acknowledgement of the parties' agreement.

DATED this 19<sup>th</sup> day of November 2009.

MARINE EMPLOYEES' COMMISSION

/s/ JOHN SWANSON, Chairman

/s/ PATRICIA WARREN, Commissioner

/s/ JOHN COX, Commissioner



**Washington State  
Department of Transportation**  
Paula J. Hammond, P.E.  
Secretary of Transportation

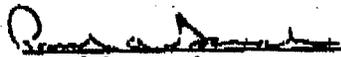
Ferries Division  
2901 3rd Avenue, Suite 500  
Seattle, WA 98121-3014  
206-515-3400  
TTY: 1-800-633-8308  
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MARINE EMPLOYEES COMMISSION  
OLYMPIA, WA

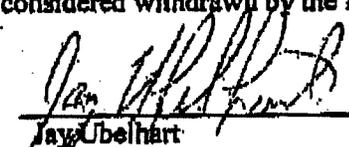
**SETTLEMENT AGREEMENT**  
MEC Case No. 23-07 (Johnston)  
and  
MEC Case No. 9-09 (Secklander et al)

The Washington State Department of Transportation Ferries Division (WSF) and the Inlandboatmen's Union of the Pacific (IBU) hereby agree as follows to resolve MEC Case No. 23-07 and MEC Case No. 9-09. This dispute arose over the timing and manner in which new hires become eligible for medical benefits pursuant to the parties' collective bargaining agreement (CBA) and the Public Employees Benefits Board (PEBB) program.

1. Consistent with the parties' previous Morvan agreement, WSF agrees all first year on-call deck employees and on-call terminal department employees will be laid off at the end of Summer Season.
2. If an employee is recalled to work, the employee will be eligible for medical benefits pursuant Rule 20 Health and Welfare of the collective bargaining agreement.
3. The two above referenced cases will be considered withdrawn by the IBU upon presentation by either party to the MEC.

  
Paul A. Ganalon  
Labor Relations Manager  
WSDOT Ferries

10-26-09  
Date

  
Jay Uebelhart  
Business Agent  
Inlandboatmen's Union

10/26/09  
Date

  
Jerry Holder  
Labor Negotiator  
OFM Labor Relations Office

10/26/09  
Date