



STATE OF WASHINGTON

## PUBLIC EMPLOYMENT RELATIONS COMMISSION

MICHAEL P. SELLARS, EXECUTIVE DIRECTOR

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### MARINE EMPLOYEES' COMMISSION

Friday, December 9, 2011 – 10:00 a.m.  
Rainier Conference Room – Washington State Ferries  
Seattle, Washington

#### MINUTES

Members and Staff: Catherine Roth, Chair  
Mark Brennan, Commissioner  
Cathleen Callahan, Executive Director - outgoing  
Michael P. Sellars, Executive Director - incoming  
Majel C. Boudia, Confidential Secretary

Others: Leah Maurseth, Washington State Ferries Labor Relations  
Harry Thompson, Puget Sound Metal Trades Council/IBEW 46  
Bill Knowlton, Marine Engineers' Beneficial Association  
George Capacci, Washington State Department of Transportation  
Jerry Holder, Office of Financial Management Labor Relations  
Robert Scott, Carpenters Union/PSMTC  
Scott Braymer, Department of Transportation  
Jay Ubelhart, Inlandboatmen's Union of the Pacific  
Stacey Ragsdale, Department of Transportation

#### APPROVAL OF AGENDA/MINUTES

The meeting was called to order at 10:00 a.m. by Catherine Roth, the newly appointed Chair of the Marine Employees' Commission.

Moved, seconded and carried to adopt the agenda distributed at the meeting.

Moved, seconded and carried to approve the minutes of the September 30, 2011 meeting.

Catherine Roth asked those in attendance to introduce themselves before the meeting continued.



STATUS OF CASES

The following open cases were reviewed:

MEBA v. WSF, Case 24113-U-11-6171 (MEC Case 14-10)

Unfair labor practice complaint filed March 17, 2010, regarding changes to the use of the key box. A second day of hearing was held on October 12, 2011, before Examiner Kenneth Latsch. Mr. Latsch issued this decision on December 8, 2011.

Jonathan Pearson v. WSF, Case 24126-U-11-6174 (MEC Case 11-10), filed June 15, 2011

Unfair labor practice complaint filed February 12, 2010. Settlement mediation did not resolve the case. Examiner Emily Martin held a hearing on October 4 and November 8, 2011. Briefs are due on January 6, 2012.

MEBA v. WSF, Case 24132-U-11-6176 (MEC Case 12-11) / Case 24375-S-11-252

Unfair labor practice complaint filed June 24, 2011, regarding change to Engine Department timekeeping procedures. Examiner Robin Romeo contacted the parties. Settlement mediation was requested (Case 24375-S-11-252). Mediator Lisa Hartrich has been assigned.

IBU v. WSF (Nichols), Case 24214-U-11-6201

Unfair labor practice complaint filed August 30, 2011. A preliminary ruling letter with a deferral to arbitration inquiry was mailed to the parties on September 7, 2011. The employer does not want the case deferred to arbitration. Examiner Claire Nickleberry is working with the parties to schedule a hearing.

Emelita Reyes Moniz v. WSF, Case 24245-U-11-6212

Unfair labor practice complaint filed September 14, 2011. A deficiency notice was mailed on September 22, 2011. This case was closed December 8, 2011.

IBU v. WSF (Ballinger), Case 24332-A-11-1499 / 24405-S-11-254

Grievance arbitration case filed October 13, 2011. The parties have requested settlement mediation (Case 24405-S-11-254). Mediator Guy Coss has been assigned and is working with the parties to schedule a meeting.

IBU v. WSF (Dooley), Case 24333-A-11-1500

Grievance arbitration case filed October 13, 2011. Mediator Karyl Elinski has been assigned and is working with the parties to schedule a meeting.

MM&P v. WSF, Case 24376-U-11-6243

Unfair labor practice complaint filed November 4, 2011, involving refusal to bargain staffing levels on certain vessels. Examiner Karyl Elinski has been assigned. This case has been consolidated for hearing with Case 24377-U-11-6244 and Case 24378-U-11-6245 (below).

MEBA v. WSF, Case 24377-U-11-6244

Unfair labor practice complaint filed November 4, 2011, involving refusal to bargain staffing levels on certain vessels. This case has been consolidated for hearing.

IBU v. WSF, Case 24378-U-11-6245

Unfair labor practice complaint filed November 4, 2011, involving refusal to bargain staffing levels on certain vessels. This case has been consolidated for hearing.

ADMINISTRATIVE REPORT

1. Executive Director Callahan reviewed the November case statistics for the Public Employment Relations Commission. Case filings are up, and the cases are more complex because of the economy. As of the end November, the year-to-date total was 713 cases filed.
2. Ms. Callahan congratulated Ms. Roth on her appointment as Chair for the Marine Employees' Commission (MEC), and assured attendees that Ms. Roth will do a great job. Mr. Brennan seconded Ms. Callahan's remarks.
3. Ms. Callahan reviewed the agency budget as it pertains to the MEC. Although PERC was not initially granted funds to cover the MEC lease at the Evergreen Plaza Building or Commissioner expenses, the Governor's budget proposal includes funds to cover these expenses.
4. The MEC website has not yet been integrated into the PERC website; however, it will be done. Mr. Sellars intends to make improvements to the agency website.
5. Ms. Callahan extended her appreciation for everyone's assistance, including the training provided to the staff by both the Washington State Ferries and the unions during the transition. She will miss everyone. She also extended her appreciation to the PERC Commissioners for their support in allowing her to work with incoming Executive Director Mike Sellars during the month of December.
6. Commissioner Mark Brennan noted that Executive Director Callahan did an incredible job in transitioning the MEC to PERC. Ms. Callahan thanked Commissioner Brennan for his assistance with the rules. Following a short discussion, Ms. Callahan reported that PERC has no involvement with the Marine Employees' Commission salary survey. The statutes now require the Office of Financial Management to conduct the salary survey. The purpose of the salary survey is to provide comparables to assist in mediation. The Hay Group conducted the survey last year. This year's survey should be similar and based upon West Coast data.
7. Meeting dates: The Commission decided to move the January 27<sup>th</sup> meeting to February 17, 2012. The meeting will be held in Olympia.

The meeting was adjourned at 10:35 a.m.